

Legislative History for Connecticut Act

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House Pages: 7449-7506

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CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
2001

VOL. 44
PART 12
3509-3798



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THE CHAIR:

Have all members voted? If all members have voted, the machine will be locked. The Clerk please announce the tally.

THE CLERK:

Motion is on passage of H.B. 6669.

Total number voting 36; necessary for passage, 19.

Those voting "yea", 36; those voting "nay", 0. Those absent and not voting, 0.

THE CHAIR:

The bill is passed. Senator Jepsen.

SEN. JEPSEN:

Madam President, I move for suspension of the rules for immediate transmittal of this item to the Governor.

THE CHAIR:

Without objection, so ordered.

SEN. JEPSEN:

I would ask that Page 14, Calendar 349 be marked PT. And the Clerk call from that same page, Page 14, Calendar 329.

THE CLERK:

Calendar Page 14, Calendar 329, File 476,
Substitute for S.B. 1122 An Act Concerning Revisions to
the Education Statutes. Favorable Report of the
Committee on Education, Government Administration and

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Elections and Appropriations. The Clerk is in possession of amendments.

THE CHAIR:

Senator Gaffey.

SEN. GAFFEY:

Thank you, Madam President. Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

The question is on passage. Will you remark?

SEN. GAFFEY:

Yes, Madam President. The Clerk is in possession of LC08841. If the Clerk could call the amendment.

THE CLERK:

LC08841 which will be designated Senate Amendment Schedule "A". It is offered by Senator Gaffey of the 13th District.

THE CHAIR:

Senator Gaffey.

SEN. GAFFEY:

I move adoption.

THE CHAIR:

The question is on adoption. Will you remark?

SEN. GAFFEY:

Yes, Madam President. Such as the underlying bill

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does, this amendment continues to make further technical changes to our education statutes. I move adoption.

THE CHAIR:

The question is on adoption. Will you remark further? If not, I will try your minds. All those in favor indicate by saying "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Opposed, "nay"? The ayes have it. The amendment is adopted. Will you remark further? Senator Gaffey.

SEN. GAFFEY:

Thank you, Madam President. I yield to Senator Sullivan for an additional amendment.

THE CHAIR:

Senator Sullivan, do you accept the yield?

SEN. SULLIVAN:

Thank you, Madam President. Thank you, Senator Gaffey. I believe the Clerk is in possession of an amendment, LC07633. I would ask that that amendment be called.

THE CLERK:

LC07633 which will be designated Senate Amendment Schedule "B". It is offered by Senator Sullivan of the 5th District.

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THE CHAIR:

Senator Sullivan.

SEN. SULLIVAN:

Thank you, Madam President. I move adoption of the amendment and request permission to summarize.

THE CHAIR:

The question is on adoption. Please proceed.

SEN. SULLIVAN:

Thank you, Madam President. The amendment will add a small but important bit of flexibility to the operation of our magnet schools in the State of Connecticut.

As we know from a recent report and some initiatives that the Commissioner has even urged us to take up as we, how shall I say, continue to consider the budget, for the coming biennium, that the precarious nature of financing magnet schools poses many challenges, particularly those that are dependent upon regional education service centers.

What this amendment will do is simply this. It will allow any magnet school that is part-time in nature, and that's an important distinction, not full-time, but part-time in nature which is to say that the student attending this magnet school will be enrolled somewhere else for the bulk of their education.

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It will allow up to 5% of the full-time equivalent enrollment of that magnet school to be tuitioned out to nonpublic school students in the event that there is an opportunity to do that.

As the fiscal note indicates, the potential impact in any particular case is modest. Indeed, it says fairly insignificant and I think that's probably pretty accurate. But what it may do is for that magnet school that is part-time in nature and has some available space, it would allow that school to enroll on a full pay, if not more than full pay basis, students whose tuitions will then help to pay and offset what is so far a relatively limited contribution on the public ledger and on the public side.

So this will contribute to more diversity. It will contribute to a small contribution of support for magnet schools and in some cases it will provide an opportunity for students to attend particularly specialty part-time magnet schools who would not otherwise have that chance.

THE CHAIR:

Thank you, Sir. Will you remark further? If not, I will try your minds. All those in favor indicate by saying "aye".

ASSEMBLY:

Aye.

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THE CHAIR:

Opposed, "nay"? The ayes have it. the amendment is adopted. Will you remark further? Senator Gaffey.

SEN. GAFFEY:

Thank you, Madam President. The Clerk is in possession of LC08722. If the Clerk would please call and I be granted leave of the Chamber to summarize.

THE CLERK:

LC08722 which will be designated Senate Amendment Schedule "C". It is offered by Senator Gaffey of the 13th District et al.

THE CHAIR:

Senator Gaffey.

SEN. GAFFEY:

Thank you, Madam President. This amendment would require that any school building project put out for bid on or after July 1, 2004 be required to have automatic fire extinguishing system approved by the State Fire Marshal and I move adoption.

THE CHAIR:

The question is on adoption. Will you remark? If not, I will try your minds. All those in favor indicate by saying "aye".

ASSEMBLY:

Aye.

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THE CHAIR:

Opposed, "nay"? The ayes have it. The amendment is adopted. Will you remark further? Senator Gaffey.

SEN. GAFFEY:

Thank you, Madam President. Very quickly, because the far majority of the sections of this bill as amended now are technical in nature.

There are a few sections that should be mentioned, particularly those with regard to the Commissioner's power to revoke an educator's license or teaching certificate based upon the fact that that teacher has been found to have been convicted of certain crimes.

Currently the statute is limited to the conviction for second degree sexual assault. This will expand it to capital felony, arson, murder, and Class A felony and a Class B felony, risk of injury to a minor and several other important criminal offenses.

You may remember there was an article in The Courant not too long ago, a couple of months ago about teachers, a few teachers that had been teaching in the State of Connecticut that did have convictions that their local school districts did not know about.

The bill now as amended, would allow the Education Commissioner to run a check with the State Police data base as to those people who hold teaching certificates

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in the State of Connecticut and any possible outstanding criminal convictions that there may be.

The bill also now will require, will incorporate the fine work of the Program Review and Investigations Committee on our vocational technical school admissions study. And most importantly, we start tracking very carefully the academic performance of our students in the vocational technical schools.

And also, we will be having the State Department of Education to apply for funding and participation in the federal government's Troops to Teachers Program as an additional effort on the part of the State of Connecticut to recruit new teachers into the State of Connecticut to address the teacher shortage issues that we have here.

With that, Madam President, I would urge my colleagues to support the bill.

THE CHAIR:

Thank you, Sir. Will you remark further? Senator Cook.

SEN. COOK:

Thank you very much, Madam President. I just want to, I rise to thank Chairman Gaffey for incorporating the proposal I put forward on having us participate in the Troops to Teachers Program. It is a wonderful

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opportunity for us to be able to recruit, particularly minority adults into the teaching corps with a large Navy base that we have in Groton with 22,000 active duty service people there.

We have a great opportunity to recruit teachers. This program has enjoyed a wonderful renaissance in the federal government with President Bush providing a ten-fold increase in funding and Connecticut is one of the few states that had not participated and now we will. So I want to thank the Chairman for bringing this forward and I'm very excited about the new opportunities that it will offer to Connecticut's classrooms.

THE CHAIR:

Thank you, Senator Cook. Will you remark further?

Senator Genuario.

SEN. GENUARIO:

Thank you, Madam President. Before I call an amendment, I might say that Senator LeBeau mentioned to me about five hours ago that he hadn't heard me speak much this session, so that may account for my sudden rise in activity.

The Clerk has an amendment. I would like the Clerk to call LCO8500, Madam President.

THE CLERK:

LCO8500 which will be designated Senate Amendment

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Schedule "D". It is offered by Senator Genuario of the
25th District et al.

