

Legislative History for Connecticut Act

Act Number:	09-227	
Bill Number:	850	
Senate Pages:	3819-3820, 4108-4111	6
House Pages:	9991-9994	4
Committee:	Public Safety: 208-214, 265	8
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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate
and House of Representatives Proceedings

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CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
2009

VOL. 52
PART 12
3634-3983

ch/md/dt
SENATE

63
May 27, 2009

ACADEMIC DETAILING PROGRAM, favorable report of the
Committee on Public Health and Higher Education.

Clerk is in possession of amendments.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President. Thank you. If that item
might also be pass temporarily.

THE CHAIR:

Thank you, sir.

Mr. Clerk.

THE CLERK:

Calendar page 33, Calendar Number 428, File
Number 645, Substitute for Senate Bill 850, AN ACT
CONCERNING SCHOOL INSPECTION REPORTS, favorable report
of the Committee on Public Safety, Education, and
Planning and Development. Clerk is in possession of
amendments.

THE CHAIR:

Senator Stillman.

SENATOR STILLMAN:

Thank you, Mr. President. I move the Joint
Committee's favorable report and passage of the bill.

THE CHAIR:

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May 27, 2009

Acting on acceptance and approval of the bill,
ma'am, would you like to remark further?

SENATOR STILLMAN:

Yes, I would, sir. This bill very simply
requires local fire marshals to submit written reports
of every school inspection that they conduct to the
local and regional education board, depending on the
makeup of the school district. What we discovered was
that many times these reports were never forwarded to
boards of education. So now we are requesting that
they do so.

Thank you, sir.

THE CHAIR:

Thank you, ma'am.

Will you remark further on the bill?

Senator Stillman.

SENATOR STILLMAN:

Yes, thank you. If there isn't any objection,
I'd like to ask that this be placed on the Consent
Calendar.

THE CHAIR:

There is a motion on the floor to place the item
on Consent.

Without objection, so ordered.

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GEN. ASSEMBLY
SENATE

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SENATE

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calendar.

THE CHAIR:

Motion is to remove item from the foot and put on
pass retain.

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thanks, Mr. President. Mr. President, if we
might call the items on the Consent Calendar at this
time.

THE CHAIR:

Mr. Clerk, please call for the 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 Consent
Calendar begin on calendar page 2, Calendar Number
278, Senate Bill 795.

Calendar page 5 -- correction, calendar page 23,
Calendar Number 115, Substitute for Senate Bill 80.

Calendar page 26, Calendar Number 260, Substitute
for Senate Bill 823.

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Calendar page 29, Calendar 310, Substitute for
Senate Bill 887.

Calendar page 30, Calendar 332, Substitute for
Senate Bill 1086.

Calendar page 33, Calendar 428, Substitute for
Senate Bill 850.

Calendar page 34, Calendar 449, Senate Bill 1110.

Calendar page 35, Calendar 470, Substitute for
Senate Bill 1126.

Calendar page 36, Calendar 497, Substitute for
Senate Bill 1090.

Calendar page 37, Calendar 511, Substitute for
Senate Bill 455; calendar 516, Substitute for Senate
Bill 838; and Calendar page 40, Calendar 558,
Substitute for Senate Bill 1063.

Mr. President, that completes those items placed
on the Consent Calendar, but there may be a
correction.

THE CHAIR:

The machine is open if you'd like to vote.

THE CLERK:

Mr. President, there are two other items to be
placed on the calendar.

THE CHAIR:

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Please stand by.

THE CLERK:

On calendar page 2, Calendar 129, Senate Bill 775
and Calendar 159, Senate Bill 938.

Mr. President, I believe that completes the items
to be placed (inaudible).

THE CHAIR:

Please call for a roll call vote.

The machine is 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
to the chamber.

THE CHAIR:

Have all Senators voted?

Senator Prague? Senator Prague?

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

THE CLERK:

Motion is on adoption of Consent Calendar
Number 1.

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Total Number Voting	36
Those Voting Yea	36
Those Voting Nay	0
Those Absent/Not Voting	0

THE CHAIR:

Consent Calendar 1 passes.

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President. Thank you, Mr. President.
Another item to mark as go from the list of items
previously marked passed temporarily. It's on
calendar page 31, Calendar 380, Senate Bill 1050.

THE CHAIR:

Thank you, sir.

Mr. Clerk.

