

Legislative History for Connecticut Act

<b>Act Number:</b>	PA 04-257	
<b>Bill Number:</b>	604	
<b>Senate Pages:</b>	1474, 1517-1519, 3622, 3623-3624	7
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<b>Committee:</b>	No Hearings	
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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

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CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
2004

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PART 5  
1227-1521

pat

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001474

Senate

April 22, 2004

Calendar Page 9, Calendar 351 should be marked Go.  
Calendar 359, S.B. 604, Madam President, would  
move to place this item on the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SEN. LOONEY:

Thank you, Madam President. Calendar 368, PR.  
Calendar 370, Madam President, H.B. 5240 would  
move to place this item on the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SEN. LOONEY:

Thank you, Madam President. Calendar 372 should  
be marked Go.

Calendar 374, passed temporarily.

Calendar Page 10, Calendar 376, passed  
temporarily.

Calendar 377, H.B. 5102, Madam President, would  
move this item to the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SEN. LOONEY:

Calendar 378, H.B. 5212, Madam President, would  
move to place this item on the Consent Calendar.

THE CHAIR:

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001517

Senate

April 22, 2004

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, those items previously placed on the First Consent Calendar begin on Calendar Page 6, Calendar 133, Substitute for S.B. 157.

Calendar 137, Substitute for S.B. 536.

Calendar 164, Substitute for S.B. 440.

Calendar Page 7, Calendar 228, H.B. 5548.

Calendar 9, H.B. 5550.

Calendar 279, S.B. 590.

Calendar 304, Substitute for H.B. 5450.

Calendar Page 9, Calendar 359, Substitute for S.B. 604.

Calendar 370, Substitute for H.B. 5240.

Calendar Page 10, Calendar 377, Substitute for H.B. 5102.

Calendar 378, Substitute for H.B. 5212.

Calendar Page 11, Calendar 384, H.B. 5394.

Calendar Page 13, Calendar 429, Substitute for H.B. 5034.

HB5032

Calendar 437, Substitute for H.B. 5058.

Calendar Page 14, Calendar 441, Substitute for H.B. 5293.

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Calendar 442, Substitute for H.B. 5411.

Calendar 444, H.B. 5452.

Calendar 447, H.B. 5561.

Calendar Page 15, Calendar 449, H.B. 5196.

Calendar 450, Substitute for H.B. 5341.

Calendar 451, H.B. 5567.

Calendar 452, H.B. 5629.

Calendar 454 H.B. 5401.

Calendar Page 16, Calendar 456, Substitute for  
H.B. 5507.

Calendar 457, H.B. 5490, correction, 5479.

Calendar 458, Substitute for H.B. 5483.

Calendar 459, Substitute for H.B. 5181.

Calendar Page 17, Calendar 463, Substitute for  
H.B. 5366.

Calendar 466, Substitute for H.B. 5635.

Calendar Page 20, Calendar 149, S.B. 477.

Calendar Page 28 Calendar 431, S.B. 150.

Calendar Page 29, Calendar 357 and Calendar Page  
30, Calendar 115, S.B. 66.

Madam President, that completes those items placed  
on the First Consent Calendar.

THE CHAIR:

Thank you, Sir. Members please check the machine  
to make sure your vote is properly cast. If so, the

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machine will be locked. The Clerk please announce the tally.

THE CLERK:

Motion is on adoption of Consent Calendar No. 1.

Total number voting 35; necessary for adoption, 18. Those voting "yea", 0; correction, those voting "yea", 35; those voting "nay", 0. Those absent and not voting, 1.

THE CHAIR:

The Consent Calendar is adopted.

Senator Looney.

SEN. LOONEY:

Yes, thank you, Madam President. Madam President, I would ask for suspension for immediate transmittal to the House of Representatives of Calendar 268, S.B. 478 which was previously adopted as the Order of the Day.

THE CHAIR:

Without objection, so ordered.

At this time, the Chair will entertain points of personal privilege or announcements. Will you, Senator Crisco?

SEN. CRISCO:

Thank you, Madam President, for the purpose of personal privilege.

THE CHAIR:

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003622

Senate

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be marked passed temporarily.

THE CHAIR:

That item will be passed temporarily.

