

<b>Act Number:</b>	09-151 Vetoed/Overturned	
<b>Bill Number:</b>	1078	
<b>Senate Pages:</b>	2944-2956, 3015-3016, 5372, 5400-5401, 6523-6533	<b>30</b>
<b>House Pages:</b>	7233-7248, 10972-10980	<b>25</b>
<b>Committee:</b>	Environment: 3061, 3062- 3063, 3065-3067, 3225-3226	<b>8</b>
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**CONNECTICUT  
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state fire prevention code. Many of them truly are technical in nature. It requires the commissioner of the Department of Public Safety to revise existing regulations and incorporate those into the state fire prevention code. And I move its adoption.

THE CHAIR:

There's a motion on the floor of adoption.

Will you remark? Will you remark further?

Senator Stillman.

SENATOR STILLMAN:

Yes, sir. If there is no objection, I'd like to place this on the Consent Calendar.

THE CHAIR:

Motion on the floor to place the item on consent. Seeing no objection, so ordered, ma'am.

Mr. Clerk.

THE CLERK:

Calendar page 28, Calendar Number 358, File Number 471, Senate Bill 1078, ESTABLISHING A BI-STATE LONG ISLAND SOUND COMMISSION, favorable report of the Committees on Environment and Government Administration and Elections.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

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Mr. President, I respectfully move acceptance of the Joint Committee's favorable report and passage of this bill.

THE CHAIR:

Acting on approval and acceptance of this bill, will you remark further, sir?

SENATOR MEYER:

Thank you, I will, Mr. President.

Briefly, colleagues, you recall that in the year 2005, we were facing, in Long Island Sound, the threat of a humongous liquid natural gas terminal called, Broad Water. And through the good efforts of task force headed by two of our senators here, Senator Fasano and Senator Stillman and with the help New York, we were able to defeat that. That experience, that event, helped us to understand that there are a number of areas in which cooperation between the neighboring states of New York and Connecticut could make a major difference in the quality of our lives; and, therefore, what this bill essentially does it creates a bi-state commission, which will have responsibility for ferreting out issues and arriving at resolutions of those issues in three areas: energy, environment and ecology. And so -- and so this bill creates a 14-member commission, seven members from each state

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with responsibilities of investigating those kind of problems in reaching some proposed resolutions.

There is an amendment, and I, respectfully, ask the Clerk to call LCO 6936.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 6936, which will be designated Senate Amendment Schedule A. It is offered by Senator Meyer of the 12th District.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

I mo -- I move it, Mr. President, and ask for permission to summarize.

THE CHAIR:

Motion's on adoption. Would you like to remark further, sir?

SENATOR MEYER:

Yes, just briefly. Senator Daily and Senator Stillman brought to our attention the fact that, in 2005, we passed a bi-state commissioned law for -- for Connecticut and for New York, which was never approved by New York and so it never became effective, as such. However, that bill that we approved in 2005 addressed

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issues of industrialization of Long Island Sound, something that none of us would like to see. And, therefore, what this amendment does is it -- it attaches the prior bill, the underlying bill, to the existing law in 2005 in which there is a bi-state commission and we get, in effect, the best of both worlds. We get the product of what we did in 2005 with the amelioration of that in the purpose as set forth in the bill today. So for those reasons I would urge your acceptance of this amendment.

THE CHAIR:

Thank you, sir.

Will you remark? Remark further on Senate A?

Senator Stillman.

SENATOR STILLMAN:

Yes. Thank you, Mr. President.

I rise in support of the amendment. And I thank Senator Meyer for his work on this bill, and it brings back fond memories of the meetings with Senator Fasano and the committee, fighting the Broad Water situation that we were facing, and, sadly, those things sort of never go away. So a bill such as this which really piggybacks on a previous bill and brings it up to date to certain concerns that we all have and that are -- or the citizens of the state have in relationship to

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protecting Long Island Sound is really crucial. And so I thank Senator Meyer, again, and the Environment Committee and the Attorney General for reminding us that we needed to update this -- this bill -- this committee, and if anyone's listening in New York, in the legislature, I hope that they will follow suit because this really won't take effect until New York agrees to similar legislation. So with that I urge adoption of this amendment and thank you, sir.

THE CHAIR:

Thank you.

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

First to Senator -- to Senator Stillman I want to thank you for your help on that task force. You were a tremendous asset, and I really enjoyed working with you in achieving that result.

Senator Meyer's amendment, Mr. President, that he brings out I am supportive of the amendment. If I can, through you, though for the purposes of legislative history, through you, if I could ask Senator Meyer some questions.

THE CHAIR:

Senator Meyer.

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SENATOR FASANO:

Senator Meyer, with respect to your amendment, it discusses the fact that the additional language that says, "except for any major environmental ecological or energy issues involving Long Island Sound and the Lower Hudson River Valley." Through you, Mr. President, it's my understanding we are talking about navigable waters of Long Island Sound is where the jurisdiction of this committee resides, through you, Mr. President

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, to Senator Fasano, that is -- that is right, Senator. We're talking about the navigable waters of Long Island Sound. We're not talking about tributaries or banks of the river -- anything of -- or the town or anything of that kind.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Then, through you -- thank you, Senator Meyer. And through you, Mr. President, it's my understanding that it wouldn't talk about river flows that that come

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down through the state and empty into Long Island Sound. This would not cover that situation; is that correct? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, that is correct. In fact, there's only one what could be called a tributary that this bill addresses and that's not any of the tributaries or rivers of Connecticut, but it's the Lower Hudson Valley.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

I -- I thank you for that clarification.

And the final clarification, if I may. That also would not apply to any -- this committee as amended would not apply to any developments that are on the land side that may have DEP permitting process that would not have to go through this committee; is that correct? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Yes. Through you, Mr. President. In answering

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Senator Fasano, the environmental laws and standards of Connecticut would continue and are not superseded in any respect by this bill.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

And nor would they have jurisdiction through -- this committee would have jurisdiction as to those projects if they were on land not in the water? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

That's correct. This is a -- the commission is a policy-making commission and not -- not an operational-type commission.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President.

