

Act Number: 09-174

Bill Number: 6231

Senate Pages: 5672-5673, 5701-5703

5

House Pages: 6146-6196

51

Committee: None

0

Page Total:

56

S - 593

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2009**

**VOL. 52
PART 17
5352 - 5682**

mhr
SENATE

268
June 2, 2009

Yes. Thank you, Mr. President. Moving to Calendar Page 13, Calendar 659, House Bill 6459 is marked go.

Mr. President, and moving to Calendar Page 15, Calendar 680, House Bill 5821; Mr. President, move to place that item on the Consent Calendar.

THE CHAIR:

There's a motion on the floor to place Calendar Number 680 on the Consent Calendar. Without objection, so ordered, sir.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, moving back, I missed an item on Calendar Page 13, Mr. President -- excuse me -- Calendar Page 13, Calendar 663, House Bill 5254. Mr. President, I move to place that item on the Consent Calendar.

THE CHAIR:

There's a motion on the floor to place Calendar Number 663 on Consent Calendar. Without objection, so ordered, sir.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, Calendar -- moving to Calendar Page 16, Calendar 684, House Bill 6231; Mr. President, I move to place that item on the Consent Calendar.

mhr
SENATE

269
June 2, 2009

THE CHAIR:

There's a motion on the floor to place Calendar 684 on the Consent Calendar. Seeing no objection, so ordered.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Continuing Calendar Page 16, Calendar 687, House Bill 5875 is marked go.

Moving to Calendar Page 17, Mr. President, Calendar 688, House Bill 6585 is marked go. Continuing on Calendar Page 17, Mr. President, Calendar 689, House Bill 5421; Mr. President, move to place that item on the Consent Calendar.

THE CHAIR:

Motion on the floor to place Calendar Number 689 on the Consent Calendar. Without objection, so ordered, sir.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, moving to Calendar Page 18, Calendar 694, House Bill 5021; Mr. President, that item is marked go. Continuing on Calendar Page 18, Mr. President, Calendar 695, House Bill 6419; Mr. President, move to place that item on the Consent Calendar.

THE CHAIR:

S – 594

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2009**

**VOL. 52
PART 18
5683 – 5943**

mhr
SENATE

297
June 2, 2009

Mr. Clerk, please call Consent Calendar.

THE CLERK:

Immediate roll call has been ordered in the 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, those items placed on the Second Consent Calendar --

THE CHAIR:

Mr. Clerk, please hold for a second.

I'm trying to hear the Clerk call the Consent Calendar and I'm sure you don't want to miss that vote either, so if I could have your attention and quiet, please.

Mr. Clerk.

THE CLERK:

The items placed on the Second Consent Calendar begin on Senate Agenda 1, substitute for House Bill 6486, substitute for House Bill 6649. Senate Agenda Number 3, House Bill 6394. Today's Calendar, Calendar Page 3, Calendar 317, Senate Bill 586; Calendar Page 4, Calendar 455, House Bill 5018; Calendar Page 7, Calendar Number 593, Substitute House Bill 5286; Calendar Page 8, Calendar 606, substitute

mhr
SENATE

298
June 2, 2009

for House Bill 5883; Calendar Page 9, Calendar 619,
House Bill 6343; Calendar 626, House Bill 6476;
Calendar 629, substitute for House Bill 6232; Calendar
Page 10, Calendar 634, House Bill 6544; Calendar 636,
substitute for House Bill 6483; Calendar Page 11,
Calendar 649, substitute for House Bill 6466; Calendar
Page 13, Calendar 663, substitute for House Bill 5254;
Calendar Page 15, Calendar 680, substitute for House
Bill 5821; Calendar Page 16, Calendar 684, House
Bill 6231; Calendar Page 17, Calendar 689, substitute
for House Bill 5421; Calendar Page 18, Calendar 695,
substitute for House Bill 6419; Calendar Page 19,
Calendar 699, substitute for House Bill 6284; Calendar
Page 21, Calendar 711, House Bill 5099; Calendar 712,
substitute for House Bill 6025; Calendar Page 22,
Calendar 718, substitute for House Bill 5861; Calendar
Page 23, Calendar 720, substitute for House Bill 5108;
Calendar Page 32, Calendar 450, House Bill 6233;
Calendar 467, substitute for Senate Bill 1031; and,
Calendar Page 35, Calendar 205, substitute for Senate
Bill 948. Mr. President, that completes the items
placed on the Second Consent Calendar.

THE CHAIR:

Will you please call the Consent Calendar? The
machine will be open.

mhr
SENATE

299
June 2, 2009

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

THE CLERK:

Motion is on adoption of Consent Calendar
Number 2:

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

THE CHAIR:

Consent Calendar Number 2 passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, would move for immediate transmittal to the House of Representatives of any items voted on, on Consent Calendar Number 2, requiring additional action by the

H – 1055

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2009**

**VOL.52
PART 19
5896 – 6197**

jr/rgd
HOUSE OF REPRESENTATIVES

46
May 22, 2009

Those voting Nay	0
Absent and not voting	38

DEPUTY SPEAKER ALTOBELLO:

The bill passes in concurrence with the Senate.

Will the Clerk please call Calendar 177 on page 4?

THE CLERK:

Calendar 177, House Bill Number 6231, AN ACT
CONCERNING THE DEPARTMENT OF BANKING, favorable report
by the Committee on Banks.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed of the 102nd. You have the
floor, madam.