THE CHAIR:

Senator Genuario.

SEN. GENUARIO:

Thank you, Madam President. Madam President, I
move adoption of the amendment and request leave to
summarize.

THE CHAIR:

The question is on adoption. Please proceed.

SEN. GENUARIO:

Let me start out by saying, Madam President, that
this amendment has a fiscal note and not an
insignificant one. This amendment would cost the State
of Connecticut approximately \$14 million a year.

This amendment addresses a problem that many of us
have talked about for many years that many of us have
supported orally for many years, but that we as a
Legislature have failed to implement for many years, and
this deals with the issue of special education and
funding of special education.

We fund, we assist municipalities in bearing the
cost that we and to some extent the federal government
mandate with regard to providing services for special
education students as we should. We should both provide

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those services, we should insist that local school districts provide those services, and we should pay to the full extent that we are able to, the state should pay to the full extent that we are able to, to subsidize the cost.

Currently, one of the methods of subsidizing the cost is to provide through what we call the excess cost grant and we provide municipalities with a subsidy that is equal to five times the average per people expenditure of that municipality to the extent that they spend more on a special education student than five times of the amount of the people expenditure the state picks up the excess cost.

This would drop that to four times and with that simple change in language, we would move in, what I believe to be, a proper direction of the state picking up more of the financial burden of educating those children who are in need of significant educational assistance.

I bring this bill out at this time for a couple of reasons, or I bring this amendment out at this time for a couple of reasons. One, certainly this is an issue that has been raised in the budget negotiations and I think it's important that the Legislature make a statement that it wants this included in the budget.

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Two, I think it is an appropriate opportunity for us to address, and we really haven't addressed in this circle, why this is so important. Everybody knows it's important, everybody knows that we need to assist municipalities to a greater extent, generally with regard to education and I think there is widespread support for assisting with regard to the financial aspects of financing special education.

But it's not just the cost. There's very little, I've sat on a board of education for ten years and there's very little sadder in all of local government, than to watch a board of education wrestle with the issue of how much of its budget is going to be spent on special education versus how much of its budget is to be spent on mainstream students. And it's sad for a couple of reasons.

It almost inevitably pits mainstream parents against special education parents and that's a terrible thing at a local level. It's not intended but there is inevitably a discussion and in every board of education there is a question that we cannot do this because we have to do that. And it is a terrible thing to watch.

And to the extent that the state has an opportunity to provide more funding for these children who need these services, and to these municipalities who truly

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cannot afford these services, then we should do so and we should make that statement tonight and we should say to those who are negotiating the budget tonight, put this in the budget.

Thank you, Madam President.

THE CHAIR:

Thank you, Sir. Will you remark further? Senator Sullivan.

SEN. SULLIVAN:

Thank you, Madam President. I did not know when a few hours ago I had a chance to share with the press that we would not be doing the budget before the close of the legislative session that my colleague who has throughout this session and so many others been vigilant to point out to us each and every occasion where we would prematurely take action on a bill of minor fiscal impact, that we would have in front of us tonight at a point when there is no budget before this session, a proposal of this magnitude.

I certainly understand and appreciate and I know Senator Genuario understands that I understand his sincere belief in this initiative. But I also would observe, as he would observe if the tables were turned, that in the spirit that we need to carry forward into the negotiations to come, that if we spend the waning

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hours of this session attempting to position one another for the debate that lies ahead, it will not make that task easier.

Reluctantly, reluctantly, because I have an obligation as I think we all do, to only act on that which can be funded and nothing will be funded that it is inappropriate for us to vote on this this evening.

Therefore, if this continues to be before us, I have no choice as much as I believe that it is something that we should do than to vote no.

I do feel a bit, how shall we say, perplexed, that in anticipation of the good will to come, I'm being asked to do so this evening. But that is what I'm being asked to do and I have to do what Senator Genuario would do were the tables turned and therefore I have to point out the significant fiscal impact of his amendment and I would ask the circle with no prejudice to the proposal or to the content thereof, that we need to reject it tonight and keep it in mind as we go forward and hope that we will not read of this evening in terms of those who support or do not support funding for special education.

I would prefer that my friend withdrew this amendment and allowed us to work together as I know he and I have these past few weeks. But if it stands

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before us, then we have no choice but to vote no.

THE CHAIR:

Thank you, Senator. Will you remark further?
Senator McKinney. If not, I will try your minds.
Senator Genuario.

SEN. GENUARIO:

At my friend Senator Sullivan's request, I will
withdraw this amendment, Madam President.

THE CHAIR:

Thank you, Sir. Will you remark further on the
bill? Senator Gaffey.

SEN. GAFFEY:

If there are no further comments, Madam President,
I move this bill to the Consent Calendar.

THE CHAIR:

Motion is to refer this item to the Consent
Calendar. Without objection, so ordered.

SEN. JEPSEN:

Madam President, if the Clerk would call the
Consent Calendar.

THE CHAIR:

Mr. Clerk, would you first announce a roll call
vote on the Consent Calendar.

THE CLERK:

An immediate roll call has been ordered in the

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Senate on the Consent Calendar. Will all Senators please return to the Chamber.

An immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber.

Madam President, there are two items on Consent Calendar No. 3. Calendar Page 6, Calendar 528, Substitute for H.B. 6994.

And Calendar Page 14, Calendar 329, Substitute for S.B. 1122. Madam President, that completes the Third Consent Calendar.

THE CHAIR:

Thank you, Sir. Would you once again announce a roll call vote. The machine will be opened.

THE CLERK:

The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber.

The Senate is now voting by roll on the Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

Have all members voted? If all members have voted the machine will be locked. The Clerk please announce the tally.

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THE CLERK:

Motion is on adoption of Consent Calendar No. 3.

Total number voting 36; necessary for passage, 19.

Those voting "yea", 36; those voting "nay", 0. Those absent and not voting, 0.

THE CHAIR:

The Consent Calendar is adopted. Senator Jepsen.

SEN. JEPSEN:

Madam President, that concludes our business for today.

THE CHAIR:

Today, Sir?

SEN. JEPSEN:

Madam President.

THE CHAIR:

Senator Jepsen.

SEN. JEPSEN:

I move for suspension of the rules for immediate transmittal of all items just acted upon to the House of Representatives as appropriate.

THE CHAIR:

Without objection, so ordered.

SEN. JEPSEN:

Madam President, the Clerk is in possession of Agenda No. 8.

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Those absent and not voting 1

DEP. SPEAKER FRITZ:

Representative Godfrey, excuse me sir. The bill as amended is passed. Representative Godfrey.

REP. GODFREY: (110th)

I move for the suspension of our rules for the immediate consideration of Calendar 625, S.B. 1122.

DEP. SPEAKER FRITZ:

Hearing no objections so ordered. Clerk please call Calendar 625.

CLERK:

Calendar 625, substitute for S.B. 1122, AN ACT CONCERNING REVISIONS TO THE EDUCATION STATUTES.

Favorable report of the Committee on Appropriations.

DEP. SPEAKER FRITZ:

Representative Cam Staples.

REP. STAPLES: (95TH)

Thank you Madam Speaker. I move the acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the Senate.

DEP. SPEAKER FRITZ:

The question is on acceptance and passage, please proceed sir.

REP. STAPLES: (95TH)

Thank you Madam Speaker. This bill is an annual

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bill that we bring before this legislature. Which in essence includes a long number of technical changes to education statutes, with some substantive provisions added in by the Education Committee and by amendment. Madam Speaker at this time I would like the Clerk to call LCO 8841, previously identified as Senate "A" and ask that I be permitted to summarize.

DEP. SPEAKER FRITZ:

Will the Clerk please call LCO 8841, designated Senate "A."