I'd like to thank Senator Meyer both for his answers and for this bill. I think this strengthens the original committee. I look forward to having New York join us in this effort. It is not going to help if the State of Connecticut does it alone. There is

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no border that water or fish recognize through the Long Island Sound; and, therefore, it is my hope that once we get this approved, as I'm sure we will, that New York takes this bill, does the right thing in New York and we can protect the most valuable resource that we have in the State of Connecticut.

Thank you, Mr. President

THE CHAIR:

Thank you, Senator Fasano.

Will you remark further?

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President.

I rise in favor of the amendment. And for those of you who might not have been involved in the initial discussions in previous years or even this year or might not have that much exposure to the beautiful coastline of Southern Connecticut, I just want -- I just want to describe to you what Long Island Sound is. It's an estuary and it's -- it's one that very unusual. The glaciers did a lot of hard work way back when. Carved out this beautiful resource that we commonly know as Long Island Sound today. It is very narrow at both ends. Hell's Gate down in the New York City downtown area is -- is very narrow. It's -- my

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guess would be about 225 feet wide, and then when you go to the eastern end of Long Island Sound, you're -- you're looking at a very narrow and also a very shallow part of this estuary. It does not receive the kind of flushing as tides come in and go out as most other bodies of water -- saltwater bodies of water, that is. And -- and, as a result of that, it's a very sensitive body of water.

When -- if you want to see something dramatic, go and watch the Race -- that's at the eastern end -- or go watch the water at the time when the tide is either coming in or -- flooding in or ebbing out. It's quite remarkable. It's the equivalent of your bathtub at home having about a 4-inch drain at either end expecting that water to be clean every time you want to go take a bath. It is needless to say an incredible resource, recreationally for fishing -- for the fishing trade, for a whole variety of different people even just going down and taking a walk by the seaside is -- is -- is something that you can't place a price tag on.

We've all seen the efforts that have taken place on the Hudson River area going way back 15 and 20 years ago, maybe even a little bit longer than that, when Robert Kennedy first got his organization off the

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ground. It's been remarkably successful in preserving a similar kind of body of water in that its tidal and that receives a little more flushing on the daily tide schedule, however, was also subject to some serious polluting over the last 75 to 100 years. And while we all think we've addressed much of the problem that -- that is responsible for polluting Long Island Sound there's still a long way to go. So I would -- I would like to salute Senator Meyer, Senator Stillman, Senator Fasano, anybody's who's been involved with efforts to protect Long Island Sound to improve it over the course of time. This is a -- a good initiative, and I do hope that New York State is paying attention. Regardless of the cost, this is an irreplaceable resource for all of us, and it's one that I have personally enjoyed very much where I live, and I know for a fact that anybody living along the southern coast of Connecticut has also enjoyed it very much. And, hopefully, other people who don't live on the coastline get a chance to come down and enjoy it. It really is something else.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark?

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Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Just to briefly -- in support of this -- and, again, the work that Senator Meyer, Senator Fasano and many others -- there are so many of us in the circle -- actually, I think about -- who share Long Island Sound directly. And, of course, we all, as a State of Connecticut, share it, but I guess my only hope is that Senator Meyer will have better luck with his former colleagues in New York than we did the last time we tried this. Obviously, without the LNG platform dividing our two states, I think there's more hope that New York will join us. We should be thankful that Governor Patterson is where he is and stop that from happening. But this is a good bill, and I think this type of bi-state policy governance and -- and, in review of what's happening on Long Island Sound, will lead us to a better appreciation and better protection of that great natural resource.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Let me try your minds on Senate A.

All those in favor please signify by saying aye.

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Opposed, nay.

The ayes have it. The Senate Bill is adopted.

Will you remark further on as amended?

Senator Meyer.

SENATOR MEYER:

Thank you, Mr. President.

Colleagues, it kind of ironic that tomorrow is the 12th Annual Long Island Sound Day -- 12th Annual Long Island Sound Day. And at so many of the beaches on our -- on our coastline, we will be celebrating this great natural resource. And the Connecticut Fund for the Environment and the Save the Sound Organization are sponsoring this day and have asked me to give you that information not that'll you'll necessarily be able to go, but -- but it'll -- it'll be a great -- a great celebration.

And, Mr. President, if there is no objection, I ask respectfully that this would go on to our Consent Calendar.

THE CHAIR:

Is there any further discussion on the bill as amended by Senate A? There's a motion on the floor to place the item on the Consent Calendar.

Without objections, so ordered, sir.

Mr. Clerk.

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Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if the Clerk might call the items on the second Consent Calendar and then if we might have a vote on that Consent Calendar.

THE CHAIR:

Mr. Clerk, please call the Consent Calendar.

THE CLERK:

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

Mr. President, those items are placed on the second Consent Calendar begin on Calendar page 22, Calendar Number 204, Substitute for Senate Bill 1009;

Calendar page 28, Calendar Number 358, Senate Bill 1078;

Calendar page 33, Calendar Number 473, Senate Bill 1160;

And Calendar 492, Substitute for Senate Bill 966.

Mr. President, that completes those items placed on the second Consent Calendar.

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THE CHAIR:

Please call for the Consent Calendar. 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 call on the second Consent Calendar. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be closed.

THE CLERK:

The motion is on adoption of Consent Calendar Number 2

Total Number Voting	35
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

Consent Calendar Number 2 passes.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

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SENATOR LOONEY:

Yes, Mr. President, thank you. Mr. President, calendar page 4, Calendar 412, Senate Bill 931. I would move to place that item on the consent calendar.

THE CHAIR:

Motion is on the floor to place Calendar 412 on the consent. Without objection, so ordered sir.

SENATOR LOONEY:

Yes, thank you, Mr. President. And Mr. President, also on calendar page 37, Calendar 358, Senate Bill 1078. Would move to place that item also on the consent calendar.

THE CHAIR:

Motion is to place Calendar 358 on consent. Without objection, so ordered, sir.

SENATOR LOONEY:

Yes and Mr. President, one additional item.

THE CHAIR:

Yes, sir.

SENATOR LOONEY:

Calendar page 38, Calendar 472, Senate Bill 1157. Would move to place that item also on the consent calendar.

THE CHAIR:

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Senate on the consent calendar. Will all Senators please return to the chamber. Immediate roll call has been ordered in the Senate on the consent calendar.

Will all Senators please return to the chamber.