REP. REED (102nd):

Thank you, Mr. Speaker. And a fine good morning
to you.

Mr. Speaker, I move for acceptance of the joint
committee's favorable report and passage of the bill.

DEPUTY SPEAKER ALTOBELLO:

Question before the chamber is acceptance of the
joint committee's favorable report and passage of the
bill.

Please proceed, madam.

REP. REED (102nd):

Mr. Speaker, this bill prevents financial

jr/rgd
HOUSE OF REPRESENTATIVES

47
May 22, 2009

advisers from pretending to have specialized change that they do not have and from using phony credentials that are designed to mislead and defraud senior citizens.

Mr. Speaker, the Clerk has amendment LCO 8055. I ask that he call it and that I receive permission to summarize.

DEPUTY SPEAKER ALTOBELLO:

Will the Clerk please call LCO 8055, which shall be designated House Amendment Schedule A?

THE CLERK:

LCO 8055, House A offered by Representative Reed, et al.

DEPUTY SPEAKER ALTOBELLO:

Representative seeks leave of the chamber to summarize. Without objection, without objection. Representative Reed.

REP. REED (102nd):

Thank you.

DEPUTY SPEAKER ALTOBELLO:

Please proceed.

REP. REED (102nd):

Thank you, Mr. Speaker.

This amendment is a strike-all amendment that

jr/rgd
HOUSE OF REPRESENTATIVES

48
May 22, 2009

becomes the bill, and I move for its adoption.

DEPUTY SPEAKER ALTOBELLO:

Question before the chamber is adoption of House
A. Remark further, Representative Reed?

REP. REED (102nd):

Mr. Speaker, this bill evolved from an experience several years ago with an 80-year-old member of my family, very close member, a very savvy, very sharp individual who bilked out of substantial amount of his savings by a huckster who was pretending to be a certified retirement financial specialist.

This guy conferred that title upon himself. He pretended to have high-level training, and a special knowledge of how retirees should invest their money. I discovered that other bogus titles include Certified Elder Planning Specialist, Registered Financial Gerontologist, Certified Retirement Financial Adviser and Certified Senior Adviser.

These pretend titles often appear on fancy marketing materials with lots of gold insignias, and I was shocked to discover that there is no law against it.

My research also taught me that these hustlers have been dealing with growing numbers of people,

jr/rgd
HOUSE OF REPRESENTATIVES

49
May 22, 2009

mostly senior citizens, and that it also becomes a silent crime, because so many victims are too embarrassed to talk about it, which is what happened to my family member.

This amendment has had input from the legislature's Select Committee on Aging where it passed with unanimous bipartisan support. Also, the Department of Banking, the Connecticut Insurance Department, the Banking Committee, the North American Securities Administrators Association, the National Association of Insurance Commissioners, and AARP.

I want to thank everyone for their hard work and support, and I urge adoption of this amendment.

Thank you.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Reed.

Representative Stripp of the 135th. You have the floor, sir.

REP. STRIPP (135th):

Yes. Thank you, Mr. Speaker.

Mr. Speaker, before I talk about the amendment, I just want to officially note that I take umbrage that the 80-year-old is that old, as I start to advance.

That's kind of a young person, as I look at it.

jr/rgd
HOUSE OF REPRESENTATIVES

50
May 22, 2009

DEPUTY SPEAKER ALTOBELLO:

So noted. So noted for the transcript, sir.

REP. STRIPP (135th):

Mr. Speaker, it is true, and I've had experience with members of my own family when they get up into their nineties, even though they may have a lot of financial experience, they can get somewhat confused, because there's new approaches, new sales appeals, new twists, new marketing programs, and people can take advantage of -- of people that are elderly, which is in the high nineties, from where I look at it,

Mr. Speaker.

And this bill is a good bill. It will help protect them, and I think it's needed, and it will give the banking commissioner the opportunity to go over people who try to take advantage of our elderly in this state.

So, Mr. Speaker, I do approve of the bill. I do support the bill, and hope the chamber does pass the amendment and then finally the bill.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Stripp.

Representative Williams of the 68th, you have the

jr/rgd
HOUSE OF REPRESENTATIVES

51
May 22, 2009

floor, sir.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker, and good afternoon.

Through you, a few questions, please, to the proponent of the amendment.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker.

And through you, on line 43 -- actually, lines 42 and 43, it refers to preventing misleading and fraudulent marketing practices with respect to the solicitation and sale of life insurance or annuities sold to senior citizens.

I understand this is a separate section of this amendment, and I'm curious as to why we would specify that we're trying to prevent misleading activities only to senior citizens.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker.

Actually, this language was recommended by the

jr/rgd
HOUSE OF REPRESENTATIVES

52
May 22, 2009

Department of Insurance and the National Association of Insurance Commissioners.

This is a huge national problem. It's actually being dealt with federally, and they are creating recommendations for the states in order to try to regulate it.

So this was very specifically recommended by the National Association of Insurance Commissioners.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker. And through you, Representative Reed, why is it that we would not be putting something into statute to prevent misleading activity to all people, not just to senior citizens?

I understand that the -- these are the recommendations that have been made, and perhaps in response to a problem that has existed both in Connecticut and federally as well; but why would we only be saying that you can't -- or actually, that the insurance commissioner shall adopt these regulations strictly for senior citizens?

Why not also for everyone? Why is it any

different for you or me than it is for senior citizens?