CLERK:

LCO 8841, Senate "A" offered by Senator Gaffey and Representative Staples.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Thank you Madam Speaker. Senate "A" includes a number of technical changes to the underlying bill that have been adopted since the JF of the bill by the Education Committee. It includes provisions relating to the extension of time for youth service bureaus to be eligible for grants.

It also extends the time, or rather extends the provision of national board certification as a substitute for CEU credit. It deletes a few sections

relating to language that is now obsolete concerning secondary regional school districts. Adds a provision relating to a central kitchen facility, makes a series of other changes that are mostly technical in nature to the underlying file copy. I move adoption.

DEP. SPEAKER FRITZ:

The question is on adoption. Will you remark further on the amendment? Representative Sawyer.

REP. SAWYER: (55TH)

Thank you Madam Speaker. A question to the distinguished chairman of the Education Committee please.

DEP. SPEAKER FRITZ:

Please proceed.

REP. SAWYER: (55TH)

If I may on the amendment sir, if you could describe section 51. The question is, do we assume what the professional criteria is in that particular section?

Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Through you Madam Speaker. Without this language the state is required to hire the executive director of this commission under the state employee's retirement

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system, in terms of their pension coverage. My understanding is that there is an agreement that has been made on a particular candidate with a long background in education.

That candidate currently has a TIAA-CREF retirement plan. This is being included to permit the state to extend to that individual an opportunity to remain involved in the TIAA-CREF pension system. I'm told by the office of fiscal analysis that that will actually result as a savings to the state because it will not require them to become a member of the state employee's retirement system. That is the purpose of this section.

Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Sawyer.

REP. SAWYER: (55TH)

Thank you Madam Speaker. If I read this language, could you describe to me then if the next person comes on board to take the position of executive director would that person have to have a teaching background?

Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Through you Madam Speaker. I don't think there's

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an ability for us to require them to participate in this retirement system unless they meet other qualifications of the teachers retirement system. It does say that they would have an option to elect participation, but I'm not sure this would override all of the requirements of the teachers retirement system. This, I know the individual who is being anticipated would qualify under that section and that's why it's here. If there is some need at some future time to clarify that there are some additional requirements that they must have, I certainly would not object to that.

DEP. SPEAKER FRITZ:

Representative Sawyer.

REP. SAWYER: (55TH)

It is your understanding that the present person does have a teaching background? Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Through you Madam Speaker. I don't want to characterize that I know who this candidate is, because I don't. But I was told that the person does come out of the education arena and this was necessary to make the offer to them, so they do meet these requirements.

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DEP. SPEAKER FRITZ:

Representative Sawyer.

REP. SAWYER: (55TH)

Thank you Madam Speaker.

DEP. SPEAKER FRITZ:

Will you remark further on the amendment?

Representative Heagney.

REP. HEAGNEY: (16TH)

Thank you Madam Speaker. Madam Speaker, I rise in support of Senate amendment "A." This amendment is largely technical in nature, but has a number of substantive provisions in it. One of which I'd like to point out is the determination of who would be available to make a grant application for the troops to teachers program, a program that assesses and assists our military personnel who are leaving the military to move to teachers and their federal grants assist in that matter.

There are also provisions in here that take care of certain special education payments and the timing of those payments. There are provisions in here requiring natural light to be considered in the construction of new schools and additions of new schools, also provisions dealing with criminal history records checks for certain new teachers and checks periodically for

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existing individuals holding licenses.

In addition there are provisions that extend the sunset provision of the MER requirements -- minimum education requirements -- and there are a number of provisions that are encouraging of teachers in certain priority school districts and those employed in regional vocational technical schools as well as transitional school districts to provide mortgage assistance to those teachers.

And for these reasons Madam Speaker, I strongly support Senate amendment "A" and encourage my colleagues to do so also. Thank you Madam Speaker.

DEP. SPEAKER FRITZ:

Will you remark further on the amendment?

Representative Blackwell.

REP. BLACKWELL: (12TH)

Thank you Madam Speaker. Through you a question for the proponent of the amendment.

DEP. SPEAKER FRITZ:

Please proceed sir.

REP. BLACKWELL: (12TH)

Thank you. For purposes of legislative intent, through you Madam Speaker. Section 57 starting at line 288 it talks about a program of mortgage assistance to certified teachers in vo-tech schools. And through you

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Madam Speaker, is this parallel language to language we offered a year ago, mortgage assistance for teacher shortage purposes? Through you.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Through you Madam Speaker. Yes it is. And in fact the underlying bill if you look at, section 57 is the bill that we passed last year and this is intended to add in the regional vocational technical schools to the reach of that program. But they would still have to qualify in terms of teaching in a subject matter shortage discipline or area under the current law.

REP. BLACKWELL: (12TH)

Thank you Madam Speaker. And I thank the gentleman for his response.

DEP. SPEAKER FRITZ:

Will you remark further on the amendment? Will you remark further on the amendment? If not, Representative Ken Green.

REP. GREEN: (1ST)

Thank you Madam Speaker. I'm trying to get through so many things in the amendment, I have some concerns and some questions. And I will probably have some more questions as we deal with the bill as I -- thank you Mr.

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Speaker, I looked up and saw that we had switched. I think I got it right today.

DEP. SPEAKER HYSLOP:

Very good observance.

REP. GREEN: (1ST)

Alright, thank you sir. Mr. Speaker, I'm going to refrain from some of my questions because after, if this amendment were to pass I have to look at some of the lines with the original language just to ask some questions. However, I want to get to page seven and some concerns about the finger printing. I have a couple of questions through you Mr. Speaker to the proponent of the amendment.

DEP. SPEAKER HYSLOP:

Please phrase your question.

REP. GREEN: (1ST)

Thank you Mr. Speaker. Representative Staples, in the new language on lines 195 to 199, it states that we shall require each worker placed within a school under a public assistance employment program who performs a services involving direct student contact to submit to state and national criminal history checks within 30 days from the date such workers begin to perform such service.

Are you aware whether or not those individuals who

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are receiving public assistance, do they currently in order to receive public assistance do they have to go through a finger printing check?

DEP. SPEAKER HYSLOP:

Representative Staples.

REP. STAPLES: (95TH)

Thank you Mr. Speaker. Through you, I am not aware what they are required to do that prior to receiving public assistance. This section includes that requirement because we reach every other school employee through the underlying section by virtue of being an employee and this was included to be sure that we reached all people who worked in schools, whether they were employees or not.

But I'm not aware of whether or not they're already required to have a background check as a condition of public assistance.

DEP. SPEAKER HYSLOP:

Representative Green.

REP. GREEN: (1ST)

Thank you Mr. Speaker. I guess I just want to understand the response. You're not aware as to whether or not if you are to receive public assistance you have to go through a criminal background check, finger printing. Was that your answer sir? Through you Mr.

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Speaker.

DEP. SPEAKER HYSLOP:

Representative Staples.

REP. STAPLES: (95TH)

That's correct.

DEP. SPEAKER HYSLOP:

Representative Green.

REP. GREEN: (1ST)

Thank you. Also another question through you Mr. Speaker, Representative Staples I guess you mentioned whether or not a person that is working in the school or has any volunteer duties in the school whether or not that person needed to be finger printed. Were I to understand that anyone, even if they're not a worker employed by the school, but volunteers under some public assistance program, and volunteers to be in the school that they would need to go through this finger printing system? Through you Mr. Speaker.

DEP. SPEAKER HYSLOP:

Representative Staples.

REP. STAPLES: (95TH)

Thank you Mr. Speaker. Through you. No, the language of the law, which you can see in line 189 of this bill requires the boards after 1994 to insure that each person hired by the board after July 1, 1994

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submitted to background checks. So I don't believe this covers volunteers.

