

**Act Number:** 09-026

**Bill Number:** 673

**Senate Pages:** 1259, 1479-1481 **4**

**House Pages:** 2259, 2598-2600 **4**

**Committee:** GAE: 2165 Judiciary: 5573C,  
5573E, 5584, 6051 **5**

**Page Total:** **13**

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**CONNECTICUT  
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Calendar 442, PR.

Calendar page 27, Calendar 443, Senate Bill Number 1149, Mr. President, I move to place this item on the Consent Calendar.

THE CHAIR:

The motion is on consent. Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Calendar 444, Senate Bill Number 1152, Mr. President, I move to refer this item to the Judiciary Committee.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Calendar 445, PR.

Calendar 446, PR.

Calendar 447, Senate Bill Number 673, Mr. President, I move to place this item on the Consent Calendar.

THE CHAIR:

There is a motion on consent. Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Calendar 448, Senate

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April 22, 2009

Agenda Number 3, Emergency Certified Bill 6716 and  
House Bill -- correction, 6379.

Turning to the calendar, calendar page 2,  
Calendar Number 475, Senate Resolution Number 19;  
Calendar 476, Senate Resolution Number 20; Calendar  
477, Senate Joint Resolution Number 74.

Calendar page 4, Calendar Number 139, Senate Bill  
854.

Calendar page 6, Calendar 178, Senate Bill 873.

Calendar page 7, Calendar 194, Substitute for  
Senate Bill 756.

Calendar page 8, Calendar 223, Substitute for  
Senate Bill 46.

Calendar page 10, Calendar Number 240, House Bill  
Number 6401.

Calendar page 12, Calendar Number 264, Substitute  
for Senate Bill 1023.

Calendar page 14, Calendar 328, Substitute for  
Senate Bill 814.

Calendar page 19, Calendar Number 400, House Bill  
6351.

Calendar page 20, Calendar Number 402, Substitute  
for House Bill 6193.

Calendar page 21, Calendar 408, House Bill 6322;

Calendar 409, Senate Bill 1013.

Calendar page 23, Calendar 423, Substitute for  
Senate Bill 1010.

Calendar page 27, Calendar 443, Substitute Senate  
Bill 1149; Calendar 447, Senate Bill 673; Calendar  
448, Senate Bill 1029.

Calendar page 30, Calendar 459, House Bill 5138;  
Calendar 461, House Bill 6406; Calendar 462,  
Substitute for House Bill 6537.

Calendar page 39, Calendar Number 81, Substitute  
for Senate Bill 760; Calendar 83, Senate Bill 762;  
Calendar 99, Senate Bill 787.

Calendar page 40, Calendar 119, Substitute for  
Senate Bill 778.

Calendar page 43, Calendar 171, Senate Bill 251.

Calendar page 46, Calendar Number 266, Senate  
Bill Number 382.

Calendar page 51, Calendar Number 356.

SB855

Mr. President, I believe that completes those  
items previously placed on the first Consent Calendar.

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:

The machine is open.

Members, please check the board to see if your vote is properly cast and properly recorded. If all members have voted, the machine will be locked.

Would the Clerk please take a tally.

THE CLERK:

Motion is on adoption of Consent Calendar Number 1. Total number voting, 35; those voting yea, 35; those voting nay, 0; those absent/not voting, 1.

THE CHAIR:

Consent Calendar 1 is passed.

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, the two items that appeared on Senate Agenda Number 3, have just been passed on the Consent Calendar. I would move that the first item from Senate Agenda Number 3, House Bill 6716, the emergency certified bill, I move for immediate transmittal of that item to the Governor.

THE CHAIR:

Motion is for immediate transmittal to the

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CLERK:

Also, Madam Speaker, the Clerk has consent calendar designations pursuant to House Rule 43. A written expression of agreement between the Majority Leader and the Minority Leader is in the possession of the Clerk.

SPEAKER REEVES:

The Chair recognizes Representative Robles of the 6th District.

REP. ROBLES (6th):

Madam Speaker, I would move that the following items be placed on the consent calendar: Calendar Number 481, House Bill Number 6625; Calendar 536, Senate Bill 673; Calendar 539, Senate Bill Number 762; and Calendar 542, Senate Bill Number 787.

SPEAKER REEVES:

Hearing no objections, so ordered.

CLERK:

Madam Speaker, there is no further business on the Clerk's desk.

SPEAKER REEVES:

The Chair recognizes Representative Robles of the 6th District.

REP. ROBLES (6th):

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pat  
HOUSE OF REPRESENTATIVES

337  
April 29, 2009

Mr. Speaker, I wasn't in the Chamber. I'd like to be noted as being in the affirmative.

SPEAKER DONOVAN:

That will be so noted in the Journal. Thank you, Representative.

REP. HARKINS: (120th)

Thank you, Sir.

SPEAKER DONOVAN:

Will the Clerk please call Calendar Number 536.

CLERK:

On Page 1, Calendar Number 536, Senate Bill Number 673 AN ACT CONCERNING ACCESS TO THE CRIMINAL JUSTICE INFORMATION SYSTEM. Favorable Report of the Committee on Judiciary.

SPEAKER DONOVAN:

Deputy Majority Leader Melissa Olson.

REP. OLSON: (46th)

Thank you, Mr. Speaker. We're now going to be voting on today's Consent Calendar. First we have three items on the Consent Calendar that were already moved during the previous Session. The Calendar Numbers are 536, 539 and 542.

We moved items previously today, during today's Session. These items were moved to the Consent

SB 673  
SB 762  
SB 787

pat 338  
 HOUSE OF REPRESENTATIVES April 29, 2009  
 Calendar, Number 282, 499, 500, 501, 502, 503, 504,  
 505, 507 and 508.

Thank you, Mr. Speaker. That concludes the  
 Consent Calendar.

SPEAKER DONOVAN:

The question before us is on passage of the bills  
 on today's Consent Calendar. Will you remark? Will  
 you remark?

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

CLERK:

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

The House is voting today's Consent Calendar by  
 Roll Call. Members to the Chamber.

CLERK:

Have all the Members voted? Have all the Members  
 voted? Have all the Members voted. Please check the  
 roll call to make sure your vote has been properly  
 cast.

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

Will the Clerk please announce the tally.

HB 6648  
HJ 72  
HJ 73  
HJ 80  
HJ 82  
HJ 84  
HJ 85  
HJ 86  
HJ 95  
HJ 96

CLERK:

On today's Consent Calendar.

Total Number Voting	140
Necessary for Passage	71
Those voting Yea	140
Those voting Nay	0
Those absent and not voting	14

SPEAKER DONOVAN:

The Consent Calendar passes.

Are there any announcements or introductions?

Any announcements or introductions? Representative Ritter.

REP. RITTER: (38th)

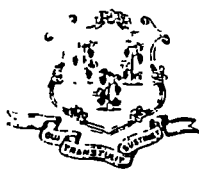
Thank you, Mr. Speaker. Mr. Speaker, tomorrow morning, the Committee on Public Safety and Security and the Committee on Public Health together, will be holding an informational forum regarding the state's response to concerns about the flu outbreak in Connecticut and around the country.

It will be at 10:00 o'clock tomorrow in Room C of the Legislative Office Building, and we will have information from both the Department of Public Health, the Department of Public Safety and the Department of Emergency Management and Homeland Security.

**JOINT  
STANDING  
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**2009**



M. JODI RELL  
GOVERNOR

STATE OF CONNECTICUT  
EXECUTIVE CHAMBERS

July 10, 2008

Robert D. Rinker  
Executive Director  
Connecticut State Employees Association  
760 Capitol Avenue  
Hartford, CT 06106

Dear Mr. Rinker:

Thank you for your correspondence of June 16, 2008 regarding telecommuting programs for state employees. As you may know, I supported the goals of Senate Bill 673, An Act Concerning Improved Telecommuting Programs for the State's Workforce, including increasing worker efficiency and productivity, benefiting the environment, and reducing traffic congestion. Like you, I believe that these goals can be achieved without legislation. Specifically, I believe that telecommuting arrangements can be implemented under the existing telecommuting guidelines adopted by the Department of Administrative Services.

Under the existing guidelines, an employee interested in telecommuting works with his or her agency to craft individualized telecommuting arrangements that are beneficial to both the agency and the individual. The Department of Administrative Services reviews all proposed arrangements to ensure compliance with the guidelines.

Under many of the current telecommuting arrangements, the employee works from home on one or two days per week and reports to the office for the remainder. The arrangements vary according to the needs and interests of the agencies and employees, with one constant factor: a set schedule must be determined in advance and followed by the employee.

The existing program works well because it allows each agency to determine how telecommuting can best fit its operational requirements and mission and to identify jobs and individuals that are most likely to be successful in this arrangement. It allows individual employees to propose a telecommuting schedule that meets the employee's needs as well as the department's requirements.

**JOINT  
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SENATOR MCDONALD: Next is Senator Looney followed by Senator Fonfara.

Good afternoon.

SENATOR LOONEY: Good afternoon, Senator McDonald and Representative Lawlor and members of the esteemed and distinguished Judiciary Committee. My name is Martin Looney. I represent the 11th Senatorial District and senate majority leader. I'm here to express my support for a number of bills on today's agenda.

SB676

First of all, Senate Bill Number 349, an act concerning the possession -- penalty for possession of a small amount of marijuana; also Senate Bill 348, an act concerning the video taping of custodial interrogations; Senate Bill 357, an act concerning eyewitness in -- identification; Senate Bill 673, an act concerning access to the criminal justice information system; Senate Bill 707, an act concerning probation supervision fees; House Bill 6581, an act concerning enhanced penalty for sale of possession of drugs in your school, daycare centers and public housing projects; and House Bill 6708, an act concerning criminal cases of person who've returned from service with the Armed Forces that Commissioner Schwartz had just testified on.

Last year, the State of Massachusetts passed by referendum a measure which decriminalized the possession of an ounce or less of marijuana. And that measure passed by a nearly 65 percent to 35 percent vote. Polling in our state by Quinnipiac University demonstrated that 58 percent of our citizens here in Connecticut favored decriminalization for possession of small amounts of marijuana.

Senate Bill 357, an act concerning eyewitness identification would represent another improvement in the accuracy of our system by addressing the notorious conundrum of eyewitness identification. Everyone involved with the criminal justice system, as we know, is well aware that eyewitness identification can be a double-edge sword. It's prone to stunning inaccuracy, but it also is, perhaps, the most compelling testimony in a courtroom; therefore, we have an obligation to ensure that this testimony is as accurate as possible. And Senate Bill 357 would reduce the probability of error or undue influence by law enforcement by requiring that lineups or photographs be shown in sequential order rather than simultaneously. And that, when possible, the person conducting the identification procedure should not know who in the lineup or photographs is the suspected perpetrator. And that the fillers in the lineup generally fit the description of the suspected perpetrator. This proposal would increase confidence in the investigative techniques used within our system.

Senate Bill 6581, an act concerning the enhanced penalty for sale of possession of drugs in the schools, daycare centers and public housing projects would address the issue that in cities, such as New Haven, there are very few places that are not within 1500 feet of a school, daycare center or public housing. This creates a situation in which almost any sale or possession of illegal substances in the cities is subject to the enhanced penalties as opposed to such activities in suburban communities of larger area. This bill would lower the distance to 250 feet and make the enhanced penalties apply only when the facilities, such as schools or daycare centers are, in fact, open.

order to try and obtain any fees; do you know anything?

SENATOR LOONEY: That I don't know of. I believe the public defender's office may have some information on that.

REP. WALKER: Okay. Because I -- I just -- when I read that bill, I -- I just -- I was -- I was stunned. And you're right. It is common sense.

And the other one, an act concerning access to criminal justice information system, Senate Bill 67 -- 67 -- 673, do other states -- other states allow the US attorney's defenders to access their records; is that correct?

SENATOR LOONEY: I believe they do. What this would just provide that that the federal public defenders would have the same access that the federal prosecutors now have.

REP. WALKER: And that -- but other states do allow that.

SENATOR LOONEY: I believe so. I believe it's parallel in some other states.

REP. WALKER: The -- and the last one is the one that reduced -- that proposes a reduction of from 1500 feet to 250. I know several states have done that change.

HB 6581

SENATOR LOONEY: Yes.

REP. WALKER: I believe New Jersey's done it and a couple of others.

SENATOR LOONEY: Yes. I think that's right. A number of states where you have lots of densely populated urban areas are considering that

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**2009**



State of Connecticut  
DIVISION OF CRIMINAL JUSTICE

Testimony of the Division of Criminal Justice  
Joint Committee – February , 2009

In opposition to:

- S.B. No. 673 An Act Concerning Access to the Criminal Justice Information System

The Division of Criminal Justice respectfully recommends that the Committee reject this proposed amendment to section 54-142(q) of the General Statutes. The legislature recently totally revamped the Connecticut Criminal Justice Information System and the changes occasioned by the legislation are still in their infancy. The Criminal Justice Information System Governing Board has broad latitude to establish policies on access to information and information security. These are issues that should be left in the first instance to the deliberations and decisions of the Governing Board. It is also significant to point out that no other entity that is not a state or local agency in the state of Connecticut is specifically referenced anywhere in the legislation creating or controlling the Criminal Justice Information System. The Governing Board of the Criminal Justice Information System has adequate statutory authority to allow appropriate access to the system. We can conceive of no compelling reason to single out the Office of the Federal Public Defender for special statutory treatment.

In conclusion, the Division of Criminal Justice would respectfully recommend that the Committee reject S.B. No. 673, An Act Concerning Access to the Criminal Justice Information System. The Division would like to thank the Committee for this opportunity to present our input and recommendations and we would be happy to provide any additional information or answer any questions the Committee might have.