Is there a reason why we are sort of carving out this little niche in this legislation?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Thank you, Mr. Speaker. Through you.

That is actually going to be next year's bill, Mr. Williams. And I hope that you'll be a co-introducer on that legislation.

DEPUTY SPEAKER ALTOBELLO:

Representative Williams.

REP. WILLIAMS (68th):

I want to be a co-introducer this year, Mr. Speaker.

Through you, to Representative Reed, is there -- was there any testimony offered or was there some concern that if we were to make this regulation apply to anyone, not just senior citizens, that it would mean some legislative difficulty or is this solely based on the recommendations that Representative Reed indicated earlier?

jr/rgd
HOUSE OF REPRESENTATIVES

54
May 22, 2009

Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker. It's -- this is where the majority of the fraud is happening. Fifteen percent of the population senior citizens constitute 70 percent of the fraud. These materials -- frequently these products included annuities and obviously an insurance product.

Annuities generally are bought mostly by senior citizens. And what they've discovered is that among the cons, is to sell -- I'm not going to say 80, because my distinguished colleague is much too robust for me to use that age, so let's say 90, or maybe 100, the payout does not begin for ten years.

So annuities were actually being sold to senior citizens and the payout did not begin for ten years.

The State of California just settled for \$10 million a lawsuit against Allianz Life Insurance Corporation for doing that kind of thing.

So insurance wanted to concentrate on this now, and then as they learn, get more data, you know, expand the net to capture other people who are being

jr/rgd
HOUSE OF REPRESENTATIVES

55
May 22, 2009

defrauded, but this is an area that needs urgency.

Thank you.

DEPUTY SPEAKER ALTOBELLO:

Representative Williams.

REP. WILLIAMS (68th):

Thank you, Mr. Speaker. Thank the gentlelady for her answers and for her work on this, as well as the Department of Insurance and the Insurance and Real Estate Committee.

I certainly do believe that this addresses a problem. I'm always concerned when we create a carveout when we say that we're specifically going to give a greater protection to one class of people versus another.

Having said that, it's certainly -- and my opinion doesn't rise to the level of opposing the amendment, I would urge adoption, and I would ask the chamber's adoption of this amendment as well and look forward to in the future being able to work with Representative Reed and the Insurance and Real Estate Committee on expanding this as well.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Williams.

jr/rgd
HOUSE OF REPRESENTATIVES

56
May 22, 2009

Representative Widlitz of the 98th. You have the floor, madam.

REP. WIDLITZ (98th):

Good afternoon, Mr. Speaker. It's so nice to be here this afternoon.

Mr. Speaker, I rise in very strong support of this bill. Having dealt with family members who are really targeted by -- by people who would give them very bad advice, and having dealt with several constituents who actually had their savings taken away from them had they thought they were being advised by someone who is experienced and credentialed.

Representative Reed has done a tremendous amount of research and work on this, and I thank her very much for bringing this forward.

I think this is an excellent consumer protection bill that will probably be in all of our end-of-the-session newsletters.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Widlitz.

Representative Wood of the 141st, you have the floor, madam.

REP. WOOD (141st):

Thank you, Mr. Speaker. I also stand in support of this bill. I was actually very surprised to find out that it did not exist, these protections.

I know a number of financial planners, who do work very hard with great integrity, and I feel this also protects them.

So I agree that we -- to all support this bill.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Wood.

Representative Sawyer of the 55th. You have the floor, madam.

REP. SAWYER (55th):

Thank you, Mr. Speaker. Just for legislative intent, through you, a question to the proponent of the bill.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, madam.

REP. SAWYER (55th):

In asking the insurance commissioner to adopt regulations in respect to the solicitation of the sale of life insurance and annuities sold to senior, could you please describe what the intent is for what a senior is, because we note our friend today, he'd love

jr/rgd
HOUSE OF REPRESENTATIVES

58
May 22, 2009

to send us information at 50. The federal government looks at it in some instances as 62, some look it as now 66 and 67 when it comes to Social Security

So if you could just (inaudible) sort of intent and as we direct the Department of -- to be doing this, could you just please share with us that information.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Thank you, Mr. Speaker. And through you. Actually, the regulations that are going to be promulgated are really going to deal with that, because as we all know, there are a variety of -- if 55 and over becomes the senior designation in terms of retirees or retirement products, so that is something that people are -- want to look at as they do sign the regulations that really very much specify.

We actually did have considerable conversation with the independent insurance -- representatives from the independent insurance group and from the Insurance Department, and they all wanted to keep it as, you know, sort of wide as possible as they kind of drilled

jr/rgd
HOUSE OF REPRESENTATIVES

59
May 22, 2009

down and decide exactly what terminology.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Sawyer.

REP. SAWYER (55th):

I thank her for that clarification, because now it makes more sense. Thank you, sir.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Sawyer.

Representative Cafero of the 142nd. You have the floor, sir.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Ladies and gentlemen of the chamber, I am blessed to still have my parents with us. My father is 89 years old. My mother will kill me when she hears me say her age other this microphone, is a spritely, young, beautiful 84-year-old.

And my brother and I, as I'm sure all of you in similar situations, are always concerned about people taking advantage of them. And I cannot tell you when we're over for mom's pasta dinners how many times that phone rings with some sort of telemarketer or another that start off with this spiel that takes advantage of

jr/rgd
HOUSE OF REPRESENTATIVES

60
May 22, 2009

people my parents' age.