It covers everyone hired by the board. The new language was placed there to insure that it would reach people who worked in the school system but were not hired by the board who were on public assistance. But it does not affect -- from the file copy in front of me and my understanding of this legislation -- does not effect anybody who works in the school system but is not hired by the school system, other than the new language.

DEP. SPEAKER HYSLOP:

Representative Green.

REP. GREEN: (1ST)

Thank you again, through you Mr. Speaker. So someone that is hired or let me see if I'm clear -- if you're not hired by the board of education but you're working with a program under DSS because you are receiving public assistance -- if you're not hired by the board but you're placed in that school, you'd have to go through this system. Through you Mr. Speaker.

DEP. SPEAKER HYSLOP:

Representative Staples.

REP. STAPLES: (95TH)

Through you Mr. Speaker. Yes, that's the way I read the new language.

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DEP. SPEAKER HYSLOP:

Representative Green.

REP. GREEN: (1ST)

Thank you. It seems to me that there are some critical ingredients here and I think because of the concern for the safety of the children, it appears that anyone that has direct contact with the students we want to make sure that we do some kind of history on them.

If for example you had a university, if you had a university involved in an educational program with the local schools and those students who may be of the university worked as tutors or whatever with a school, even though they're not hired by the school, but they're having direct contact with the student, would those students have to go through a background check, finger printing to be able to work in the school.

DEP. SPEAKER HYSLOP:

Representative Staples.

REP. STAPLES: (95TH)

Through you Mr. Speaker. Now as I stated earlier, the requirement of law is that you needed each person hired by the board, with the exception of the new language relating to public assistance. If they're working in a school system but are not hired by the board they're not required to go through the criminal

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background check.

DEP. SPEAKER HYSLOP:

Representative Green.

REP. GREEN: (1ST)

Thank you. If the Representative, through you Mr. Speaker could explain then if we already have in current language that any student, anyone hired by the board, why do we have new language that just talks about someone who is receiving public assistance? Why do we have this additional language in this amendment?

DEP. SPEAKER HYSLOP:

Representative Staples.

REP. STAPLES: (95TH)

Through you Mr. Speaker. The additional language is intended to cover someone who is under a public assistance employment program. And my understanding is that that would not necessarily be someone who is hired by the local regional board of ed as that term is used under our statutes, they're under a public assistance program.

And under that program they're working in a school system so they would be determined to be outside the reach of the background check for hirees and that's why they're included in this section.

DEP. SPEAKER HYSLOP:

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Representative Green.

REP. GREEN: (1ST)

Thank you. Through you Mr. Speaker then. If, if a person on public assistance had, I guess, current or recent criminal background check either because the program that they're under, under public assistance requires them to get a finger printing or a background check done. If they had gotten one to be part of the public assistance employment training program that may place them in the school, could the school use that information to satisfy the requirement that is outlined here? Or would they have to go through another finger printing criminal background check?

DEP. SPEAKER HYSLOP:

Representative Staples.

REP. STAPLES: (95TH)

Thank you Mr. Speaker. From the way I read the language Representative Green. If it is a recent check then I would imagine that the school system would have some discretion as to whether to use that background check. And if it's not, then they would have to go through a second check.

DEP. SPEAKER HYSLOP:

Representative Green.

REP. GREEN: (1ST)

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Excuse me Mr. Chair, unfortunately as Representative Staples was beginning to respond I was interrupted and I'm sorry I didn't hear his answer, if he could repeat his answer. Through you Mr. Speaker.

DEP. SPEAKER HYSLOP:

Representative Staples would you repeat your answer please sir.

REP. STAPLES: (95TH)

Yes, through you Mr. Speaker. I would expect Representative Green that if there was a recent background check the school system might accept that in lieu of a second background check under this section. But that is something that is not addressed specifically in the statutory language. If it's something that is in the more distant past I would think they would be required to submit to a background check upon their placement in a school.

DEP. SPEAKER HYSLOP:

Representative Green.

REP. GREEN: (1ST)

Thank you. Then for legislative intent, would you say then that if the school system, the school system may assess that finger printing and/or criminal background check that if they feel that that was sufficient to accomplish their goals of reviewing the

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candidacy for a person that they hired in a school system?

DEP. SPEAKER HYSLOP:

Representative Staples.

REP. STAPLES: (95TH)

Through you Mr. Speaker. I don't think I could rewrite the statute with my legislative intent quite frankly. I think it says there has to be a background check within a certain period of time. But I'm saying as a practical matter, I think the school system could undertake to except background checks within the most recent period of time if it is roughly concurrent with their enrollment in the public assistance employment program that results in their placement.

That's my judgement, I don't think the statute says that, but I also think that that certainly goes to the intent of the statute and it's something that we could work out and talk at greater length at another time with the State Department of Education perhaps.

And insure that, that message is conveyed to districts. Because I certainly think that, that complies with the intent, but I don't think that if I say that it has any effect on the legal standing of this provision. It's something we would have to actually communicate to districts in cooperation with our State

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Department of Education.

DEP. SPEAKER HYSLOP:

Representative Green.

REP. GREEN: (1ST)

Thank you Mr. Speaker. Another question through you Mr. Speaker, then. So that if this person was hired, it says here that they must submit to a check within 30 days from the date of hire. What happens if that person has not completed that check or did not do that within in the 30 days, what happens to that person?

DEP. SPEAKER HYSLOP:

Representative Staples.

REP. STAPLES: (95TH)

Through you Mr. Speaker. Reading back in the section if you look Representative Green on line 193, may require person hired prior to that date. And then it says require each worker within 30 days from the date such worker begins to perform such service. The state requirement is, I think, pretty clear. However, I think that a district is going to have to make a judgement as to whether 31 days is sufficient.

I think that the clear intent of this section of the statute is insure that all people who are either hired or otherwise working in the school system have undergone the criminal background check. I'm sure that

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there will be the local decision made as to whether the 30 days is a hard and fast decisions, it's certainly what we're requiring. But the intent is to have them go through the background check as quickly upon their hire as is feasible.

I will also say that when this issues was discussed at length in our committee, 30 days was considered to be a very reasonable period of time based on the background check process and how many times those types of checks are performed and offered to new hires. So this window of time was considered to be very reasonable and should be attainable by anybody who is under this program.

DEP. SPEAKER HYSLOP:

Representative Green.

REP. GREEN: (1ST)

Thank you. Through you Mr. Speaker then, in line 192 I see that you've bracketed 90 days and went down to 30 days. And based on the answer that you just gave I guess there's some information that you have that this information could be obtained within 30 days. Could you tell me why did we go from 90 days to 30 days? And would 90 days have been more realistic?

DEP. SPEAKER HYSLOP:

Representative Staples.

REP. STAPLES: (95TH)

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Through you Mr. Speaker. The original provision was adopted in 1994, and since that time with the extent of background checks that are now required there are many more opportunities and a much greater opportunity for individuals have that performed within 30 days, and that's the reason for the change.

DEP. SPEAKER HYSLOP:

Representative Green.

REP. GREEN: (1ST)

Thank you. Mr. Speaker, a few more questions through you then. In line 198 when it talks about submitting to state and national criminal history checks -- I guess I've been using the word finger printing.

When we say submit to state and national criminal history records check, could that involved other methods besides finger printing? And what might those methods be? And what type of protections do we give the individuals if they do not want to submit to those methods?

DEP. SPEAKER HYSLOP:

Representative Staples.

REP. STAPLES: (95TH)

Thank you Mr. Speaker. That language is intentional and that language relates to the process undertaken by our state police bureau of identification.

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It's intended to be broad rather than narrowly talking about finger printing. Because the technology of background checks is constantly evolving. And this is intended to follow along with what other improvements or changes that there are to the technology of background checks to insure that whatever the latest opportunities are available to the state police bureau and for that matter the FBI in their national background checks remain the standard for what we are going to follow in Connecticut.