THE CLERK:

Turning to calendar page 31, Calendar Number 380,
Substitute for Senate Bill 1050, AN ACT CONCERNING THE
ESTABLISHMENT OF AN ACADEMIC DETAILING PROGRAM,
favorable report of the Committee on Public Health and
Higher Education. Clerk is in possession of
amendments.

Senator Coleman of the 2nd in the Chair.

H-1067

CONNECTICUT
GEN. ASSEMBLY
HOUSE

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PART 31

9841-10189

June 3, 2009

The Bill as amended is passed in concurrence.

Would the Clerk please call Calendar Number 678.

THE CLERK:

On Page 21, Calendar Number 678, Substitute for
Senate Bill Number 850 AN ACT CONCERNING SCHOOL
INSPECTION REPORTS. Favorable Report of the Committee
on Planning and Development.

DEPUTY SPEAKER ALTOBELLO:

Representative Jutila of the 37th District, you
have the floor, sir.

REP. JUTILA (37th):

Thank you, Mr. Speaker. I move acceptance of the
Joint Committee's Favorable Report and passage of the
Bill.

DEPUTY SPEAKER ALTOBELLO:

The question before the Chamber is acceptance of
the Joint Committee's Favorable Report and passage of
the Bill. Please proceed.

REP. JUTILA (37th):

Thank you, Mr. Speaker. This is a simple but
important Bill that requires local fire marshals to
submit written reports of every school inspection they
conduct to the local or regional board of education.

pat
HOUSE OF REPRESENTATIVES

June 3, 2009

Under current law, the fire marshal must inspect public and private schools at least annually, and submit reports to his or her appointing authority, which could be a board of selectmen, town council, board of fire commissioners.

There is no current requirement to submit the reports directly to the local board of ed. This Bill will make certain that the local or regional board of education is aware of any deficiencies so that they can be properly addressed.

I would urge my colleagues to support this Bill.
Thank you.

DEPUTY SPEAKER ANTIBELLO:

Further on the Bill? Further on the Bill?
Representative Perillo of the 113th, you have the floor, sir.

REP. PERILLO (113th):

Mr. Speaker, good afternoon. I rise in brief support of the Amendment before us, and congratulate and thank the Public Safety Committee. It's received resounding support out of that Committee and I thank Representative Jutila and my friend, Representative Dargan for the work that they did to make this Bill work and workable.

pat
HOUSE OF REPRESENTATIVES

June 3, 2009

And I urge its passage. Thank you.

DEPUTY SPEAKER ALTOBELLO:

Thank you, Representative Perillo. Further on the Bill? Further on the Bill?

If not, staff and guests please retire to the Well of the House. Members take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll Call. Members to the Chamber.

The House is voting by Roll Call. Members to the Chamber.

DEPUTY SPEAKER ALTOBELLO:

Have all Members voted? Have all Members voted? Have all Members voted? Please check the machine to make sure your vote is properly cast.

If all Members have voted, the machine will be locked. Will the Clerk please take and announce the tally.

THE CLERK:

Senate Bill Number 850 in concurrence with the Senate.

Total Number Voting	144
Necessary for Passage	73

pat

HOUSE OF REPRESENTATIVES

June 3, 2009

Those voting Yea 144

Those voting Nay 0

Those absent and not voting 7

DEPUTY SPEAKER ALTOBELLO:

The Bill passed in concurrence with the Senate.

Would the Clerk please call Calendar Number 705.

THE CLERK:

On Page 24, Calendar Number 705, Senate Bill
Number 1100 AN ACT CONCERNING MEDICAL GROUP CLINIC
CORPORATIONS. Favorable Report of the Committee on
Public Health.

DEPUTY SPEAKER ALTOBELLO:

Representative Fox of the 146th, you have the
floor, sir.

REP. FOX (146th):

Thank you. Thank you, Mr. Speaker. I move for
the acceptance of the Joint Committee's Favorable
Report and passage of the Bill in concurrence with the
Senate.

DEPUTY SPEAKER ALTOBELLO:

The question before the Chamber is acceptance of
the Joint Committee's Favorable Report and passage of
the Bill in concurrence with the Senate. Please
proceed, sir.

JOINT
STANDING
COMMITTEE
HEARINGS

PUBLIC
SAFETY
AND
SECURITY

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slm PUBLIC SAFETY AND SECURITY 11:00 A.M.
COMMITTEE

It's just another way to try to approach this problem just to see if we can get something to work through the judiciary committee.