Mr. President the items placed on the first consent calendar begin on calendar page 4, Calendar Number 412, Senate Bill 931; calendar page 12, Calendar Number 643, Substitute for House Bill 6320; calendar page 32, Calendar Number 427, Senate Bill 826; calendar page 37 -- correction, calendar page 34, Calendar Number 502, Substitute for Senate Bill 1127;

Calendar page 37, Calendar Number 358, Senate Bill 1078; and calendar page 38, Calendar 472, Substitute for Senate Bill 1157.

Mr. President, that completes the items placed on the first consent calendar.

THE CHAIR:

We'll call for the consent calendar, the machine will be open.

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

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to the chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be closed. The Clerk will call a tally.

THE CLERK:

Motion is on adoption of Consent Calendar Number 1.

Total Number Voting	36
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Consent Calendar Number 1 passes. Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President. Would move for immediate transmittal to the House of Representatives of items acted upon today here in the Senate requiring additional action by the House.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, if we

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Yes, sir.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, the next item on our Calendar for action today is on Calendar page 2, and that is Public Act 09151, Senate Bill 1078.

Mr. President, on that Calendar page 2, again, under bills vetoed by the Governor, Public Act 09151, Senate Bill 1078, Mr. President, having been on the prevailing side on that vote when it was passed in this chamber, would move for reconsideration of that bill.

THE CHAIR:

There's a motion on the floor for reconsideration of Senate Bill 1078. Objection, sir. Mr. Clerk.

The Senate -- I'm sorry.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, having brought the bill before us for reconsideration purposes, would now yield to Senator Meyer for the motion to repass the bill.

SENATOR MEYER:

Thank you, Senator Looney.

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Mr. President.

THE CHAIR:

We're going to do a voice vote on the motion to reconsider. All those in favor, please signify by saying, aye.

SENATORS:

Aye.

THE CHAIR:

All those opposed, nay.

The ayes have it. Senator Meyer.

SENATOR MEYER:

Thank you, Mr. President. I move to repass Senate Bill 1078.

THE CHAIR:

Mr. Clerk, could you please call that bill?

THE CLERK:

Calling from Calendar page 2 of today's agenda, Public Act 9-151, Senate Bill Number 1078, AN ACT ESTABLISHING A BISTATE LONG ISLAND SOUND COMMISSION. It was vetoed by the Governor on July 2, 2009.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Thank you. Permission to briefly summarize, Mr.

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President.

THE CHAIR:

There's a motion on the floor for summarization.  
With objection, please proceed, sir.

SENATOR MEYER:

Colleagues, you recall that last month the Senate passed twice, actually, unanimously and by consent, a bill establishing a commission between the States of New York and Connecticut to deal with the integrity of Long Island Sound, dealing very specifically with three issues concerning both states and Long Island Sound. And those three issues were the environment of Long Island Sound, the ecology of Long Island Sound and the use of Long Island Sound for energy purposes.

I don't think that we in Connecticut have any greater natural resource than Long Island Sound. Whether you live on the Sound itself, as some of us do or whether you live in another part of the state, but still enjoy Long Island Sound, it is our finest natural resource.

And as we found with the Broadwater proposal, that resource can be seriously challenged by acts of other governments, private corporations and so forth. This bill sets up an apparatus to deal with those kind

of issues for a long, long time to come. And it sets up a commission. It -- that commission will include the governors of both New York and Connecticut or their designees as well as other appointees.

There will be seven members of the commission from New York and seven members from Connecticut. The commission will meet as early as this October 1st and will meet at least quarterly thereafter. It really is doing the business of the people of the two states.

I, as a former Legislator in New York, have already been in touch with former colleagues in New York. There's enthusiasm for this bistate commission. And of course, that's why this House, on two occasions, passed this bill by consent.

So, Mr. President, in conclusion I urge that we repass Senate Bill 1078. Thanks.

THE CHAIR:

Thank you, sir. Will you remark on the repassage of Senate Bill 1078? Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President. A question for the proponent, for Senator Meyer. Through you, Mr. President.

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Senator Meyer.

SENATOR FRANTZ:

Senator Meyer, can you enlighten us with the kind of response that you got from your former colleagues up in the New York State Legislature in terms of the level of enthusiasm that you just referred to? And what's your assessment, as through their input to you, as to the success of the bill?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, to Senator Frantz, you know, there's some history in this. We had a bill back in 2005 dealing with Broadwater and trying to get a working relationship with New York.

New York, at that point, had a governor who supported Broadwater. And so we really were not able to go forward with any bipartisan, bistate kind of relationship. We have a different situation today. We have a new Governor. We have a somewhat different Legislature. I happened to be a member of the environment committee in the New York State Assembly as well.

And the reaction I've gotten on the telephone,

and there's been nothing more formal than that at this point, has been favorable to New York moving ahead just like we are hopefully moving ahead and having this commission.

THE CHAIR:

Thank you.

Senator Frantz.

SENATOR FRANTZ:

Thank you, and through you, Mr. President, just a comment and that is that I would love to see, I think we'd all like to see very much, this bipartisan commission come into existence with a full cooperation of the state of New York.

And I'm just -- I'm wondering, rhetorically anyway, if the first version of this is any more appealing than the current one that we have in front of us. And the only hesitation I have in voting for or against this is exactly that. Is which one is more appealing to the state of New York because we do need to move forward on this.

I agree with Senator Meyer that Long Island Sound is one of our greatest natural resources and it deserves to be protected. It's an estuary that for many decades has been abused. And the trend is a good

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one at this point and that it is being cleaned up. Over the course of time, a lot more focus and resources are put into it day by day, but we do need to step it up.

So thank you for that, Mr. President.

THE CHAIR:

Thank you, sir. Will you remark?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. Mr. President, if I could briefly, through you, ask some questions of the cochair of the Environment Committee. Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MCKINNEY:

Thank you, Mr. President. Senator Meyer, just quickly, we have and we passed, I believe prior to your tenure as chairman of the Environment Committee, but we passed, as a Legislature, a Bistate Long Island Sound Committee. This would create a Bistate Long Island Sound Commission, which I think would limit the responsibilities of the existing committee, but through you, Mr. President, just briefly, what are the

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two or three main differences between the commission established under this bill and the existing committee? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, to Senator McKinney, the committee that we established in 2005 was, you recall and you were very much part of the dialogue at that point, was focused on Broadwater. This huge natural gas terminal that was being put in the middle of Long Island Sound that many of us felt endangered, the environment of our communities as well as the integrity of the sound as a natural resource.