So I couldn't tell you chapter and verse about what the various methods are other than finger printing except to say that they are getting more sophisticated and this permits the state background checks align with the changes in technologies.

DEP. SPEAKER HYSLOP:

Representative Green.

REP. GREEN: (1ST)

Thank you Mr. Speaker. Another question through you then. So that if, this is more extensive in terms of the records check that included something more than the finger printing. What would happen if a person refuses to abide by this criminal background check or the method that is suggested, but offers to submit a method they're more comfortable with.

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If I for example may want to say, for whatever reason do this DNA analysis, but might want to submit to finger printing, would I have that option, or what happens if I either want to choose the method I want to do, or and/or what happens if I refuse to submit to the process that they want me to do?

DEP. SPEAKER HYSLOP:

Representative Staples.

REP. STAPLES: (95TH)

Thank you Mr. Speaker. The individual applicant does not get a choice of what type of background check is performed. That's something that would be determined by the state and all applicant's would be subject to that method.

DEP. SPEAKER HYSLOP:

Representative Green.

REP. GREEN: (1ST)

Thank you Mr. Speaker. If we move then to page 9, lines 253 to 255. There's language that talks about some provisions, I'm going to believe that those are having to do with background checks, records checks. The provisions in this section should not apply to a student employed by the local or regional school district in which the student attends school.

Am I to understand then if I were in a high school

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in that town, but had employment at the middle school that I would not have to go through this background check.

DEP. SPEAKER HYSLOP:

Representative Staples.

REP. STAPLES: (95TH)

Through you Mr. Speaker. That's correct.

DEP. SPEAKER HYSLOP:

Representative Green.

REP. GREEN: (1ST)

Thank you. In these lines, if the town wanted to, based on for whatever reason they felt was necessary, wanted a high school student -- and this is hypothetical -- wanted that student to go through a background check, could the town require that?

DEP. SPEAKER HYSLOP:

Representative Staples.

REP. STAPLES: (95TH)

Through you Mr. Speaker. I think that's within the discretion of the local board of education, if they choose to do that. Since we were establishing the state policy and state requirements we wanted to be sure that we exempted student employees of the school system from the state requirements.

DEP. SPEAKER HYSLOP:

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Representative Green.

REP. GREEN: (1ST)

Thank you Mr. Speaker. So that if I'm to understand your response, this would not prohibit local boards to require or to ask those students to submit to this background check if they were to be employed and attending a high school they want to be employed at the middle school, towns may be able to do that, require this check?

DEP. SPEAKER HYSLOP:

Representative Staples.

REP. STAPLES: (95TH)

Through you Mr. Speaker. I believe that they would be able to require that as a condition of hiring, this just not require it as a condition for hiring pursuant to state statute.

DEP. SPEAKER HYSLOP:

Representative Green.

REP. GREEN: (1ST)

I'm sorry, I was not able to hear.

DEP. SPEAKER HYSLOP:

Representative Staples could you please repeat your response.

REP. STAPLES: (95TH)

Yes Mr. Speaker. I do believe that a local board

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of education could require that as a condition of hiring a student, but the state law does not require it.

REP. GREEN: (1ST)

Thank you Mr. Speaker. A few more questions, is it Madam Speaker or Mr. Speaker now? I want to make sure I get it correct.

DEP. SPEAKER FRITZ:

Please proceed sir.

REP. GREEN: (1ST)

Thank you Madam Speaker. On lines 263 and 282 when it talks about I guess the State Board of Education sharing with the State Police Bureau of Identification various information as it involves school personnel. What is the intent of what we are trying to accomplish?

To have the State Board of Education share with the Bureau certain kinds of information?

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Thank you. Through you Madam Speaker. Representative Green you might recall at the beginning of the session we had legislation that required periodic background checks for school personnel. Many people felt that that was an overstep on the part of the state. So what we came up with instead, is that on a periodic

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basis the State Board of Education will take its certification employee database, match it up against criminal actions or criminal convictions that they keep on an ongoing basis, and therefore highlight to the State Board of Education any certified employees that have had a criminal conviction.

And at that point they are able to follow-up with that individual and make a determination as to whether the conviction is such that it should lead to some sort of a hearing regarding revocation of their certificate.

REP. GREEN: (1ST)

Thank you Madam Speaker. Let me say that I have some concern, obviously with lines 274 to 282, and just a few more questions about those lines. If the State Board of Education should submit periodically, the information that they submit periodically to the state police, would this include all current employees or just those employees that were hired within the last five years?

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Through you Madam Speaker. It requires them to match their database of all persons who hold certificates, authorizations or permits. So it would be

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anybody who has a current certification or authorization or permit under the State Department of Education would be matched up against the police bureau data base.

REP. GREEN: (1ST)

Thank you. Currently, another question through you Madam Speaker. Currently we require professional educators to get certificates to continue their employment. Those certificates usually last five years.

One of the questions on those certificates is, that have you ever been convicted. And so you have to answer that question.

Why in answering that question to be recertified are we now doing possibly for those employees that have been there longer than five years, why would we want to then share other kinds of information with the state police when we ask that question of every employee after five years of them receiving certification?

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Thank you Madam Speaker. Well first, we're not sharing any information with the state police except what, except any identifiable information relating to the certificate holder. And secondly is the rationale is that someone may renew a certificate and then six

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months later be convicted of a crime and the department of ed, or the board of education for whom they work may have no knowledge of that crime and the state may have no knowledge of that crime.

And it may be four and a half years from that point to the time again when someone has to fill out a form and state whether they've been convicted of a crime and it's during that window of time that we're concerned that the state know about that conviction and take whatever steps are appropriate in relation to the crime that the certificate holder was convicted of.

REP. GREEN: (1ST)

Thank you Madam Speaker. Under that response then, would it probably have been more appropriate instead of doing random checks periodically, if the concern is that someone is convicted of a crime after they have been certified or recertified, why would we not have language in that may suggest to the Judicial Department that upon conviction of a crime that they ask do you hold a certificate?

And so basically to try to address if a school personnel has been convicted, instead of doing periodic random checks, how about asking the Judicial Department to just ask one more question? Upon conviction of a particular crime, do you hold an educational

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certificate, the state board will be notified.

Therefore, you're only notifying for those individuals who have been convicted. Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Through you Madam Speaker. That's an issue we did talk about at the Education Committee, Representative Green, and I believe the problem with that proposal was that there was a substantial fiscal note associated with having the Judicial Department undertake that responsibility. And this became a scaled down version of our original proposal.

Which we think accomplishes most of the goals of what we were trying to do, but does it without a fiscal impact that might have jeopardized the proposal.

DEP. SPEAKER FRITZ:

Representative Green.

REP. GREEN: (1ST)

Thank you. You suggested that if we would have possibly used that language where we asked the Judicial Department that that might have created a fiscal note. Can you tell me whether or not under the language from 263 to 282 whether there is any fiscal impact to the implementation of that requirement.

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DEP. SPEAKER FRITZ:

Representative Staples..

REP. STAPLES: (95TH)

Thank you Madam Speaker. Just one second, I'm checking the fiscal note, which states this section, could you give me the section again Representative Green?

REP. GREEN: (1ST)

Those would be lines 263 to line 282.

REP. STAPLES: (95TH)

Through you Madam Speaker. There is no fiscal impact. The statement in the fiscal note relating to the section says, all other changes -- other than those mentioned, which are not the ones that you highlighted -- to the processes of the Department of Education can be achieved within available resources, so there is no fiscal impact to this provision.

REP. GREEN: (1ST)

Thank you. Madam Speaker, through you. As Representative Staples has referenced that part of the issue would be that part of the issue would be suggested that I made with the Judicial Department that there might be a fiscal impact. Could he maybe expand on what he thinks or what the fiscal impact might have been in terms of what department may have been impacted by the

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Judicial Department making one statement during a court proceeding?