I, too, did a little research on it, and I understand that there's in the industry called a sucker's list. And unfortunately, my parents happen to be on that sucker's list. I'm sure many of your constituents of a certain age are on it as well. And they prey constantly and incessantly on these older people who pick up the phone and maybe out of loneliness or politeness stay on and engage the individual in conversation.

So I am very, very pleased that Representative Reed has not only brought this bill to our attention, but also done the kind of research that she's done, because I think this is of vital importance.

I have one question, if I may, through you, Mr. Speaker, to Representative Reed, just for either legislative intent or clarification.

Through you.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir.

REP. CAFERO (142nd):

Thank you.

Through you, Mr. Speaker, to Representative Reed. Representative Reed, in section 17 -- excuse me, in

jr/rgd
HOUSE OF REPRESENTATIVES

61
May 22, 2009

line 17, the bill's not that long. In line 17, I'll begin the paragraph, it says, no person shall in connection with the offer, sale or purchase of any security, directly or indirectly use a certificate, professional designation, form or form of advertising expressing or implying. And I wanted to focus on the word "implying," that such person has special training, education, et cetera.

I have seen ads in the paper and elsewhere that will say, you know, Cafero Financial Group, serving the Norwalk senior community for 50 years.

Would that type of advertising be considered an implication of a specialty with regard to seniors and thereby be prohibited by the language in this bill?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker.

We actually discussed this in detail, Mr. Cafero, so it's very smart of you to bring this up.

This is something that we wanted to make sure that people know is not the issue. If you worked with seniors, if you've serviced seniors for years and

jr/rgd
HOUSE OF REPRESENTATIVES

62
May 22, 2009

years, if your company has experience with seniors, all of that is a legitimate thing to say.

When it crosses the line is when you -- you actually say that you are senior-certified or you create these pretend degrees, some of which are actually manufactured and conferred by the companies that are selling these products, and they confer them on their sales forces with what they call a three-day seminar in senior-specialized training.

And they give them very heavily embossed, very fancy-looking marketing materials, and they target the senior community, the sucker's list, as you said, and send them out, you know, this army of very friendly faces, to talk to people who want to have a conversation and maybe bring them into the fold by saying I have information and I have education and I have a special training for your particular age group and your particular circumstances, and that's why you should talk to me.

It increases the comfort level for seniors by showing them all these materials, and that's when it crosses the line, is when you pretend to have -- we were using the analogy if you pretended to have a Harvard Business School degree and people were

jr/rgd
HOUSE OF REPRESENTATIVES

63
May 22, 2009

impressed by that and they went to somebody, and all you'd ever done was gone to have dinner in Cambridge once, you know, this is not the kind of thing that we want to be allowing to happen in the State of Connecticut.

So you have to be very specific. It has to be willful. It has to be repeated, and both the Department of Banking and the Insurance Department will take a look at all of the elements of all of these as they go forward.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker.

I think I understand, and this is good for legislative intent, what Representative Reed is saying. What we're talking about, folks, is that if I advertise the Cafero Group, certified by the National Association of Amalgamated Financial -- North American Financial People of a Grand Exalted Mystic Agency, blah, blah, blah, and I try to make up this title or I actually have this certificate that was printed in Jersey in a backroom somewhere because I sent in the

jr/rgd
HOUSE OF REPRESENTATIVES

64
May 22, 2009

back of a matchbook, that is specifically, I think, to Representative Reed, prohibited under this, because it is implying that with this certificate, you're some official, et cetera.

My concern is the more subtle one, that gray area. Again, my example, to begin with, was the Cafero Group, serving Norwalk senior citizens for the past 50 years.

You seem to indicate in your response to me that that's not, first of all, your intent to go after that kind of thing, and that that would not be in violation of the law.

Did I hear you correctly?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

That is all going to be dealt with with regulations by the agencies that are actually going to be dealing with this. And, you're right, you can say that about any area of the law, and look who I'm talking to you, I mean, you understand that very well, better than I, you know, that it's always a gray area.

This is going to be something that the agencies

jr/rgd
HOUSE OF REPRESENTATIVES

65
May 22, 2009

are going to drill down on as they promulgate regulations and really begin to deal with it.

They were actually talking -- and many of the discussions we've had -- oh, and I should also say, U.S. Senator Herbert Kohl, who chairs the U.S. Senate Select Committee on Aging, has introduced --

REP. CAFERO (142nd):

Herb. Herb.

REP. REED (102nd):

Herb Kohl of Kohl's department stores, by the way, he told me. We've been talking with his office, and they have put in federal legislation that hopefully will get through this year that will give money to states that are cracking down on this.

The State of California has passed a law against it that was signed by a Republican Governor in September. Massachusetts has cracked down on it. The state of New York is dealing with it now. Nebraska, Florida, several states are seeing that this is something that needs to be done.

And everyone is sort of working in concert to -- to make sure this happens. And, of course, being proud of how forward Connecticut is in all these issues of protecting consumers, we wanted to be one of

jr/rgd
HOUSE OF REPRESENTATIVES

66
May 22, 2009

the first in the door.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. I appreciate the answer.

It sounds as if that kind of example, serving the, you know, Norwalk community senior citizens for the last 50 years kind of advertisement, and judging its violation of the law is somewhat subjective.

And I think Representative Reed has indicated that the bill calls for regulations to be put forth at a subsequent time that would drill down on that issue.

My concern is ultimately somebody or some thing has to make a decision, and that is somewhat subjective.