SCOTT BUCHANAN: We definitely appreciate all your efforts and the committee's efforts as well. We know last year it was unanimous in the past. We do appreciate that. We hope that will happen again this year. And we are more than willing to help out in any way we can with research, with testifying before the judiciary committee, whatever it takes.

REP. DARGAN: Thank you. Further questions? Hearing none, thank you very much for your testimony.

The next one is -- Don Dobson is not here -- Kevin Kowalski.

KEVIN KOWALSKI: With the Chair's permission, I'd like to invite Rob Rockwell, who is the Connecticut Fire Marshals Association president.

Members of the public safety committee, thank you for this opportunity to speak with you today. I'm here, my name is Kevin Kowalski, I'm fire marshal of the Town of Simsbury, and I represent the Connecticut Fire Marshals Association in legislative matters. I'm here today to support Senate Bill 850, an act requiring the fire marshal to submit a fire inspection report to the board of education prior to the commencement of school year.

I speak in support of this bill because we believe that the school board should be clearly aware of the fire safety concerns within the schools. The current statutes do require the inspection be made and a report be

made of the inspection; however, it does not assign the responsibility to where the report should go, and I believe this would assign the responsibility to the board of education or the superintendent of schools.

I would also like to add that consideration be given to an amendment to this bill requiring the school board answer the report of violations with a plan of corrective action consistent with our current statute, which is 29-306. Finding the violation is generally the easy part for us as fire marshals. Developing an action plan to protect the children from fire and other emergency is where the assistance is needed.

I also would like to add to the testimony, is that it will be a little bit difficult for some cities to meet the timeframe based on the amount of schools that are in their communities. I can speak on my end, we were able to do it, but we don't have the 30 and 40 schools that some fire marshal's offices have, so we have to be -- certainly understand their plight in getting this accomplished. That's the extent of my comments.

ROBERT ROCKWELL: My name is Robert Rockwell. I'm president of the Connecticut Fire Marshals Association, and on behalf of my association I'm here in support of Senate Bill 850.

REP. DARGAN: Thank you for that very efficient testimony.

SENATOR STILLMAN: Representative Jutila.

REP. JUTILA: Thank you, Chairs.

Hi, guys. What -- if we need to amend the

statutes to require the fire marshal to submit the report to the board of ed, what do the fire marshals do with the report right now after they've done the inspection and completed the report?

KEVIN KOWALSKI: Well, it's very possible -- it's dependent upon which -- what their community wants them to do with it. In other words, they could submit it to the maintenance person, they could submit it to the superintendent of the schools, they could submit it to their chief executive officer of the community. And when it's a commercial property, we submit it to the owner of the property; and if it's an operational issue, we submit it to the occupant. It's a little bit different when it's a municipality because you're essentially submitting it to the town for clarification.

REP. JUTILA: Okay, so it sounds like you just want to make sure that the board of ed, which is the local elected body that oversees the school system, is aware of whatever is in that report then --

KEVIN KOWALSKI: Correct.

REP. JUTILA: -- correct? Thank you.

REP. DARGAN: Further questions? Representative Perillo.

REP. PERILLO: Captain, just a couple of questions just to clarify. You currently are mandated to do these inspections once a year, so that's not an additional burden on you, and you're currently mandated to generate a report for those inspections every year, is that correct?

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COMMITTEE

KEVIN KOWALSKI: Correct.

REP. PERILLO: So this is very simply what do you write on the outside of the envelope and who does it go to?

KEVIN KOWALSKI: To who, that's correct.

REP. PERILLO: And would this be a burden on the boards of education simply to receive it and review it? I mean, the paperwork is already generated.

KEVIN KOWALSKI: That's -- that's correct.

REP. PERILLO: Because one of the questions we often get is, is this going to place a burden and be an unfunded mandate, but it sounds like this is something that is just very simply directing you folks where to go and where to send your reports.

KEVIN KOWALSKI: Correct. The only thing is, as I stated before, which would be of concern, maybe we could work on the language on the timing because some communities may not be able to accomplish that before the start of the school year.

REP. PERILLO: Well, what would you recommend?

KEVIN KOWALSKI: Well, right now it's an annual report. We can leave it at that, you know, an annual inspection.

REP. PERILLO: The bill as worded requires that it be submitted prior to the beginning of the school year --

KEVIN KOWALSKI: Right.

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REP. PERILLO: -- so your concern is that given those summer months, perhaps, you might not be able to get to every school?

KEVIN KOWALSKI: Every school, that's correct.

REP. PERILLO: Okay. I had one other question, and it escaped me. Thank you.

REP. DARGAN: Further questions? Representative Larson.

REP. LARSON: Thank you very much. What would be your recommendation to towns that don't have the capacity to complete those annual inspections in a timely fashion?

KEVIN KOWALSKI: Well, currently we are working on a fire prevention plan, fire prevention code, actually, that is going to take a look at all the inspections, and that was enacted two years ago to give the state fire marshal the ability to change the annual inspections on various occupancies to a broader schedule. Things such as perhaps a business occupancy with a sprinkler would only need to be inspected perhaps every three years. That would take some of the burden off of those areas and maybe target some of the areas such as assemblies, schools, residential dwellings, things of that nature that we are actually losing a lot of people in and making sure that we can target those areas for that annual inspection. So we're taking the burden away from some of the safer occupancies or less dense occupancies.

ROBERT ROCKWELL: Trying to prioritize.

REP. LARSON: Just a follow-up. What do you find when you inspect a school on an annual basis

that deteriorates most frequently? Is it the flame retardant materials in auditoriums? Is it -- I asked you the question, I'm trying to answer it for you, but --

KEVIN KOWALSKI: I can speak -- I can speak on my behalf only, on our history. What we find, generally speaking, is the maintenance issues, the things like the exit lights that are burnt out, some of the doorways that are, you know, stuck or broken or needing repairs that cause a loss of fire separation in the building. I think Bob can speak to his situation.

ROBERT ROCKWELL: He's correct that most of it is maintenance issues, fire doors that have been broken, not closing completely to block a fire from passing it. We've had issues with broken standpipe connections for the fire department's hose connections. General -- generally it's 90 percent maintenance issues that -- that are out there that we're finding that, you know, cleanliness of the maintenance area, where they can have storage, where they can't have storage.

And on the other issue on prioritizing the inspections, what the Connecticut Fire Marshals Association is also working with the state on is we try to list our priorities, apartment buildings, daycares, healthcare facilities and schools, and then we work our way down to business and, say, mercantile where there's a lot less hazard, per se, life hazard. And we're trying to bring this up, we thought this was a good bill that would require the local fire marshal to inspect his schools also. Instead of putting them on a back burner, per se, and, you know, maybe inspecting businesses instead, he should be doing his schools.

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REP. LARSON: Why wouldn't you report back to the -- to the town instead of the board of education? They're effectively the funding source.

ROBERT ROCKWELL: That is -- that is correct. We were looking for certain -- certain fire marshals, because there was no direction in your own municipality, were -- we call it an abatement order when we find a violation -- were abating the maintenance supervisor, per se, and now the school system has no idea what's going on within their school, and I think this was a way of let's bring it to the board's -- chairman of the board or board of education and let them see what they have, and then they can work it down to maintenance.

REP. LARSON: Thank you. I think it's a good idea.

REP. DARGAN: Further questions? Representative Perillo.

REP. PERILLO: Thank you, Mr. Chairman, for the second time. Just a brief follow-up on Representative Larson's question. The municipalities are indeed the funding source for the schools, but I believe -- and you correct me if I'm wrong -- the boards of education are responsible for the maintenance of those schools. Is that correct?

ROBERT ROCKWELL: That is correct.

REP. PERILLO: Thank you.

REP. DARGAN: Further questions from committee members? Thank you very much for your testimony.

Simsbury Fire District

871 Hopmeadow Street • Simsbury, Connecticut • 06070

February 9th2009

Testimony to the Committee on Public Safety
and Security

Chairs - Rep. Dargan and Sen. Stillman:

Members of the Public Safety Committee, Thank you for the opportunity to speak to you today. I am Kevin Kowalski Fire Marshal for the Town of Simsbury and I represent the Ct Fire Marshal association in Legislative matters. I am here today in support of the Senate bill 850. ACC requiring the Fire Marshal to submit fire inspection reports to the Board of Education prior to the commencement of the school year.

I speak in support of this bill because we believe that the School boards should be clearly aware of the fire safety concerns within the schools. The current statues do require that the inspection be made and a report be made of the inspection however it does not assign responsibility for the violation in schools. This I believe would assign responsibility to the Board and The Superintendent of school.

I would also like to add that consideration be given to an amendment to this bill requiring the School board answer the report of violations with a plan of action consistent with CT gen Statue29-306 . Finding the violation is the easy part , Developing an action plan to protect the children from fire and other emergencies is where the assistance is needed.