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Through you Madam Speaker. I don't recall the extent of the fiscal impact. But I recall that there was one and that's why we removed it from this bill.

DEP. SPEAKER FRITZ:

Representative Green.

REP. GREEN: (1ST)

Thank you Madam Speaker. Madam Speaker, I'll wait and continue to hear the discussion on this amendment and as I stated earlier I may have some questions as we get past this amendment. Thank you.

DEP. SPEAKER FRITZ:

Will you remark further on the amendment? Will you remark further on the amendment? If not, let me try your minds. All those in favor please signify by saying aye.

REPRESENTATIVES:

Aye.

DEP. SPEAKER FRITZ:

Those opposed? The ayes have it, the amendment is adopted. Representative Staples.

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REP. STAPLES: (95TH)

Thank you Madam Speaker. A couple of other quick, I hope, Senate Amendments to adopt. Clerk has LCO 7633, previously identified as Senate "B" and I would ask the Clerk to please call and be permitted to summarize.

DEP. SPEAKER FRITZ:

Will the Clerk please call LCO 7633 designated Senate "B."

CLERK:

LCO 7633, Senate "B" offered by Senator Sullivan.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Thank you Madam Speaker. Madam Speaker, this relates to interdistrict arts magnet schools of which there are two in the state. It does not clarify, it clarifies that our statutes do not prohibit them from accepting students into those part-time programs who are otherwise enrolled in non-public schools for the balance of their education. I move adoption.

DEP. SPEAKER FRITZ:

The question is on adoption. Will you remark further on the amendment? Representative Heagney.

REP. HEAGNEY: (16TH)

Thank you Madam Speaker. Madam Speaker, while I

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support the principal that is undermined by this Senate "B" I would just for legislative intent like to through you place certain questions to Chairman Staples with regard to this amendment.

DEP. SPEAKER FRITZ:

Please proceed sir.

REP. HEAGNEY: (16TH)

Through you Madam Speaker. Would it be fair to say that this amendment does not compel the school district in which the non-public school student resides to pay for his or her attendance at a magnet school program?

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Through you Madam Speaker. This does not require any payment by a public school district for the enrollment or the application of a student who is not enrolled in their school district. It also does not require the magnet school to accept any student who might be an applicant under this section. What it would presumably do is it would treat those students for tuition purposes the way students who reside in school districts now that are not part of the magnet school agreement.

And those students are required to pay tuition, and

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in this case these students would also be required to pay tuition if they're admitted to the program.

DEP. SPEAKER FRITZ:

Representative Heagney.

REP. HEAGNEY: (16TH)

Thank you. And a further question Madam Speaker, through you. Would it be your interpretation in the language, Chairman Staples, that this does not entitle a non-public school student who would be within a five percent range to attendance at such school? Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Thank you. Through you Madam Speaker. No, it does not entitle any student to attend a magnet school. It just says the statutes don't prohibit them from applying and being admitted if the magnet school so chooses to admit them.

DEP. SPEAKER FRITZ:

Representative Heagney.

REP. HEAGNEY: (16TH)

Thank you Madam Speaker. One last question. With regard to the very last sentence in Senate amendment "B" through you Madam Speaker. Would it be Chairman Staples

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understanding that the cost is attributed to the student since they are not going to be determined a participant for grants pursuant to this act or 10-264i, that those students would be paying the entire cost of their enrollment at the magnet school. And their proportionate cost would not be distributed through the otherwise supported students? Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Through you Madam Speaker. Yes, that is my understanding as well. The grant programs are referenced in section 2 of this amendment. That the students that might be enrolled under this provision are not to be counted for purposes of the transportation grant and as you mentioned earlier not for the magnet school grant either.

So it is certainly my understanding that the entire cost of educating that student would be borne by that student or their family through tuition.

DEP. SPEAKER FRITZ:

Representative Heagney.

REP. HEAGNEY: (16TH)

Thank you Madam Speaker. Madam Speaker, with those

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clarifications of the legislative intent of Senate amendment "B" I am pleased to support it. I think it goes further to allowing the greatest amount of choice to all of children throughout our schools. I think the greatest flexibility is the best educational system that we can have. For that reason I would encourage my colleagues to support Senate amendment "B." Thank you Madam Speaker.

DEP. SPEAKER FRITZ:

Will you remark further on the amendment? Will you remark further on the amendment? If not let me try your minds. All those in favor please signify by saying aye.

REPRESENTATIVES:

Aye.

DEP. SPEAKER FRITZ:

Those opposed? The ayes have it, the amendment is adopted. Will you remark further on the bill as amended? Representative Staples.

REP. STAPLES: (95TH)

Thank you Madam Speaker. One more Senate amendment, if you could have the Clerk please call LCO 8722, and I'd like to ask that I be permitted to summarize.

DEP. SPEAKER FRITZ:

Will the Clerk please call LCO 8722, designated

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Senate amendment "C."

CLERK:

LCO 8722, Senate "C" offered by Senator Cappiello,
etal.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Thank you Madam Speaker. Senate amendment "C" adds a provision to our school construction statutes originally proposed by Representative Boughton, adopted by the Senate at our request in order to have it before us here for final action. It requires that any new school construction projects put out to bid after July 1, 2004 shall have automatic fire extinguishing systems included in those school construction projects. I would move adoption.

DEP. SPEAKER FRITZ:

The question is on adoption. Representative Staples.

REP. STAPLES: (95TH)

Thank you Madam Speaker. Briefly, this proposal actually results in a substantial savings to the districts as well as to the state by reducing insurance costs, by also reducing potentially the construction costs by requiring buildings after that date, 2004, to

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have automatic fire extinguishing systems included within them.

Many school systems do this by practice. But based on the potential savings to the state and certainly an increase in the safety of those schools this amendment makes a lot of sense and I urge my colleagues to support it. Thank you Madam Speaker.

DEP. SPEAKER FRITZ:

Will you remark further on the amendment?

Representative Heagney. Representative Heagney.

REP. HEAGNEY: (16TH)

Thank you Madam Speaker. Madam Speaker I'm pleased to stand in support of this. This amendment was brought before us by Representative Boughton, who was very thoughtful in bringing this. As you can see in the fiscal note, while there are costs involved in increased expenses in school construction those are highly offset in that there is \$7.00 per square foot savings and the repayment plan would be less than five years.

This would make for safer schools, lower costs, it's a great idea. I think we should all be very proud that we have this as an amendment to this act. I urge my colleagues to support it. Thank you Madam Speaker.

DEP. SPEAKER FRITZ:

Will you remark further on the amendment?

Representative Belden. Representative Belden.

REP. BELDEN: (113TH)

Thank you Madam Speaker. Just a question if I might. A number of the schools are now coming up with modular classrooms that would be not necessarily attached. Would they be considered a building under this provision or would they have to be sprinklered even though based upon most codes they would not? Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Through you Madam Speaker. I'm sorry I'm having a hard time hearing Representative Belden, would you please repeat the question?

DEP. SPEAKER FRITZ:

Would the Chamber try to lower its level of noise. Our good friend Representative Belden has a very bad cold and his voice is gradually leaving us. So out of courtesy to Representative Belden, could we tone down our conversations or else take them out of the Chamber. Thank you. Representative Belden.

REP. BELDEN: (113TH)

Yes, thank you Madam Speaker I'll try to speak a little louder too. Through you to the gentleman, the

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new language in the amendment, would that apply to modular classrooms that are in fact separate, would they be considered in your opinion an educational occupancy school building project? And would they have to be sprinklered? Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Through you Madam Speaker. No, I don't believe that they would be within the reach of this proposal. As you'll see on line 10 and 11 of the amendment, it's particular to school building project grants pursuant to Chapter 173, and I don't believe that modular units are permissible expenditures under this grant. They are permitted under other provisions, but this I don't think would apply to modular school units.