For instance, if that claim were to be brought, if a complaint were to be brought on that hypothetical, the Cafero Financial Group, serving Norwalk citizens for 50 years, I guess the question would have to be, first of all, to whom do you make the complaint? I presume it's the Department of Banking. Who at the Department of Banking would investigate the complaint? What standards they would

jr/rgd
HOUSE OF REPRESENTATIVES

67
May 22, 2009

use?

For instance, would they say, well, let's sigh, this Cafero Group, have they, in fact, been serving the Norwalk senior community for 50 years? They've only been in existence 30 years. So they're obviously lying, and they're in violation, trying to imply something that doesn't exist, as opposed to, well, yes, they have been around for 50 years. We don't have a tracking of their clientele. I presume at least one of them is senior, so I guess it's a legitimate claim that you've been serving the senior citizen community for the past 50 years.

I guess what I'm saying is, there's a subjectivity to that? Who will be the ultimate arbiter of yes, you're in violation, no, you're not, and is there any guidelines given for these regulations of how that would be determined.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker. That is part of the whole regulation procedure, creating the mechanism of how this is done.

There is already -- I'm looking at the penalty reference. There are already under 36b-28, let's see, of the statute relating to this in banking, they are going to, at least for starter purposes, utilize that..

And there's a process for that. So it's not going to just be some individual deciding who's doing it and who's not. There's going to be a process. And that's being developed.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Cafero.

REP. CAFERO (142nd):

I'm sorry. Through you, Mr. Speaker. You indicated there's already a process? Could you just describe that briefly?

In other words, who do you either -- who does now -- or you envision once regulations are adopted, would be the arbiter of those kind of issues?

In other words, if someone violates this law and a complaint is made, my mom and dad get solicited by such an individual, they want to complain about it, to whom would they file their complaint?

And I understand the details of how they file, et cetera, are going to be brought out into the

jr/rgd
HOUSE OF REPRESENTATIVES

69
May 22, 2009

regulations, but to whom do you contemplate the complaint being made?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Thank you, Mr. Speaker. Through you. If it's a securities or bond, you know, the elements that follow -- fall under banking, they would be complaining to the Department of Banking.

If it's an insurance vehicle, an annuity or life insurance, any of the insurance products, it's the Department of Insurance.

We sort of have a bifurcated system in Connecticut. As you know, every state is a little bit different.

So both of those had to be players in developing this legislation.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker. Do the -- though not on this particular subject, does the

Banking Committee -- Commission and the Insurance Commission have a mechanism in place where they adjudicate claims of wrongdoing in their respective industries?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker. Of course they do. And I should reiterate that they both ask to be involved in this process, because it's something that they're very concerned about, and so there is a process in place, and they both have them.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. I trust that these regulations as they get vetted out will capture, I think, the intent of what we're trying to do in the law.

Representative Reed, on behalf of my mom and dad, thank you for bringing this out. And I hope it protects other seniors who, unfortunately, are targets

jr/rgd
HOUSE OF REPRESENTATIVES

71
May 22, 2009

and victims of these kind of scams.

Thank you, Mr. Speaker. Thank you, gentlelady,
for your answers.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Cafero.

Representative O'Neill of the 69th District. You
have the floor, sir.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. And if I may, a few
questions through you to the proponent of the
amendment.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir.

REP. O'NEILL (69th):

Thank you.

First off, before I ask my questions, I would
just say that I think this sounds like a very good
idea, and I'm sorry I didn't think of it myself, since
I have a district that has probably the highest
concentration of, however one defines them, senior
citizens in the State of Connecticut, and they are in
many cases folks with significant assets that they
require investment advice about, and so I'm sorry that
it wasn't something that came to me in the last 20

jr/rgd
HOUSE OF REPRESENTATIVES

72
May 22, 2009

years or so.

But I'm a little surprised as I was scanning through our state statutes to discover there is no version of fraud that is covered by our existing statutes that this particular piece of legislation addresses.

I do have a few questions, though. First off, was this a bill that died somewhere along the way in the process?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker. This bill has had a very interesting journey, and one of the reasons is that we wanted all the players involved, and so at some point, it wasn't as vigorous as it is now, but because by popular demand, it is back.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker.

But I'm just wondering if this -- was there a

jr/rgd
HOUSE OF REPRESENTATIVES

73
May 22, 2009

bill that received a public hearing in either of the Banking Committee or the Insurance and Real Estate Committee?

Through you; Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker. Yes, it did. It did, indeed, have a public hearing in the Banking Committee, and -- in the Aging Committee, excuse me, in the Select Committee on Aging, and it was unanimously approved by a bipartisan vote.

DEPUTY SPEAKER ALTOBELLO:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker.

And with respect to the language that's contained in the lines 36, 37 and 38, it doesn't seem to specify, as far as I can tell -- although there is some earlier statutory reference, that language says the commissioner may adopt regulations to implement the provisions of this section, which is discretionary.

But I just want to be clear, which commissioner

jr/rgd
HOUSE OF REPRESENTATIVES

74
May 22, 2009

are we talking about?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

The commissioner -- the commissioner of banking. And that, of course, is the Uniform Administrative Procedures Act, which, as we know, you know, sort of oversees the mechanism of promulgating the regulations.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. And those regulations -- I mean looking at this, the language starting on line 15, the new language -- or at least I think that's new language, where the new language starts, it talks about no person shall, in connection with the offer for sale or purchase of a security, make these representations about having experience or knowledge about things specific to senior citizens.