That committee also had responsibility for harbor management issues, municipal waterfront issues and shellfish issues. The bill as before us now takes a broader perspective and looks at the major issues -- three major issues: The environment of the sound, the ecology of the sound and the energy coming from the sound.

Senator McKinney, through you, Mr. President, I also want to say that I have doubts as to the validity of that committee that we created in 2005. It never

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met. It was never approved by the State of New York, and therefore I think it's very important, as a matter of public policy and the protection of the natural resource of Long Island Sound, to pass this bistate commission that's before us right now.

THE CHAIR:

Thank you.

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. Thank you, Senator Meyer.

And my last question is just a quick clarification on your last point, which I think is a good one. The Long Island -- the bistate Long Island Sound committee of 2005 would never -- cannot be in full force and effect until or unless New York adopted a similar committee.

This commission, similarly though, cannot take full force and effect absent New York, the New York Legislature adopting and the New York Governor signing similar legislation. Is that correct? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, that is clearly my understanding and that that is the intent and spirit of the bill.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Senator Meyer. I appreciate those clarifications. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark? Will you remark further on repassage of Senate Bill 1078? If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, please check your vote. The machine will be

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locked. The Clerk will call the tally.

THE CLERK:

The motion is on repassage of Senate Bill Number  
1078.

Total Number Voting	36
Those voting Yea	31
Those voting Nay	5
Those absent and not voting	0

THE CHAIR:

The repassage motion passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, would  
move for immediate transmittal to the House of  
Representatives under Joint Rule 14 of Public Act  
09151, Senate Bill Number 1078 as repassed by the  
Senate.

THE CHAIR:

Without objection, so ordered, sir. Senator  
Looney.

SENATOR LOONEY: .

Yes. Thank you, Mr. President. Mr. President,  
our next item of business also appears on Calendar  
page 2, under bills vetoed by the Governor, Public Act

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HOUSE OF REPRESENTATIVES

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May 27, 2009

THE CLERK:

On page 25, Calendar 661, Senate Bill  
Number 1078, AN ACT ESTABLISHING A BI-STATE LONG  
ISLAND SOUND COMMISSION, favorable report of the  
Committee on Government Administration and Elections.

DEPUTY SPEAKER GODFREY:

The Distinguished Chair of the Environmental  
Committee, Representative Roy.

REP. ROY (119th):

Thank you, Mr. Speaker.

Mr. Speaker, I move passage of the Joint  
Committee's favorable report and passage of the bill  
in concurrence with the Senate.

DEPUTY SPEAKER GODFREY:

Questions on acceptance, passage and concurrence?

Would you explain the bill, please, sir.

REP. ROY (119th):

Thank you, Mr. Speaker.

Mr. Speaker, what this does is sets up a bi-state  
commission to oversee major problems or issues  
concerning Long Island Sound.

And with that, Mr. Speaker, the Clerk has an  
amendment, LCO 6936. I ask that it be called and I be  
allowed to summarize

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DEPUTY SPEAKER GODFREY:

The Clerk is in possession of LCO 6936,  
previously designated Senate Amendment Schedule "A".

Will the Clerk kindly call the amendment.

THE CLERK:

LCO Number 6936, Senate "A" offered by Senator  
Meyer.

DEPUTY SPEAKER GODFREY:

Gentleman has asked leave of the chamber to  
summarize. Is there objection? Hearing none, please  
proceed, Representative Roy.

REP. ROY (119th):

Thank you, Mr. Speaker.

What this does is essentially outline the major  
portion of the work that this commission would  
oversee, and I move adoption.

DEPUTY SPEAKER GODFREY:

Questions on adoption? Will you remark on Senate  
Amendment Schedule "A"?

Distinguish ranking member of the Environment,  
Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker.

Mr. Speaker, some questions to the chairman of

the Environmental Committee, through you, please.

DEPUTY SPEAKER GODFREY:

Please frame your questions, sir.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. In Senate Amendment "A" before us, it strikes Section 2 of the file copy.

Can the gentleman tell me what it was that Section 2 was doing in the file copy?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you. Through you, Mr. Speaker. Section 2 included Sections 25-138 to 25-142 inclusive of the general statutes and repealed those.

I don't know exactly what they said, but they're gone.

DEPUTY SPEAKER GODFREY:

But not forgotten. Representative Chapin.

Can the gentleman tell me if he was involved in any conversations since we vote this bill out of committee that would indicate the reasons for this new language?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Roy, do you care to respond?

REP. ROY (119th):

Thank you, Mr. Speaker. Through you. No, I was not a participant in any discussions on that. What they're trying to do is just set up what the parameters of the commission would be in their work.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. Mr. Speaker, I rise in support of this amendment. As the Chairman indicated, some of this had not been discussed during the public hearing process, but I do recall that the bi-state committee that was in place was fairly inactive, and it looks to me as if Senate amendment "A" is an attempt to try to revive that and narrow the focus to make it a more workable committee, and I would encourage my colleagues to support the amendment.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Remark further on Senate Amendment Schedule "A"?  
If not, let me try your minds. All those in favor

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signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER GODFREY:

Opposed, nay. The ayes have it. The amendment  
is adopted.

Will you remark further on the bill as amended?

Representative Roy.

REP. ROY (119th):

Yes, thank you, Mr. Speaker. Mr. Speaker, the  
Clerk has another amendment, LCO 8468. I ask that it  
be called and I be allowed to summarize.

DEPUTY SPEAKER GODFREY:

The Clerk is in possession of LCO Number 8648,  
which will be designated House Amendment Schedule "A".  
Will the Clerk please call.

THE CLERK:

LCO Number 8648, House "A" offered by  
Representatives McCluskey, Olson and Roy.

DEPUTY SPEAKER GODFREY:

Gentleman asks leave of chamber to summarize. Is  
there objection? Representative Roy.

REP. ROY (119th):

Thank you, Mr. Speaker. Mr. Speaker, the

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original bill -- the underlying bill mentions six members of the commission from each state when, in fact, if you include the governors or their designee, would be seven from each state.

So we simply corrected the math with this amendment. I move adoption.

DEPUTY SPEAKER GODFREY:

Questions on adoption? Will you remark further on House Amendment Schedule "A"? Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. Who could be against correcting the math?

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

We won't debate that question, Representative Chapin. Thank you very much.

Remark further on House Amendment Schedule "A"? If not, let me try, why minds. All those in favor signify by saying aye.

REPRESENTATIVES: Aye.

DEPUTY SPEAKER GODFREY:

Opposed, nay. The ayes have it. The amendment is adopted.

Will you remark further on the bill as amended?  
Gentleman from (inaudible). Representative Miller.

REP. MILLER (122nd):

Thank you, Mr. Speaker. I rise in support of the  
bill. I just have one or two questions to the  
Chairman of the Environment, through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Please proceed, sir.

REP. MILLER (122nd):

Obviously, New York is very proud of Long Island  
Sound. They had a program on the other night  
regarding Long Island Sound, their side of it. Have  
we talked to anybody in the New York side, the New  
York General Assembly, with regard to this proposal?

Through you, Mr. Speaker

DEPUTY SPEAKER GODFREY:

Representative Roy.

REP. ROY (119th): I'm sorry, I didn't quite get  
that -- if he could repeat the question.

DEPUTY SPEAKER GODFREY:

Representative Miller.

REP. MILLER (122nd):

And through you, Mr. Speaker, has the State of  
Connecticut spoken to anybody in the New York General

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Assembly about this proposal?

Thank you.

DEPUTY SPEAKER GODFREY:

Representative Roy.

REP. ROY (119th):

Yes, thank you, Mr. Speaker.

A couple of people have, including Senator Meyer, who is the co-chair of the committee, who feels that this group is now ready to form and to be much more active than the previous one, and Senator Meyer who was behind the bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miller.

REP. MILLER (122nd):

Thank you. Thank you for that answer. And I again rise in support of this bill. I think Long Island Sound is an asset that both of us share. It's a very unique body of water, and it certainly does need some supervision by both states.

We have trouble on our side because of pollution coming from some of our water pollution control facilities, and we have the same situation in New York, as well as the pesticides and fertilizers that

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are used on the lawns along the Long Island shore and also Connecticut shore.

We've had (inaudible) for a number of reasons. The body of water sometimes lacking in oxygen.

So I think anything that we could do to keep this asset alive and make sure that it thrives in a climate that isn't involved with a lot of pollution type of things going into the body of water, so I certainly support this amendment, home that it will be passed by New York as well as Connecticut.

Thank you.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Gentleman from New Canaan, Representative Hetherington.

REP. HETHERINGTON 125th:

Thank you, Mr. Speaker.

Through you, a brief question to the proponent.

DEPUTY SPEAKER GODFREY:

Please proceed, sir.

REP. HETHERINGTON 125th:

What is the present vehicle for collaboration between New York and Connecticut with respect to Long Island Sound?

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Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Roy.

REP. ROY (119th):

I think, sir, it's a committee as opposed to a commission, and that has been dismantled under this legislation.

DEPUTY SPEAKER GODFREY:

Representative Hetherington.

REP. HETHERINGTON 125th:

Does this commission, through you, Mr. Speaker, does this commission have more authority than the existing committee?

DEPUTY SPEAKER GODFREY:

Representative Roy.

REP. ROY (119th):

Thank you. Through you, Mr. Speaker. I don't believe it has more authority, but it's got more punch.

DEPUTY SPEAKER GODFREY:

Representative Hetherington.

REP. HETHERINGTON 125th:

Through you, Mr. Speaker. Are the governors a member of committees -- the committee that currently

exists?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Roy.

REP. ROY (119th):

Thank you. The Governor or her designee would be the Chair from Connecticut.

DEPUTY SPEAKER GODFREY:

Representative Hetherington.

REP. HETHERINGTON 125th:

But on the present committee, through you, Mr. Speaker, are the governors -- I'm sorry if I -- you answered that. I didn't understand that.

Are the governors of those two states currently on that committee, the existing committee?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Roy.

REP. ROY (119th):

Thank you. Through you, Mr. Speaker. I believe they were not, and I think what happened is New York never showed any interest, so we had Connecticut people who were appointed, but we had no meetings.

Through you, Mr. Speaker.

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DEPUTY SPEAKER GODFREY:

Representative Hetherington.

REP. HETHERINGTON 125th:

Thank you. And I thank the gentleman for his answers. I have great respect for Representative Roy. If he says it has more crunch, I'm all for it, so I'll certainly support this.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you. Representative O'Neill of Southbury.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. And just to follow up a little bit on our prior line of questioning, I've just been checking the New York State General Assembly website. They have some similar to ours where you do bill searches, and I punched in the title of our bill, which I assume that their concept would be to raise similar legislation in the State of New York.

Since this would be a commission that both states would share, I assume it would have to have the same name in both states. The question earlier was, has anyone in the State of Connecticut communicated with or actually has the State of Connecticut, I'm not sure who that is, communicated with the New York General

Assembly

Is the Chair -- is the Chair of the Environmental Committee aware of any legislation that's been introduced in the State of New York to bring about the creation of this commission?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Roy.

REP. ROY (119th):

Thank you. Through you, Mr. Speaker. I'm not aware of any that's currently in place. Senator Meyer's had discussions and has indications that they are going to move forward on it at this time.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative O'Neill.

REP. O'NEILL (69th):

And how long after Connecticut enacted the committee -- how long ago did Connecticut enact the committee, if the Chair knows?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Roy.

REP. ROY (119th):

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The last committee -- the last bill that we had was 25 -- 2005.

Again, New York did not reciprocate, did not name anyone to serve on a committee from their side, so our side never got to meet or act on anything.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. And just to be clear, Connecticut enacted the committee, created the committee in the year 2005, and then it's now four years later, and New York has not acted to create the comparable committee, so we're abandoning the committee approach, and we're going to go with the commission approach based on conversations that the Senate co-chair of the Environmental Committee's had with someone in the State of New York to indicate that -- that this time around, they're interested?

That's the situation, as I understand it.

Am I correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Roy.

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REP. ROY (119th):

Yes, sir.

DEPUTY SPEAKER GODFREY:

Representative O'Neill.

REP. O'NEILL (69th): Thank you, Mr. Speaker. It would be -- it's kind of hard to understand how well this commission's going to work if -- if the first four years New York expressed no interest even in creating a law to start going down this path and apparently didn't let us know for four years that they had no inclination of doing that.

But I suppose if at first you don't succeed, try, try again.

Thank you, Mr. Speaker:

DEPUTY SPEAKER GODFREY:

Thank you, Representative O'Neill. Are you ready for the question? If so, staff and guests please come to the well of the House. Members take their seats. The machine will be open.

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. Members to the chamber, please.

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DEPUTY SPEAKER GODFREY:

Have all members voted? Have all members voted?  
Please check the board to make sure your vote is  
properly cast. If all members have voted, the machine  
will be locked.

Will the Clerk please take a tally?

Will the Clerk please announce the tally?

THE CLERK:

Senate Bill 1078, as amended by Senate "A" and  
House "A."

Total number voting	145
Necessary for passage	73
Those voting yea	145
Those voting nay	0
Those absent and not voting	6

DEPUTY SPEAKER ALTOBELLO:

The bill passes as amended.

Will the Clerk please call Calendar 333.

THE CLERK:

On page 36, Calendar 333, substitute for  
House Bill Number 6419, AN ACT CONCERNING THE  
POLICIES, PRACTICES AND PROCEDURES OF THE  
DEPARTMENT OF CHILDREN AND FAMILIES, favorable

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GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
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will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House is taking a roll call. Members to the Chamber, please.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Please check the roll call board to make sure your votes were properly cast.

If all the members have voted, the machine will be locked. The Clerk will please take a tally.

Will the Clerk please announce the tally.

THE CLERK:

Senate Bill 922, in concurrence with the Senate.

Total Number Voting	142
Necessary for Passage	101
Those Voting Yea	106
Those Voting Nay	38
Absent/Not Voting	9

SPEAKER DONOVAN:

The bill is repassed.

Will the Clerk please call Senate Bill 1078.

THE CLERK:

Senate Bill Number 1078, AN ACT ESTABLISHING A

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BI-STATE LONG ISLAND SOUND COMMISSION.

SPEAKER DONOVAN:

Representative Merrill.

REP. MERRILL (54th):

Yes, thank you, Mr. Speaker. I would move that this item be reconsidered. And I would note for the record that I was on the prevailing side of the issue.

SPEAKER DONOVAN:

The question before the Chamber is on reconsideration on Senate Bill 1078. For the benefit of the Chamber, I'll note that Representative Merrill was on the prevailing side of this issue when this measure was passed on May 27, 2009, and is therefore an appropriate member to make the motion for reconsideration. Is there objection to the motion to reconsider? Is there objection?

Hearing none, without objection, the bill will be reconsidered.

Will you remark on the bill?

Representative Roy.

REP. ROY (119th):

Thank you, Mr. Speaker. Mr. Speaker, I move repassage of the bill. And yeah -- repassage.

SPEAKER DONOVAN:

The question before the Chamber is on repassage of the bill.

Representative Roy, you have the floor, sir.

REP. ROY (119th):

Thank you. Mr. Speaker, what this does is -- replaces the Long Island Sound Committee that we passed several years ago, but has never met. And we have reason to believe that New York will join this time. The committee will take effect only after New York adopts similar legislation. So I move repassage.

SPEAKER DONOVAN:

Thank you, Representative.

Would you care to remark further on the bill?

Would you care to remark further on the bill?

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Mr. Speaker, a few questions to the proponent of the bill.

SPEAKER DONOVAN:

Please proceed, sir.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. In the Governor's veto message she indicates that right now, the bi-state Long Island Sound Marine Resources Committee exists,

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three Long Island Sound Committees exist, and a Long Island Sound Assembly exists. Why would you feel that this commission would be different from them and necessary? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Roy.

REP. ROY (119th):

Through you, Mr. Speaker, this has grown out of the Broadwater issue, when LNG wanted to put the huge natural gas terminal in the middle of Long Island Sound. There was cooperation with both legislatures -- legislators from both states. And it was felt that if we can keep this going, the legislative interaction, it would be very helpful to all of us. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker, does New York feel the same way? Did they pass a similar bill? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Roy.

REP. ROY (119th):

I can -- thank you, Mr. Speaker. Through you, I can only accept the word of my Cochair who has been working with them, some of whom are former colleagues when he was in the New York Legislature. And he will be going up to Albany shortly to solidify that. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker, with all that's going on in Albany, do you think he'll get in the place?

Through you, Mr. Speaker, I also note, as I did in my initial question, the Bi-State Long Island Sound Marine Resources Committee certainly is bi-state -- I presume between Connecticut and New York. Why would that committee by virtue -- at least of its title, not have cognizance over such matters? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Roy.

REP. ROY (119th):

Thank you. Through you, Mr. Speaker -- Mr. Speaker, what this commission will do is review and consider major environmental, ecological, and energy

issues involving Long Island Sound and the lower Hudson River Valley. It is hoped that we will develop the strategies and policies that will make these things work between the two states. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker, is -- and forgive me, I don't have a fiscal note before us -- is there a fiscal note in connection with this bill? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Roy.

REP. ROY (119th):

Thank you. Yes, Mr. Speaker, there is a fiscal note. It's potential, and a potential large amount over the years. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

I'm sorry. A potential large amount through the years? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Roy.

REP. ROY (119th):

Thank you. Yes, Mr. Speaker, potentially large over the years.

REP. CAFERO (142nd):

Okay. Thank you. Mr. Speaker, ladies and gentleman of the Chamber, many of us who represent towns certainly that have Long Island Sound as its precious resource right in front of us, I being one of them, are caught in somewhat of a -- between a rock and a hard place -- no pun intended -- on this bill. Why? I think I've historically voted for everything that helps promote, preserve, protect the Long Island Sound. Not only do I feel that that's necessary for us as a state to take that kind of step, but certainly more selfishly, as a resident of the City of Norwalk, which has beautiful coastal frontage on Long Island Sound.

I am conflicted because I read the Governor's veto message that there are many such commissions that deal with the Long Island Sound. And more -- more conflicted with the fact that we, as a state, are faced with an economic crisis and we don't have a budget. And things ain't getting any better, even by

our Office of Fiscal Analysis, or as our Speaker would say, our fine agency's predictions of what's going to come in fiscal years 2012 and 2013. So when I see a bill that says there is a potential cost in the future, and I hear the very well-respected, distinguished Chairman of the Environmental Committee say, a potentially large fiscal cost in the future, it gives me pause.

So the dilemma is do you go on record sustaining a gubernatorial veto against something that says "Long Island Sound" in it, or do you take solace in the fact that there are several commissions that deal with such things, will continue to deal with such things, will deal with our neighbors -- New York, and we could hopefully save the potential large cost in the future?

Ladies and gentlemen of the Chamber, my vote will be to sustain the Governor's veto.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Would you care to remark further on the bill?

Would you care to remark further on the bill?

If not, staff and guests please come to the well of the House. Members take their seats. The machine

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will be open.

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, please.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Please check the roll call board to make sure your votes were properly cast.

If all the members have voted, the machine will be locked, and the Clerk will please take a tally.

Clerk, please announce the tally.

THE CLERK:

House Bill Number 1078 -- I'm sorry. Senate Bill 1078.

Total Number Voting	142
Necessary for Passage	101
Those Voting Yea	105
Those Voting Nay	37
Absent/Not Voting	9

SPEAKER DONOVAN:

The bill is repassed.

Will the Clerk please call Senate Bill 1162.

THE CLERK:

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**ENVIRONMENT  
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**2009**

a while.

RICHARD BLUMENTHAL: Not since yesterday, but it's good to see you again, thank you. And thank you for your leadership on the issues that I'm going to be discussing today, Chairman Roy. I know you have been at the forefront of a number of these issues and I appreciate your leadership and members of the committee as well.

I'm here to talk about three bills and I know you have a full agenda so let me dispense with reading my prepared testimony and just talk about them very quickly.

SB 1078  
HB 6345

First on Senate Bill 918, An Act Requiring the Licensing of Private Solid Waste Haulers, this bill has been before you in previous sessions. Essentially, it requires the kind of licensing and background check that other states and cities, counties have required, particularly in New York, in response to some of the problems that my office has seen and that we have civilly prosecuted through anti-trust actions, and that the justice department has prosecuted criminally through its racketeering and organized crime prosecution, most recently in the Galanti case.

There was a -- one of the near final sentencings just last week completing the Department of Justice's prosecutions which show that the waste hauling industry has a minority -- and I stress it's a minority -- the vast majority of waste haulers are hard-working, honest people but there is a minority of problematic elements and practices that this bill aims to address.

The bill is very similar to proposals made by the Governor's task force, endorsed by the

Governor. I have advocated them for -- I think close to five, six years or more, because of our experience in my office doing anti-trust actions in the Stamford and Hartford area, we've recovered millions of dollars. But some of these practices that are anti-competitive still persist and some of the people who perhaps should not be involved in this industry still are there; so I ask for your support.

We've attempted to meet some of the concerns and objections raised in the past by raising the -- the level of requirements to trash haulers who have more than three trucks. So the guy who has one truck or two trucks would not be effected, even three trucks, the small operator would not be effected and the costs would be minimal. As you know we already require licenses for solid waste facilities and hazardous waste haulers, there's no reason not to do it for the solid waste hauler.

On the bi-state Long Island town commission, this idea is really very straight forward. A number of you have been involved in formulating and proposing it which I did last year when I visited Long Island, talked to Steve Levy the executive -- county executive there. I've talked to other New York officials. I'm encouraged by Governor Paterson's response. The commission essentially would -- would formulate a shared strategy that combines environmental and energy concerns. We need more affordable energy in this area but not at the expense of Long Island Sound or environment. There are win-win solutions. Rejecting or reacting simply is not a policy. We've been successful.

SB1078

As you know I've fought Broadwater and

Islander East and other misguided projects with your support and help but we have to do more than just react or object or oppose, and this commission is a way to formulate a shared strategy that will be positive and constructive in seeking alternatives to projects like Broadwater, and so I urge that you support the commission which would be composed of representatives of both Long Island, New York and Connecticut, seven members from each side of the Sound, citizen advocates, energy experts, public officials, ordinary citizens, utility regulators, a cross-section of representation.

Finally, on the issue of House Bill 6345, An Act Protecting the Natural Resources of the Highlands Regions, I believe that protecting these water resources is critical. We now have a proposal for one in particular known as the Yale Farm Project which will have a hearing in May -- in early May. A number of you have expressed interest to me.

I want to thank Representative Willis for her leadership in proposing this measure but it would impose restrictions that would require permits for anyone diverting more than 50,000 gallons of water per day for non-municipal recreational use -- non-municipal recreational use and I stress that term when the source of that water is a federally designated highland region simply raises to another level the kind of protection that we give water resources in our state when they come from elevated regions that are much more difficult to provide water as a resource and I urge your support for it.

Thank you, Mr. Chairman, and I'd be happy to answer any questions.

REP. ROY: Thank you.

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municipality would partner in building a commercial use.

SENATOR MCKINNEY: I guess the hypothetical is irrelevant. I guess my question is if -- if we're concerned about potential destruction of the head waters, is it relevant whether that destruction is caused by a town, a recreational use or some other use?

RICHARD BLUMENTHAL: In answer to your question, I would favor broadening the bill to apply to any intrusion or unwarranted use of water in excess of 50,000 gallons, whether it's by a municipality or a non-municipality and certainly -- and my understanding of the bill is that it would cover commercial uses now, but if I'm wrong in that respect, then certainly, the bill should be clarified but even recreational uses, I think, should be treated in the same way.

SENATOR MCKINNEY: Thank you and -- and -- and I -- I -- I do appreciate that because as the bill is written, it talks about only non-municipal recreational use. So clearly a, you know, a Walmart, some people might have fun at Walmarts but it's not a recreation use, so I appreciate that. And I -- I will look when we bring that bill up to broaden it. Thank you.

RICHARD BLUMENTHAL: Thank you.

REP. ROY: Thank you. I have one question on the Long Island -- the proposed Long Island commissions. About a half dozen years ago we passed legislation to do the same thing and then New York ignored us. What has changed?