SEN. LOONEY:

Thank you, Madam President. Moving to Agenda No. 7 under Disagreeing Actions, there was Substitute S.B. 604 regarding the technical revisor's corrections. Would ask that item be called.

THE CHAIR:

Mr. Clerk.

SEN. LOONEY:

Madam President.

THE CHAIR:

Senator Looney.

SEN. LOONEY:

Yes, thank you, Madam President. The item on Senate Agenda No. 7, Substitute for S.B. 604, if that item might be placed on the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SEN. LOONEY:

And also, Madam President, thank you, and Calendar Page 7, Calendar 547, H.B. 5497, if that item might be placed, which previously was marked passed temporarily, if that item might be placed on the Consent Calendar.

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THE CHAIR:

Without objection, so ordered.

SEN. LOONEY:

Thank you, Madam President. If we may proceed to a vote on the Consent Calendar.

THE CHAIR:

Mr. Clerk, would you announce a roll call vote, please.

THE CLERK:

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

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

Madam President, those two items placed on this Consent Calendar starts on Calendar Page 7, Calendar 547, Substitute for H.B. 5497.

And on Senate Agenda No. 7, Substitute for S.B. 604 as amended.

Madam President, that completes those two items placed on the Consent Calendar.

THE CHAIR:

Thank you, Sir. Would you once again announce a roll call vote on the Consent Calendar. The machine is

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

THE CHAIR:

Have all members voted? Please check the machine to make sure your vote is properly cast. 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 adoption of Consent Calendar No. 5.

Total number voting 36; necessary for adoption, 19. Those voting "yea", 36; those voting "nay", 0. Those absent and not voting, 0.

THE CHAIR:

The Consent Calendar is adopted.

Senator Looney.

SEN. LOONEY:

Thank you, Madam President. There are two additional items at this time I'd like to mark Go that were previously marked passed temporarily. Calendar

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House of Representatives

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Those voting Nay, 0;

Absent, not voting, 3.

SPEAKER LYONS:

The bill as amended passes.

Representative Godfrey.

REP. GODFREY:

(110th)

And I would move that the last item acted upon be immediately transmitted to the Senate.

SPEAKER LYONS:

Without objection, sir, that motion carries.

Would the Clerk please call Calendar 495?

THE CLERK:

On Page 11, Calendar 495, SUBST. SB 604, AN ACT CONCERNING THE REVISORS' TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND CERTAIN PUBLIC ACTS. Favorable report of the Committee on Judiciary.

SPEAKER LYONS:

Representative Mike Lawlor, you have the floor, sir.

REP. LAWLOR:

(110th)

Thank you, Madam Speaker. I move acceptance of the joint committee's favorable report and passage of the bill.

SPEAKER LYONS:

The question before the Chamber is on acceptance

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and passage.

Will you remark?

REP. LAWLOR: (110th)

Thank you, Madam Speaker. This bill is an annual event here. I guess we're fortunate it's an annual event. The file copy contains 65 sections, all of which are truly technical.

The Clerk has LCO 5386. I'd ask that the Clerk call and I be allowed to summarize.

(GAVEL)

SPEAKER LYONS:

I can't even understand what the gentleman is saying.

We'll just wait.

Would the staff please come to the well? And just have members here. It's getting very crowded. I'd like everybody to come to the well so we can understand what's going on. Unless you're a member.

Representative Lawlor.

REP. LAWLOR: (110th)

Thank you, Madam Speaker. I'm not sure. Did I move adoption?

SPEAKER LYONS:

I realize it's been confusing. But if you would just call the amendment first?

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REP. LAWLOR:

(110th)

Thank you, Madam Speaker. The Clerk has LCO 5386. I'd ask that the Clerk call and I be allowed to summarize.

SPEAKER LYONS:

The Clerk has in his possession LCO 5386. If the Clerk would please call? The gentleman has asked leave to summarize.

THE CLERK:

LCO No. 5386, House "A", offered by Representative Lawlor.

SPEAKER LYONS:

Representative Lawlor, you have the floor, sir.

REP. LAWLOR:

(110th)

Thank you, Madam Speaker. This bill contains some -- an assortment of relatively technical changes, some to the medical malpractice bill which was enacted the other night. There are some technical flaws in the bill, truly technical flaws. And it corrects those flaws.