Is there a contemplation -- I mean, that's a prohibition. What happens if somebody violates this

jr/rgd
HOUSE OF REPRESENTATIVES

75
May 22, 2009

provision of the statute under the terms of the amendment that's before us?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker.

One may have one's license revoked. The banking commissioner can by order deny or suspend or revoke a registration. Also, a person who willfully violates a provision is subject to a maximum fine of \$2,000 and/or imprisonment.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. And the language that talks about the commissioner adopting regulations, is there -- what's contemplated perhaps to be in those regulations?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

jr/rgd
HOUSE OF REPRESENTATIVES

76
May 22, 2009

That really sort of focus on people who falsely designate themselves in very obvious ways as having training or specialties to advise seniors that they do, indeed, not have. And I should also say that the National Association of Securities Advisers has -- and the United States Department of Education have actually blessed some organizations who give authentic senior designations, and those will be considered as the regulations are developed.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker.

Would those organizations be such -- the ones that are listed, for example, starting on lines 28, 29 and so on, the American National Standards Institute or the National Commission for Certifying Agencies, is that the type of agency?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker. Yes.

jr/rgd
HOUSE OF REPRESENTATIVES

77
May 22, 2009

DEPUTY SPEAKER ALTOBELLO:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. And with respect to the second section, which the commissioner is going to adopt, the insurance commissioner has explicitly identified as adopting regulations to prevent the misleading or fraudulent marketing practices.

The -- are those regulations meant to, in effect, mirror the statutory language that affects the banking commissioner?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker. Yes.

DEPUTY SPEAKER ALTOBELLO:

Representative O'Neill.

REP. O'NEILL (69th):

And so the -- when the regulations are being developed, the notion is they should attempt to parallel the objectives and the tactics, I guess, that are adopted in the first section of the amendment?

Through you, Mr. Speaker.

jr/rgd
HOUSE OF REPRESENTATIVES

78
May 22, 2009

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker. Yes.

DEPUTY SPEAKER ALTOBELLO:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker..

And my understanding is that a violation of --
which is specifically listed there will be subject to
the provisions of 38a-774, which when I looked it up,
calls for loss of license and up to a \$5,000 fine to
be imposed by the commissioner.

Both of these things seem to contemplate that
there is already a license in place. What happens if
someone does these kinds of things and they don't have
any license either with the insurance commissioner or
the banking commissioner?

Would such a person doing these things already be
subject to some sort of penalty?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

jr/rgd
HOUSE OF REPRESENTATIVES

79
May 22, 2009

Through you, Mr. Speaker. Yes.

DEPUTY SPEAKER ALTOBELLO:

Representative O'Neill.

REP. O'NEILL (69th):

And what would that penalty -- where is that penalty? Is that a criminal violation, or is that some other form of insurance or banking law violation?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

I'm not totally familiar with the statutes, but I would suspect that it -- it sort of parallels the ones that we're speaking of.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative O'Neill.

REP. O'NEILL (69th):

Thank you, Mr. Speaker. Is that -- because I would hate to have the people that have licenses be subject to rules and regulations which if they didn't have a license they could do even worse things to the senior citizens in terms of giving them bad advice or false and misleading information and so forth.

So that we would be regulating those more tightly than they're regulated but somehow leaving the unregulated folks free to do their damage.

As I said at the outset, I think this is a very good idea, and I support it.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative O'Neill.

Representative Rowe of the 123rd. You have the floor, sir.

REP. ROWE (123rd):

Thank you. Good afternoon, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Good afternoon, sir.

REP. ROWE (123rd):

I, too, rise in strong support. This is an important piece of legislation and a very good idea, and I think it was well drafted and crafted.

I have one hopefully quick question on the regulation aspect of it. And you did speak to that a little bit. And, of course, the insurance commissioner is charged in the bill with creating or -- creating new regulations to enforce the provisions of the proposal.

And having been a member of the regulations review for a number of years now, we often find that departments and commissioners sometimes take quite a bit of time to get us the regulations.

We pass something in, you know, 2003 and, you know, it could be years before it -- it finds the light of the Regulation Review Committee.

So my question is, have there been any discussions with the insurance commissioner about making this a priority? Because obviously, based upon the debate here, it's a priority for this Legislature. Sometimes there's a disconnect.

So my question through you is, have there been any discussions with the Insurance Commission or Department about a time frame?

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker. Yes, there have, yes, there's a priority, and we're hopeful that the ranking member of the Regulations commission -- Committee would help move this along. Excuse me.

DEPUTY SPEAKER ALTOBELLO:

Representative Rowe.

jr/rgd
HOUSE OF REPRESENTATIVES

82
May 22, 2009

REP. ROWE (123rd):

Thank you.

And I will speak to the ranking member of the Regulation Review Committee as Chairman of the Regulation Review Committee, and you can mention something to Representative Davis, an important member of that committee certainly.

So that's a good answer, but we will -- we will need to stand on top of it. I would say that if you can follow up with them, and we'll be sure to do the same, because there's a lot of cracks through which these things tend to slip.

So I rise in strong support and I'm a proud co-sponsor and I urge adoption.

Thank you.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Rowe.

Representative Hetherington of the 125th. You have the floor, sir.