SB1078

RICHARD BLUMENTHAL: Well, we would need New York to go along with it. What's changed, I think, very radically, is a heightened consciousness

about the importance of cooperating with Connecticut. And I'm going to be very blunt with both the Chairman and members of the committee now that Chairman Meyer has arrived because I know both of you have helped very, very valuably in our fight against those projects.

We've been successful and nothing succeeds like success in getting New York's attention. Senator Meyer knows better than any of us since he served in the New York legislature and he has more familiarity with New York's thinking right now, but I think we can say fairly that we've gotten their attention because they know they need us if they're going to meet regional needs and comply with the law because we will not permit them to violate the law, violate our rights, violate our environmental concerns and, in a -- in a more friendly way, that we have a shared interest and a shared historic opportunity.

What binds us together is -- is Long Island Sound and the historic opportunity and necessity that we have now. So I think, judging by his public remarks, Governor Paterson understands this point, county executives in Long Island understand this point -- I've met with them personally -- and Senator Meyer may have more to say on this issue but I think that point is very important as a change in New York's receptivity. But no question, you're absolutely right, Representative Roy; they would have to pass a similar measure in their legislature.

REP. ROY: Thank you.

Senator Meyer.

SENATOR MEYER: Thank you, Mr. Chairman. Thank you

for your testimony General.

Just quickly on the -- there has indeed been a change of attitude between the two states I think. In 2005 when we first introduced the concept of a bi-state commission, we were fighting over Islander East and New York wanted Islander East and -- and you and us, we were fighting against Islander East and that case is now decided. So a -- a point of opposition between the two states was really ended. And when we came together as we did well on -- on the liquid natural gas terminal in the middle of the Sound, Broadwater, that was the beginning of a new relationship, I think, between the two states. And we have -- we have found first Governor Spitzer and now Governor Paterson to be much more receptive to the commission so actually I think we have a -- new circumstances and new players and we have an excellent chance of getting New York's cooperation.

RICHARD BLUMENTHAL: Thank you.

REP. ROY: Thank you.

Any other questions?

Senator Roraback.

SENATOR RORABACK: Thank you, Mr. Chairman and good morning, Attorney General Blumenthal.

RICHARD BLUMENTHAL: Good morning.

SENATOR RORABACK: The testimony that we've received from DEP on 6345 suggests that, if it were enacted, a couple of ski areas in Litchfield County would possibly be prohibited from continuing their snowmaking operations. Do you favor that outcome?

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Office of The Attorney General  
**State of Connecticut**

*TESTIMONY OF  
ATTORNEY GENERAL RICHARD BLUMENTHAL  
BEFORE THE ENVIRONMENT COMMITTEE  
MARCH 16, 2009*

I appreciate the opportunity to support Senate Bill 1078, An Act Establishing a Bi-State Long Island Sound Commission.

The proposed New York- Connecticut commission would not replace existing state and federal licensing and regulatory bodies, but would review ways that both states can work proactively to address shared needs for new renewable energy sources and to protect the Long Island Sound from environmental harm. There has been positive initial reaction from New York officials.

Connecticut's victories over Broadwater and Islander East underscore the need for joint Connecticut-New York proactive action related to environmental and energy needs. Our two states are tightly bound by historic opportunity and necessity. Long Island Sound binds our two states irrevocably, provides billions of dollars in economic and other benefits, and must be a shared commitment. Burdens and benefits must be shared equally. A joint commission between Connecticut and New York -- representing businesses, ordinary citizens, environmental groups, commercial and recreational users of the Sound, utility regulators, and consumer advocates -- can be an effective forum for cooperation.

A positive shared strategy is essential. Simply and solely reacting or rejecting is not effective public policy. Joining together both sides of the Sound, this commission can work to develop a regional consensus that serves both environmental protection and energy needs.

Specifically, the proposed commission would consider:

- designating areas of Long Island Sound that must be protected from all development -- perhaps through a new federal or multi-state marine park.
- reviewing ways in which our states can work jointly to support new renewable sources of energy.
- additional new ways to encourage energy efficiency and conservation to reduce oil reliance.
- jointly supporting liquefied gas facilities -- alternatives to Broadwater off the New York or New Jersey coasts -- that help meet the energy needs of our region with this relatively clean energy source.

I urge the committee's favorable consideration of Senate Bill 1078.



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Public Hearing – March 16, 2009  
Environment Committee

Testimony Submitted by Commissioner Gina McCarthy  
Department of Environmental Protection

**Raised Senate Bill 1078 - AN ACT ESTABLISHING A BI-STATE LONG ISLAND  
SOUND COMMISSION**

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Thank you for the opportunity to present testimony raising our concerns regarding Senate Bill No. 1078, AN ACT ESTABLISHING A BI-STATE LONG ISLAND SOUND COMMISSION. The Department would certainly like to see cooperation and coordination with the State of New York regarding our most precious shared natural resource, Long Island Sound, however we believe the establishment of a new Bi-State Commission is not necessary, and may be duplicative of existing partnerships.

Most significantly, it is unclear what purpose would be served by the proposed Commission that could not be accomplished through existing interstate coordination mechanisms, particularly the Long Island Sound Study (LISS). The LISS is a cooperative bi-state partnership consisting of federal and state agencies, user groups, concerned organizations, and individuals dedicated to restoring and protecting the Sound under the framework of the National Estuary Program. The LISS Management Committee, comprised of environmental officials, scientists, and citizens from Connecticut, New York and the federal government, implements the sound-wide Comprehensive Conservation and Management Plan, which focuses on a number of specific goals to improve water quality, habitat, and public involvement and understanding. A number of specialized joint work groups and committees, including a permanent Citizens Advisory Committee, advise and assist with the implementation of the LISS. Suffice it to say that the existing bi-state partnership represented by the LISS enjoys a well-established institutional framework and a solid record of progress in achieving habitat restoration and water quality improvements.

Moreover, we are not aware of any interest in this proposed new Bi-State Commission on the part of New York. Without identical legislation being passed by the State of New York, this bill would become moot — as was the case the last time the Bi-State Committee statutes were amended by PA 05-137, and New York never enacted counterpart legislation.

Thank you for the opportunity to present the DEP's views on this proposal. If you should require any additional information, please contact Robert La France, Legislative Liaison at 424-3401.