It also addresses some technical changes in the statutes to accommodate the transfer of the Board of Parole into the Department of Correction. Nothing substantive. Simply technical.

It also rewrites one very narrow portion of the

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bill that was passed the other night involving child porn. We discussed this particular issue previously. The way the bill was written, it prohibited inmates from using computers. It was clearly the intent of the bill to prohibit inmates from computers with access to the Internet. And this bill makes that change.

I urge adoption, Madam Speaker.

SPEAKER LYONS:

The question before the Chamber is on adoption.

Will you remark? Will you remark?

Representative O'Neill.

REP. O'NEILL: (69<sup>th</sup>)

Yes. Thank you, Madam Speaker. I, too, would urge adoption.

SPEAKER LYONS:

Thank you very much, sir.

Representative Hamzy.

REP. HAMZY: (78<sup>th</sup>)

Thank you, Madam Speaker. A question, through you, to Representative Lawlor?

SPEAKER LYONS:

Please frame your question.

REP. HAMZY: (78<sup>th</sup>)

Through you, Madam Speaker. In Section 528 and in other parts of this bill, there is a change in the

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definition of health care provider. And I just wanted to know what the reason was for that change.

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Lawlor.

REP. LAWLOR: (110th)

Thank you, Madam Speaker. I believe there's some confusion in the bill that -- the medical malpractice bill referred to professional services generally speaking. This bill is intended to make clear that the intent was to apply only to professional services which were medical in nature. Through you, Madam Speaker. By listing those services.

Through you, Madam.

SPEAKER LYONS:

Representative Hamzy.

REP. HAMZY: (78<sup>th</sup>)

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

SPEAKER LYONS:

Thank you, sir.

Representative Chris Caruso.

REP. CARUSO: (126<sup>th</sup>)

Thank you, Madam Speaker. Through you, to the Chair of the Judiciary Committee?

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SPEAKER LYONS:

Yes, sir. Frame your question.

REP. CARUSO:

(126<sup>th</sup>)

Representative Lawlor, I didn't get a chance to review the entire amendment. And if you could just answer for me, is there anywhere in this amendment that permits the Department of Correction to enter in a contract to transport prisoners or inmates out of the state of Connecticut to other states?

Through you, Madam Speaker.

SPEAKER LYONS:

Representative Lawlor.

REP. LAWLOR:

(110th)

Thank you, Madam Speaker. No, there is not.

SPEAKER LYONS:

Representative Caruso.

REP. CARUSO:

(126<sup>th</sup>)

Thank you.

SPEAKER LYONS:

Thank you, sir.

Will you remark further on the amendment that is before us? If not, let me try your minds.

All those in favor please signify by saying Aye?

VOICES:

Aye.

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SPEAKER LYONS:

Those opposed, Nay?

The Ayes have it. The amendment is adopted.

Will you remark further on the legislation that is before us? If not, staff and guests come to the well. Members take your seats. The machine will be opened.

THE 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.

SPEAKER LYONS:

Have all the members voted? Have all the members voted? Would the members please check the board to make sure your vote is accurately recorded? If all the members have voted, the machine will be locked and the Clerk will take a tally.

The Clerk will please announce the tally.

THE CLERK:

SB 604, as amended by House "A",

Total number voting, 150;

Necessary for passage, 76;

Those voting Yea, 150;

Those voting Nay, 0;

Absent, not voting, 1.

SPEAKER LYONS:

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The bill as amended passes.

Representative Godfrey.

REP. GODFREY: (110th)

And I would move that that last item voted upon be immediately transmitted to the Senate, Madam Speaker.

SPEAKER LYONS:

Hearing no objection, that motion carries.

Would the Clerk please call Calendar 534?

THE CLERK:

On Page 14, Calendar 534, SUBST. SB 445, AN ACT CONCERNING JURISDICTION OF MUNICIPAL INLAND WETLANDS COMMISSIONS. Favorable report of the Committee on Planning and Development.

SPEAKER LYONS:

Representative Pat Widlitz.

REP. WARD: (86<sup>th</sup>)

Madam Speaker?

SPEAKER LYONS:

Representative Bob Ward.

REP. WARD: (86<sup>th</sup>)

Madam Speaker, I rise for the purpose of exempting myself for appearance of a possible conflict on this matter.

SPEAKER LYONS:

Yes, sir. That will be correctly noted.