DEP. SPEAKER FRITZ:

Representative Belden.

REP. BELDEN: (113TH)

Yes, I thank the gentleman for his response. That's what I thought, and support that process because you may have two classrooms that are separate. It would be nice if they are sprinklered but the cost to do something like that may be very expensive so I support the amendment. Thank you Madam Speaker.

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DEP. SPEAKER FRITZ:

Thank you sir. Will you remark further on the amendment? Will you remark further on the amendment? If not, Representative Miner.

REP. MINER: (66TH)

Thank you Madam Speaker. If I could through you a question to the proponent of the amendment.

DEP. SPEAKER FRITZ:

Please proceed sir.

REP. MINER: (66TH)

I thought, Representative Staples, I thought I understood you to say that the cost of construction would actually go down if we install sprinklers. Could you explain that please?

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Through you Madam Speaker. I'm reading from the fiscal note, which I would be happy to get a copy of for you. It says, among other things, the cost of such sprinkler systems could be offset as other fire safety code requirements become less stringent when automatic fire extinguishing systems are installed. Studies have shown the cost savings as high as ten dollars per square foot can occur if such systems are part of the original

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construction plan.

Finally, insurance costs tend to be lower in schools that contain automatic fire extinguishing systems so there's long term savings for both the local school district as well as the state. So those are the ways in which the sprinkler system actually reduces costs.

DEP. SPEAKER FRITZ:

Representative Miner.

REP. MINER: (66TH)

Thank you Representative Staples. Another question is that if there is going to be a project that would be eligible for the grant which will be used educationally with occupancy. Does that mean that the municipality would have to go back and sprinkler the entire building or just the new addition if they were to put an addition on? Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Through you Madam Speaker. We have typically not applied these requirements as they have changed to existing portions of a building that are not under construction. This would apply to that portion of a project that would be constructed. I don't see it

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explicitly here, but that is always the way we make our code requirements and other requirements effective.

Is it's only those portions of a project that are actually under construction.

DEP. SPEAKER FRITZ:

Representative Miner.

REP. MINER: (66TH)

Thank you Madam Speaker. It's my understanding that part of the review when the state looks at municipality's project especially in terms of an addition is that fire and light safety code violations are generally understood to be eligible and therefore, they want you to go back and correct those things in the other part of the facility.

I just want to be clear that this will not be required for a 50,000 square foot addition that you have to go back and renovate the whole school. Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Through you Madam Speaker. I don't believe it would Representative Miner. The cost would be in that case far more than the fiscal note indicates. And as I stated we typically require for a completely new project

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or a complete renovation as new where the entire facility is being renovated, we then require that to include a variety of code requirements and many other provisions that may have been waived when the building was constructed and waived when specific renovations were made to certain parts of it.

So the only time we require a complete upgrade of an entire facility is when the entire facility is being renovated as was made clear to me as well. This section is for school building project, not to the area of the statutes relating to renovations in any case. So this would only apply to a new project. But in response to your hypothetical. I thought you also asked about whether an extension which would be a new project of an existing facility would be covered and my understanding is it would only be the extension of that project, not the existing facility that would be under the reach of this proposal.

DEP. SPEAKER FRITZ:

Representative Miner.

REP. MINER: (66TH)

Thank you Madam Speaker. And one last question. Some of the smaller communities don't have public water systems, they're serviced by wells. Has there been any study as to whether a fire sprinkler system in a public

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school can function on a well? Or whether it requires the pressure generally associated with a public water supply? Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Thank you Madam Speaker. There is information on that, and through you Madam Speaker, I would like to yield to Representative Boughton who has spent the better part of last month becoming an expert on sprinkler systems, particularly in cases where there is not a water supply system.

It would be inappropriate for me to try to surmise an answer when I know that he has the exact information in his possession. So Madam Speaker, with your permission I would like to yield to Representative Boughton for a more complete answer to that question.

DEP. SPEAKER FRITZ:

Representative Staples, through the Chair please.

REP. STAPLES: (95TH)

I was asking through the Chair Madam Speaker, to yield to Representative Boughton.

DEP. SPEAKER FRITZ:

It would be more appropriate if Representative Miner were to rephrase his question, because

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Representative Miner in fact has the floor.

REP. MINER: (66TH)

Thank you Madam Speaker. I would ask the same question I guess of Representative Boughton if he has better information, through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Boughton.

REP. BOUGHTON: (138TH)

Thank you Madam Speaker. One of the things we know now is that fire sprinkler technology has advanced a great deal in the last few years. What happens now is that the design criteria of the sprinkler systems requires less water, there are less pressure demands and greater suppression efficiencies. So you don't require the water that you used to have to require.

A sprinkler system does not operate like a fire hydrant, the fire hydrant runs at a certain flow, at a certain amount of pound per square inch or gallons per minute, it's not necessary with a sprinkler system. In fact today sprinkler system can operate on as little as seven psi with a flow of less than twenty gallons per minute.

Basically what that means to you is that if you have, you can run a water fountain, sinks, showers for athletic facilities, water systems for athletic fields,

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you have enough water to run the suppression system. Additionally, additionally, some schools do opt to include a storage tank which is much like a hot water heater, as the water evaporates the tank is topped off which keeps the system pressurized.

Finally in today's systems the entire -- it's not like what you see on TV where one head goes off the entire building goes off. The typical ignition -- if you will -- on a suppression system is about five or six heads and lasts an average of less than ten minutes. So the water volume is greatly reduced. I guess those are probably the top three or four reasons why it's no longer necessary to have a public water supply or city water if you will if you live in a city in order to operate an effective suppression system. Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Miner.

REP. MINER: (66TH)

Thank you Madam Speaker. I have no more questions.

DEP. SPEAKER FRITZ:

Will you remark further on the amendment? Will you remark further on the amendment? Representative Caron.

REP. CARON: (44TH)

Thank you Madam Speaker. Madam Speaker, I would

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like to ask a question or two to the proponent of the amendment please.

DEP. SPEAKER FRITZ:

Please proceed sir.

REP. CARON: (44TH)

Thank you Madam Speaker. Representative Staples, I do support the amendment. I think it's important that we do proceed with fire safety for our buildings. My question is, as the fiscal note indicates this will save us in our construction costs if I'm not mistaken, through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Through you Madam Speaker. That's correct. According to the fiscal note it has a savings that is potentially as high as \$10.00 per square foot. Because installing sprinklers essentially waives other types of fire safety code requirements that would be more costly. It also results in the reduction in insurance costs due to a provision in most insurance contracts that provide a discount for buildings or schools that have sprinklers. Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Staples.

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REP. STAPLES: (95TH)

Thank you Madam Speaker. I think I've offered my answer, unless that's not sufficient for Representative Caron.

REP. CARON: (44TH)

Thank you Representative Staples. Through you Madam Speaker. Representative Staples, is there anything, I don't see anything in the amendment, is there anything in the bill that would reduce operating costs of new construction? Through you Madam Speaker. And Madam Speaker, if I may clarify just a little bit, in terms of heating and cooling the building, in terms of reduced electricity rates, in terms of better air flow and air quality, perhaps day lighting, thermo windows, things of this nature. Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Thank you Madam Speaker. Through you. The only language that I see in the fiscal note refers to the offset of other fire safety code requirements. I don't know all of those requirements and what would be offset.

Some of those items you mentioned may be included within them, but my understanding is that we're talking about capital savings and therefore the financing costs

associated with the capital savings. I'm not aware of operating savings except for the ongoing insurance cost reduction. Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Caron.