REP. HETHERINGTON (125th):

Thank you, Mr. Speaker. Just one question, if I might, to the proponent. I wanted to follow up a little bit on the potential penalties. As I understand from the discussion previously, the -- the

jr/rgd
HOUSE OF REPRESENTATIVES

83
May 22, 2009

penalty or the sanction here is -- is loss of license, if there is a license. And it's probably limited to that; is that correct? Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Thank you. Through you, Mr. Speaker. Loss of license is one of the things that could happen, but also in banking, you could go to prison for two years, and there is the potential of also a \$2,000 fine. In insurance, loss of license and also a maximum fine of \$5,000. Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Hetherington.

REP. HETHERINGTON (125th):

That's good. I thank the lady for her response. This -- I'm -- I strongly support this bill. I think it's a very positive development. I do a lot of -- well, I used to do a lot of estates and trust work until I spent so much time here, but the -- it's really distressing, the number of people that come to the office to talk about estate planning and when we look at their estate, we realize that there is not a whole lot left. And often it was invested with

someone who really did not have the purported credentials or expertise. And so I think this really meets -- meets a very critical demand.

I might just mention also that people who are victimized by this might also have a remedy with the Securities and Exchange Commission, because there are broad definitions of what constitutes fraud in the sale of securities.

But certainly as a more direct consumer measure, and for the purposes of protecting Connecticut citizens, I very much applaud this. I -- I would hope even by regulation we might be able to address some of the things that Representative Cafero mentioned.

It's not only accreditations, but words seem to give more dignity, although they're utterly -- for example, the word "group" he mentioned. And I was reminded the other day of a -- someone commented that, you know what, if Jesse James' gang were around now, they'd call it The James Group, you know, because it would give it a little more status and dignity.

So in any event, I applaud very much this development. I look forward to supporting it.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

jr/rgd
HOUSE OF REPRESENTATIVES

85
May 22, 2009

Thank you, Representative Hetherington.

Representative Coutu of the Rose City 47th District.

You have the floor, sir.

REP. COUTU:

Thank you, sir. Just before I speak on this, I think this is a great idea. It's not only beneficial obviously for the seniors, there is a lot of financial advisers and people in the financial industry who get a bad reputation from a few bad apples who speak up not in the best interests, don't have the integrity and shouldn't be in the industry.

So there's plenty of people that this is going to benefit over the years (inaudible).

I do have a few questions, through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, sir.

REP. COUTU (47th):

The first question is, if there's a situation where an individual who is somebody young, they're hired to go to a door, they hand a pamphlet to the senior and say something along the lines I'm representing ABC Financial Corp., here you go.

Although there may be information inside that

jr/rgd
HOUSE OF REPRESENTATIVES

86
May 22, 2009

pamphlet that says something about somebody claims they're an adviser of some sort, would that person also be in trouble, basically?

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker. That's all going to be defined in the regs.

DEPUTY SPEAKER ALTOBELLO:

Representative Coutu.

REP. COUTU (47th):

Thank you.

And also the situation where somebody over the past 10, 15 years, said things, such as I have an accreditation from ABC Financial Institution, is there -- and they lost money, is there a way for them to go back as the senior -- is this going to affect somebody?

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker. That's all going to be defined in the regs, but I suspect that one can't be

jr/rgd
HOUSE OF REPRESENTATIVES

87
May 22, 2009

retroactive to a time before a law was instituted.
And unfortunately, people who defrauded people
(inaudible) misrepresenting themselves until this law
is passed will get away with it.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Coutu.

REP. COUTU (47th):

Additionally on line 22, through you, Mr.
Speaker.

DEPUTY SPEAKER ALTOBELLO:

Go ahead.

REP. COUTU (47th):

It states the accreditation authority and I know
there's a lot of different accreditation,
institutional, regional, national. Some
certifications. This looks like the organization --
(inaudible) federal government.

Is there other accreditations in the financial
industry that may be outside of this organization?

Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

jr/rgd
HOUSE OF REPRESENTATIVES

88
May 22, 2009

Through you, Mr. Speaker. It's -- this is -- it's very organic at this point in terms of really determining what all the legitimate credentialing organizations are. And that's why the two agencies, the Department of Banking and the Department of Insurance, and also the federal folks who are looking at this want to process these regulations, so that they can really determine exactly who out there fits the bill.

And they do have to be recognized by the U.S. Department of Education.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Coutu.

REP. COUTU (47th):

(Inaudible) I think this is a good bill. I looked through it quite a bit, and there was a lot of -- everything's covered in here. So it's written really well. There's a lot of information.

And, like I said, I believe it's not only going to help the seniors, I believe it's going to help the financial services industry, which is really important to the state.

I do look forward to expanding to all the people

jr/rgd
HOUSE OF REPRESENTATIVES

89
May 22, 2009

throughout the state, and this is a great step to protect our citizens, and especially those important seniors who so often are vulnerable and taken advantage of on a regular basis.

I know my family -- I used to go visit my aunt and uncles, and there was not a day that would go by where somebody wouldn't be calling them trying to take advantage of them with some service or product.

And the worst is when it comes down to they've saved their whole lives to basically retire and enjoy their years together, and somebody has the capacity and the audacity to interrupt their well-being by misadvising them.

So thank you. Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you. Thank you, Representative Coutu.

Representative Klarides of the 114th. You have the floor, madam.

REP. KLARIDES (114th):

Thank you, Mr. Speaker.

I'd also like to rise in support of this bill. I congratulate Representative Reed for her good work on it and her very in-depth research on it. And we talk a lot about -- up here about what our real job is as

jr/rgd
HOUSE OF REPRESENTATIVES

90
May 22, 2009

legislators, and, you know, I try and break it down to health and safety and responsibility.

And we always get back to our youngest and our oldest of our population, and this certainly covers the oldest of our population and the vulnerability that they -- they show. So I join everybody else in supporting this bill.

Through you, though, Mr. Speaker, I just have one -- one technical question for the proponent.

DEPUTY SPEAKER ALTOBELLO:

Please proceed, madam.

REP. KLARIDES (114th):

Thank you, Mr. Speaker.

I know there was previous conversation about the Department of Insurance and the Department of Banking. I was just curious as to how they would work in conjunction if, in fact, the example that the Minority Leader mentioned, if there was a complaint made, and who that would go through first and how that process would work.

Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

jr/rgd
HOUSE OF REPRESENTATIVES

91
May 22, 2009

Through you, Mr. Speaker. There is actually very, very precise jurisdiction about what the financial products are. So securities and bonds and those -- those kinds of things are in your banking and insurance products, annuities and life insurance and that kind of thing are on your insurance.

So it's really dictated by the documents and the -- the products that are utilized to defraud people.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Mr. Speaker.

And how long would that typically take? Let's just say on June 1st, there was a complaint made. With the experiences that we have with those types of issues, how long would that typically take?

Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker. Really wading into this, as the agencies have told us, they know they

jr/rgd
HOUSE OF REPRESENTATIVES

92
May 22, 2009

have this kind of fraud, and that's why they really want to have this legislative assistance in order to -- to really move forward on it.

And so it's high priority. It's on the radar. And they're going to really find out as they promulgate the regs and then begin the process.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Mr. Speaker. And I thank the lady for her answers, but I guess my -- my concern in wanting to know how long it would take would be if there's a complaint made on June 1st, and XYZ Company is the company who the complaint's made against, that time in between when the complaint is made and the investigation goes on, I'm concerned about what would happen with other potential victims in regard to XYZ Company.

Through you.

DEPUTY SPEAKER ALTOBELLO:

Representative Reed.

REP. REED (102nd):

Through you, Mr. Speaker.

Well, it would probably -- and I expect it to be like any other regulatory process, and obviously the -- those who are being accused are going to have to have due process -- it will take as long as it takes. As I said, it is something that is a high priority with Insurance and Banking.

And also I think the more we bring publicity and shine a light on this as a crime and the more we can encourage regulators and our departments to expedite these issues, that that's where they will go.

Through you, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Representative Klarides.

REP. KLARIDES (114th):

Thank you, Mr. Speaker. I thank the lady for her answers. I would just like to say as we're building this legislative record for legislative intent, that in situations like this, whether it's the elderly, children or any group that we think may be victims of any type of fraud, it would behoove us to make sure the process moves along as quickly as possible and expedite it in any way that we can.

So any way the insurance commissioner, Banking and anybody that's working on this can possibly

jr/rgd
HOUSE OF REPRESENTATIVES

94
May 22, 2009

expedite this process so as to minimize as few --
excuse me. Have as few victims as possible from these
terrible experiences that people are having.

Thank you very much, Mr. Speaker.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Klarides.

Further on the amendment? Further on the
amendment? If not, I'll try your minds. All those in
favor, please signify by saying, aye.

REPRESENTATIVES:

Ayes.

DEPUTY SPEAKER ALTOBELLO:

Opposed?

Amendment is adopted.

Further on the bill as amended. Looking for a
motion here. Anyone can make it. Representative
Olson of the 46th District, also of the Rose City.
You have the floor, madam. For what purpose do you
rise?

REP. OLSON (46th):

Thank you, Mr. Speaker. In fact, that is true.
It is the Rose City.

Hold on. If I may, please. Thank you for that
introduction, Mr. Speaker. I think that -- we're all

jr/rgd
HOUSE OF REPRESENTATIVES

95
May 22, 2009

set.

DEPUTY SPEAKER ALTOBELLO:

Thank you very much. Pleasure to see you this afternoon.

Further on the bill as amended? Further on the bill as amended? Further on the bill as amended? If not, staff and guests, please retire to the well. Members take your seats. 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, please.

DEPUTY SPEAKER ALTOBELLO:

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

And would the Clerk please announce the tally.

THE CLERK:

House Bill 6231 as amended by House A.

Total number voting 126

Necessary for Passage 64

Those voting Yea 126

Those voting Nay 0

jr/rgd
HOUSE OF REPRESENTATIVES

96
May 22, 2009

Absent and not voting 25

DEPUTY SPEAKER ALTOBELLO:

The bill as amended is passed.

Representative Bartlett, for what purpose do you rise, sir?

REP. BARTLETT (2nd):

I rise to have my vote cast in the affirmative, if possible. Or notated.

DEPUTY SPEAKER ALTOBELLO:

The transcript will so note. Thank you.

REP. BARTLETT (2nd):

Thank you.

DEPUTY SPEAKER ALTOBELLO:

Representative Merrill.

REP. MERRILL (54th):

Thank you, Mr. Speaker. I would move for the suspension of our rules for the immediate consideration of emergency certified Senate Bill 1167.

DEPUTY SPEAKER ALTOBELLO:

(Inaudible) with respect to the rules for immediate consideration of Emergency Certified Bill 1167, is there any objection? Any objection? Hearing none, the rules are suspended for immediate consideration, Bill Number 1167.