REP. CARON: (44TH)

Thank you Madam Speaker. And Madam, I thank the gentleman for his answers. Madam Speaker, as I said before, I do rise in support of the amendment. What I would like to do is suggest that perhaps the State of Connecticut pursue different standards for new construction. While we can save a little bit on the capital costs by doing this amendment. I would suggest that we may at times be penny wise and dollar foolish.

For these facilities and in Plainfield we have a high school that's approaching forty years old, it has sick building syndrome. It has some serious problems, it is in fact on probation currently because of the physical building itself. We're in the process of pursuing a brand new building. My point is, if we design the building right in the first place, if we have good standards, if we design for air quality, we can save on heating costs, we can save on cooling costs, we can save on health care costs.

And Madam Speaker I would suggest that that would

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be a better use of our money and our public policy.

Thank you.

DEP. SPEAKER FRITZ:

Will you remark further on the amendment? Will you remark further on the amendment? If not, let me try your minds, oops -- Representative Harkins.

REP. HARKINS: (120TH)

Thank you Madam Speaker. Madam Speaker I have a question to the proponent of the amendment through you.

DEP. SPEAKER FRITZ:

Please proceed sir.

REP. HARKINS: (120TH)

Through you to Representative Staples, the language that you're using right now for a sprinkler, is this going to be a dry system or is it going to be a wet system that you're proposing in the amendment?

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Thank you Madam Speaker. My understanding is it's a wet system. You can see the reference to it is reference to the fire safety code and as was discussed in a previous question or in response to a previous question, that system may vary depending on whether there's a public water supply or a need for a tank, but

essentially it's a wet fire extinguishing system.

Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Harkins.

REP. HARKINS: (120TH)

Thank you Madam Speaker. The reason why I'm asking this question Madam Speaker, is that I have some concerns with some of materials that we're using in schools now-a-days and there's been a high level of asthma and allergies with some of the children. And if its a dry system there'll be chemicals in a dry system and if it's a wet system we've had incidents before where there haven't been proper insulation of the systems and the water which has been in the lines for a long time but it flowed into the public drinking system.

So I do have some concerns with this, I also have concerns obviously with the fiscal impact this could have on local municipalities. Through you Madam Speaker, I do have one more question for the proponent of the amendment.

DEP. SPEAKER FRITZ:

Representative Staples. Representative Staples.

REP. STAPLES: (95TH)

Excuse me Madam Speaker, I was in conversation, I didn't realize a question was being posed, would the

proponent of the question please restate it.

DEP. SPEAKER FRITZ:

Representative Harkins, would you please rephrase your question sir.

REP. HARKINS: (120TH)

Thank you Madam Speaker. Representative Staples, through you Madam Speaker. This would not include current schools that are constructed right now, this would just be for new schools that are constructed in 2004? Through you Madam Speaker.

DEP. SPEAKER FRITZ:

Representative Staples.

REP. STAPLES: (95TH)

Thank you Madam Speaker. Yes, that's true. It's for those projects put out to bid after July 1, 2004. That date was selected to insure that it would not impact any current school construction projects that are already in process and just those that would be done in the future.

DEP. SPEAKER FRITZ:

Representative Harkins.

REP. HARKINS: (120TH)

Thank you Madam Speaker. I think my questions have been answered. Thank you.

DEP. SPEAKER FRITZ:

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Will you remark further on the amendment? Will you remark further on the amendment? If not let me try your minds. All those in favor please signify by saying aye.

REPRESENTATIVES:

Aye.

DEP. SPEAKER FRITZ:

Those opposed? The ayes have it, the amendment is adopted. Will you remark further on the bill as amended? Will you remark further on the bill as amended? Representative Ken Green, lovely evening, good to see you again.

REP. GREEN: (1ST)

Good to see you too Madam Speaker, how are you? Madam Speaker, the Clerk should have in his possession LCO 9031, I ask that it be called and I be allowed to summarize. Madam Speaker, I had asked to summarize, but I haven't heard it being called? Was it called?

DEP. SPEAKER FRITZ:

Representative Green, it has not been called. The Chamber may stand at ease. Before we stood at ease and LCO number, and amendment was called, LCO 9031. And it has been determined that this LCO has not been filed with the office of the House Clerk, therefore is not properly before us. Will you remark further on the bill as amended? Will you remark further on the bill as

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amended? Representative Ken Green.

REP. GREEN: (1ST)

Thank you Madam Speaker. Madam Speaker, based on your statement I guess I might just, I duly respect those and agree with you, however, a slight perception on my part might be that the amendment might have been filed. I would suspect that it might not have been filed in time. Therefore, Madam Speaker, understand that some of the time constraints of receiving the House amendment, Senate amendment "A" or the first amendment that done and trying to draw an amendment on that the time factor was the critical issue here. And therefore I understand why you don't have the amendment. I have a number of concerns and issues obviously with some of the, that the amendment that was before us and I am pretty confident that there were other and are other amendments that were filed properly.

However, I think this is too important of an issue, too important of a night to try to work those issues out because of the timing and the other kinds of factors. I believe that we have a process where we try to address these issues. Since mine is particularly one piece, that my concerns on that one piece will be addressed appropriately. Therefore Madam Speaker, I will not pursue the demise of an amendment that was or was not

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available. Thank you Madam Speaker.

DEP. SPEAKER FRITZ:

Thank you sir for your wisdom. Will you remark further on the bill as amended? Will you remark further on the bill as amended? Representative Belden.

REP. BELDEN: (113TH)

Thank you Madam Speaker. I'll be very brief and very quick. I don't know how the gentleman has an LCO number and no amendment. Is our system breaking down to that extent, through you Madam Speaker, to the gentleman. Does he have a copy of the LCO?

DEP. SPEAKER FRITZ:

Representative Belden if I might. My remarks were that the amendment, the LCO had not been filed with the Office of the House, therefore it was not properly before us.

REP. BELDEN: (113TH)

My question through you ma'am was to the gentleman who, the previous speaker, and it was, did he in fact have a copy of an LCO?

DEP. SPEAKER FRITZ:

Representative Green.

REP. GREEN: (1ST)

I'm sorry Madam Speaker, what was the question?

DEP. SPEAKER FRITZ:

Representative Belden.

REP. BELDEN: (113TH)

Madam Speaker, I'm somewhat concerned about the system breaking down. I just wanted to ask the gentleman whether or not he had in his possession a copy of the LCO, since he was able to call an LCO number.

DEP. SPEAKER FRITZ:

Representative Green.

REP. GREEN: (1ST)

I am in possession of a copy of an LCO.

DEP. SPEAKER FRITZ:

Representative Belden.

REP. BELDEN: (113TH)

Thank you Madam Speaker. I believe I'll step across the room and talk to the gentleman privately, thank you.

DEP. SPEAKER FRITZ:

Will you remark further on the bill as amended?
Will you remark further on the bill as amended? If not, will staff and guests please come to the well of the House, the machine will be open.

CLERK:

The House of Representatives is voting by roll call
members to the Chamber. The House is voting by roll
call members to the Chamber, please.

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DEP. SPEAKER FRITZ:

Have all members voted? Have all the members voted? Have all the members voted? Have all the members voted. Please check the board to make sure your vote is accurately cast. If so the machine will be locked and the Clerk will take the tally.

Representative Ken Green for what purpose do you rise.

REP. GREEN: (1ST)

To vote in the negative Madam Speaker.

DEP. SPEAKER FRITZ:

Thank you sir. Will the Clerk please note that Representative Ken Green is voting in the negative. Will the Clerk will please announce the tally.

CLERK:

S.B. 1122 as amended by Senate "A," "B", and "C" in concurrence with the Senate.

Total Number Voting	148
Necessary for Passage	75
Those voting Yea	147
Those voting Nay	1
Those absent and not voting	2

DEP. SPEAKER FRITZ:

The bill as amended is passed in concurrence with the Senate. Will the Clerk please call Calendar 134.

CLERK: