Act Number:	09-007 (Special Act)	
Bill Number:	898	
Senate Pages:	2242, 2292-2294	**4**
House Pages:	4690-4702	**13**
Committee:	Judiciary: 6346-6348, 6609	**4**
	Page Total:	**21**

S – 583

CONNECTICUT
GENERAL ASSEMBLY
SENATE

PROCEEDINGS
2009

VOL. 52
PART 7
2006 - 2343

Thank you, Mr. President. Calendar 3 -- calendar page 31, Calendar 425, marked go; calendar page 33, Calendar 404 --

THE CHAIR:

Senator Looney, could you please repeat that last item? We --

SENATOR LOONEY:

Yes, Mr. President. Calendar page 31, Calendar 425.

THE CHAIR:

We don't have one, sir.

SENATOR LOONEY:

We'll skip that one, Mr. President. Calendar page 33, Calendar 404, House Bill 5533, marked go; calendar page 33, Calendar 420, Senate Bill 325, marked go; calendar page 34, Calendar 429, mark passed temporarily; calendar page 36, Calendar 449, marked go; calendar page 37, Calendar 473, marked go. Calendar page 37, Calendar 490, Senate Bill 898, Mr. President, move to place this item on the consent calendar.

THE CHAIR:

Motion is on the floor to place item on consent. Without objection, so ordered.

Yes. Thank you, Mr. President. If the Clerk might move now to call the consent calendar, and read the items on that calendar and then call the calendar.

THE CHAIR:

Mr. Clerk, please call for a roll call vote on 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 1st Consent Calendar begin on calendar page 1, Calendar 647, Senate Resolution Number 27; calendar page 2, Calendar 648, Senate Joint Resolution Number 77; calendar page 5, Calendar 381, substitute for Senate Bill 1079; calendar page 22, Calendar Number 114 substitute for Senate Bill 894; calendar page 23, Calendar 138, substitute for Senate Bill 817 calendar 144, substitute for Senate Bill 849; calendar page 29, Calendar Number 274, Senate Bill 824; calendar page 31, Calendar 321, Senate Bill 271; calendar 323, Senate Bill 497; and calendar 365,

Senate Bill 384; calendar page 32, Calendar 367, substitute for Senate Bill 785; calendar page 37, Calendar 490, Senate Bill 898; calendar page 40, Calendar 556, Senate Bill 1061; calendar 558, substitute for Senate Bill 1063; and calendar page 41, Calendar 328, substitute for Senate Bill 814.

Mr. President, that completes those items placed on the 1st Consent Calendar.

THE CHAIR:

Please call for the consent calendar. The machine will be open. Oh, Senator Looney. Yes, sir.

SENATOR LOONEY:

Yes. Mr. President, just for purpose of clarification. I believed I had earlier marked on calendar page 21, 2 items on the consent. Initially we had removed -- placed calendar 103, but I believe we also had Calendar 82 on page 21, Senate Bill 761.

THE CHAIR:

No, sir. Those are not noted here on our calendar.

SENATOR LOONEY:

Okay. We'd like to place that item on the consent calendar, Mr. President, calendar page 21, Calendar 82, Senate Bill 761.

THE CHAIR:

There's a motion to place that item on the consent here. Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

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 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 1.

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

THE CHAIR:

The consent calendar passes.

H – 1051

CONNECTICUT
GENERAL ASSEMBLY
HOUSE

PROCEEDINGS
2009

VOL.52
PART 15
4578 – 4893

this chamber approves this nomination.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Remarks further on the resolution? Remark further on the resolution? If not, let me try your minds.

All those in favor of the resolution please signify by saying aye.

All those opposed nay.

The ayes have it. The resolution is adopted.

Will the Clerk please call Calendar 633.

THE CLERK:

On page 26, Calendar 633, Senate Bill Number 898, AN ACT CONCERNING THE MEMBERSHIP OF THE CONNECTICUT ACADEMY OF SCIENCE AND ENGINEERING, INCORPORATED, favorable report of the Committee on Government Administration and Elections.

SPEAKER DONOVAN:

Representative Lawlor.

REP. LAWLOR (99th):

Good afternoon, Mr. Speaker.

SPEAKER DONOVAN:

Good afternoon, sir.

REP. LAWLOR (99th):

Mr. Speaker, I move in acceptance to the Joint Committee's favorable report and passage of the bill.

SPEAKER DONOVAN:

Question's on acceptance of the Joint Committee's favorable report and passage of the bill.

Will you proceed, sir?

REP. LAWLOR (99th):

Thank you, Mr. Speaker.

This bill is relatively straightforward. It's title pretty much says the whole thing. There's a special act, which establishes a limit of 200 members for the -- 250 members for the Connecticut Academy of Science and Engineering, which, as I said, is established by special act in our State statutes. Given the growth of science-related endeavors in our state over the past 10 or 15 years -- and I think we're very fortunate that there has been significant amount of growth in this area -- the Academy has asked that we eliminate the limit on membership -- of members. There's quite a few more than 250 people that would like to be members of the Academy.

On the national academies of this nature do not have a limitation on the number of members. They establish their own standards and admit their own members and would like to break through the 250-member

ceiling.

I don't think it serves any public policy purpose to limit it in this fashion, and I think we should all applaud them for the great work they do. And I think the more people who are qualified to be admitted, as members of the Academy, the better off we will all be in our State. So, Mr. Speaker, I urge passage of the bill.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Mr. Speaker, quick question, through you, to the proponent.

SPEAKER DONOVAN:

Please proceed.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Representative Lawlor made excellent points in your presentation. Do you have any idea what the initial reason was to limit the membership legislatively?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Lawlor.

REP. LAWLOR (99th):

Thank you, Mr. Speaker.

I don't really. It's evolved over time. It had been 200. It was raised to 250 and, at this point, I guess, there's such a expansion in the industry and academia in our State that there's far more than 250 individuals who would like to be admitted. I can only assume that, at one point, it was intended to be an exclusive club in some way, and I'm sure it is very exclusive based on qualifications and professional accomplishments. However, apparently, there are far more than 250 people who easily meet the standards for admittance into the Academy. And, once again, I'd emphasize that on the national level, there is no limit in the various academies of sciences on the national levels, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker.

This doesn't necessarily mean that those requirements for admission would be discarded; is that correct?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Lawlor.

REP. LAWLOR (99th):

Thank you, Mr. Speaker.

No, not at all. In fact, in the supporting documents that the Committee received requesting this bill, they were emphatic about that. They had very high standards and they actually -- the good news is that, flowing into our State are quite a few people who meet those standards easily, working at our universities, working in the private sector. We're blessed with quite a few smart people coming into our state and so, in acknowledgement of that, I think, it would be appropriate to take the limit off the number members and leave it to the Academy to set the standards, which they have traditionally abided by.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Thank the gentleman for his answers.

SPEAKER DONOVAN:

Representative O'Neill.

REP. O'NEILL (69th):

Yes, thank you, Mr. Speaker.

Of all of the bills that we have had to deal with in the Judiciary Committee this year, the death penalty, codification of same-sex marriage, this bill does not equal in the terms of the controversy or the difficulty of supporting it. And I would urge everyone in the chamber to support this bill.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Sawyer.

REP. SAWYER (55th):

A question to the Chairman of the Judiciary Committee, Mr. Speaker.

SPEAKER DONOVAN:

Please proceed, madam.

REP. SAWYER (55th):

Thank you. Mr. Chairman, for the Connecticut Academy of Science and Engineering, is there -- are there term limits? Once they are accepted is it something that they stay on for life? What are the conditions there?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Lawlor.

REP. LAWLOR (99th):

Thank you, Mr. Speaker.

There's no term, I believe. Once admitted, you are forever a member of the Academy, unless, I assume you are expelled. I'm sure there's something you could possibly do to get expelled from the Academy whether it's some type of plagiarism or whatever but once you're in, you're in.

SPEAKER DONOVAN:

Representative Sawyer.

REP. SAWYER (55th):

Thank you, Mr. Speaker, and through you.

Do they charge a dues? Is this something that you pay to belong to?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Lawlor.

REP. LAWLOR (99th):

Thank you, Mr. Speaker.

I don't know, but if I had to guess, I would imagine there is some type of annual dues or membership fee or contribution required something along those lines, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Sawyer.

REP. SAWYER (55th):

And was there, through you, Mr. Speaker.

Was there any -- during perhaps some of the line of questioning during the public hearing, was there any questions about the fiscal condition of this particular incorporated scholarly entity?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Lawlor.

REP. LAWLOR (99th):

Thank you, Mr. Speaker.

I don't think there's -- no, there wasn't and, in fact, I don't believe there was any actual testimony other than the written submissions, which are available online to the members of the chamber, but it's -- the written submission was, essentially, there are far more people who meet the qualifications than the current law allows to be admitted as members of the Academy and they simply requested to conform our law with what exists in other states and at the federal level, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Sawyer.

REP. SAWYER (55th):

Thank you, Mr. Speaker.

Certainly in these tough economic times many

organizations that are private nonprofit -- I apologize -- have sought different ways to be able to balance their books, and I didn't know if, in this particular case, that they were looking to extend their membership to be able to bring in some more very needed cash, perhaps, to be able aid the association in the Academy in their fiscal situation, but I also believe that it should be something that is open to scholar's that are well approved, and I would like to thank the Chairman of the Committee for bringing this forward.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Aman.

REP. AMAN (14th):

Thank you, Mr. Speaker.

There's been an interesting discussion going on regarding the number of members of the corporation.

And, through you, if the proponent of the bill can tell me, what the membership of the Connecticut Academy of Science and Engineering actually does. What do these 250 people do that we are allowing to be expanded?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Lawlor.

REP. LAWLOR (99th):

Thank you, Mr. Speaker.

It is a scholarly association of professionals in government, private sector, and academia who are involved in research. And, collectively, they promote the best interest of the engineering and sciences in our state. It's very similar to what happens at the national level through the National Academies of Science. I can imagine that they also are involved in peer review publications and collaborate collectively to promote the -- to advance science and engineering in the state. It's -- I don't think there's anything unique about this other than it's very prestigious and hard to get in. And only the best and the brightest are admitted, and once they're in there, I assume they spend their time advancing the state of the science and research in their fields.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Yes. I thank the proponent for his answer. I guess another question is the membership. Are there other civic organizations or academic organizations or

other nondirect government organizations that the General Assembly sets the number of members of it? I can't remember another sort of organization that we say who can be a member or how many members are involved?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Lawlor.

REP. LAWLOR (99th):

Thank you, Mr. Speaker.

There's quite a few examples of that, including religious corporations. For example, for certain denominations, we set the number of officers in religious corporations that would be one example that comes to mind, but there's quite a few examples of this. And, I think, members of the chamber recall, from time to time, we are dealing with these special acts that authorize special taxing districts and lake associations things like that. It's not uncommon that we would be dealing with this.

It's also, worth pointing out that Yale University, itself, exists by virtue of the charter granted by the State of Connecticut.

So they are situations like this and, as a general rule, there's a uniqueness to the entity, and,

in this particular case, it is considered to be extremely prestigious to be a member of this particular academy, and it is not a government organization. However, I think that it's fare to say that the status of this organization is enhanced by its inclusion in the general statutes. And not unlike is -- not unlike the case in the other 49 states and at the federal level with the National Academies of Sciences.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Again, I thank the proponent.

Well, I do recognize what he said as far as the governing and the board of directors, it just seems unusual that the total membership, to the best of my knowledge, we haven't told any of the churches yet, how many members they can have, however, that might be coming.

The Academy appears to be from what has been said doing a very good job, and I will be supporting the bill as it comes out.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Do you care to remark further on the bill before us? Do you care to remark further?

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

SPEAKER DONOVAN:

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

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

Will the Clerk please announce the tally?

THE CLERK:

Senate Bill 898 in concurrence with the Senate

Total Number of Voting	139
Necessary to pass	69
Those voting Yea	137
Those voting Nay	0
Those absent and not voting	14

SPEAKER DONVOVAN:

Bill's passed.

JOINT
STANDING
COMMITTEE
HEARINGS

JUDICIARY
PART 20
6285 - 6583

2009

saying, Can you come down to the station, because we've identified you in these pictures? So I think that makes it very different. Thank you, Representative Reeves.

REP. REEVES: Thank you, Representative Bye.

SENATOR McDONALD: Anything further from members of the committee? If not, thank you very much, Representative Bye. We certainly miss you here as a member of the Judiciary Committee.

REP. BYE: I miss you all, too, but thank you so much for your time and your questions and attention today.

SENATOR McDONALD: Thank you. And I apologize, I skipped over Jeanne Milstein. Jeanne, do you have a couple of minutes? Can you stick around? I apologize. I jumped and saw Representative Bye's name.

I don't want to disrupt the promise I made to the public here. The next speaker is Rick Strauss. The lineup would be Rick Strauss. Is Mr. Strauss here?

Are you Ann Bertini? Okay. So it would be Ann Bertini, John Mansfield. John Mansfield here? Okay. You'd be next.

Jose Figueroa and then Livvy Floren, I believe. Or Liz -- Liz Flavin. Sorry. No? Is it -- F-L-A-V-E-N. Sorry, Liz Flavin. I apologize.

Good afternoon, Ms. Bertini.

SB 898

ANN BERTINI: Good afternoon, Chairman McDonald and members of the Judiciary Committee. My name is Ann Bertini. I'm assistant director for programs of the Connecticut Academy of Science and Engineering.

I'm here today to testify in support of raised Senate Bill 898, An Act Concerning the Membership of the Academy on behalf of our membership and governing council, and have also provided written testimony.

The academy is a nonprofit organization formed by a special act of the General Assembly. This bill is consistent with the academy's request to the General Assembly that it take action to eliminate the academy's existing membership limit of 250 members to permit our membership limit to be prescribed solely by provisions of the academy's bylaws.

Based upon the growth and science, engineering and technology in industry, academia and government within Connecticut, as well as our ongoing interests in recognizing qualified individuals and retaining existing members, our current membership limit is now prohibitive and not in the best interests of the state or the academy.

In fact, it is worthy to note that our members serve on our project committees on a pro bono basis, and are there for an outstanding resource for leveraging their expertise for the benefit of State of Connecticut.

It is also noted that each of the national academies sets its own membership limit, as compared to limits prescribed legislatively by Congress. We would appreciate the General Assembly's support for adoption of this legislation. Thank you for your consideration.

SENATOR McDONALD: Thanks very much.

Do you have -- does the academy have any sense of how many members they would ultimately be

thinking of?

ANN BERTINI: I think the answer to that is the academy's council would like the flexibility to determine what the right number of members is. This year, we're inducting 23 new members, which puts us pretty much at the limit.

And, you know, in the near term, it might be something like 275 or 300, but in the far term, it could go beyond that. So that -- the idea would be that the academy would have -- definitely, you know, exercise restraint about what the appropriate level of membership is.

SENATOR McDONALD: Well, thanks very much.

Any questions? Thanks for your time.

ANN BERTINI: Thank you.

SENATOR McDONALD: John Mansfield, followed by Jose Figueroa and Liz Flavin.

Good afternoon, sir.

JOHN MANSFIELD: My name is John Mansfield. I am the Watson professor of law emeritus at the Harvard Law School where I have -- I have taught courses for many years in constitutional law, evidence and torts.

I am here to testify as an expert on behalf of the Archdiocese of Hartford and the Dioceses of Bridgeport and Norwich on Raised Bill 6532.

As the Supreme Court of the United States has said, statutes of limitations are not just a technical matter but are part of a well-ordered system of civil justice. They represent a compromise between the interests of plaintiffs and defendants.

JOINT
STANDING
COMMITTEE
HEARINGS

JUDICIARY
PART 21
6584 - 6932

2009

CONNECTICUT ACADEMY OF SCIENCE AND ENGINEERING

CONNECTICUT ACADEMY OF SCIENCE AND ENGINEERING
TESTIMONY

JUDICIARY COMMITTEE
PUBLIC HEARING: MARCH 26, 2009

RAISED SENATE BILL #898
AN ACT CONCERNING THE MEMBERSHIP OF THE CONNECTICUT ACADEMY OF SCIENCE AND ENGINEERING, INC.

This testimony is submitted in support of Raised Senate Bill #898 – An Act Concerning the Membership of the Connecticut Academy of Science and Engineering, Inc. on behalf of the membership and the Governing Council of the Academy. This bill is consistent with the Academy's request to amend Section 3 of special act 76-53, as amended by section 1 of special act 06-2 to eliminate the requirement that the membership of the Academy be limited to not more than two hundred and fifty members and to permit such membership to be prescribed by the Academy's bylaws

The Connecticut Academy of Science and Engineering is a non-profit institution formed by Legislative Act in 1976, whose mission is to provide expert guidance on science and technology issues to the state of Connecticut, and promote the application of science and technology to human welfare and economic well being. The Academy's Governing Council adopted a resolution on October 15, 2008 requesting the adoption of the requested legislation by the General Assembly to remove the legislatively prescribed membership limitation and to permit the Academy through its bylaws to determine its membership limit.

For your information, the Academy's membership, since its founding in 1976 until 2006, consisted "*of not more than 200 members*" in accordance with both the Academy's Bylaws and its enabling legislation. By amendment to this legislation, in 2006 the General Assembly by Special Act 06-02 increased the Academy membership limit from 200 to 250. Based upon the growth of science, engineering and technology activities in industry, academia and government within Connecticut over the past 30 years, as well as interest in having the opportunity to recognize qualified individuals and retain existing members, the existing membership limit is now prohibitive and not in the best interests of the State or the Academy. Additionally, it is noted that each of the National Academies sets their own membership limits as compared to limits prescribed legislatively by Congress.

We would appreciate the support of the Judiciary Committee and the General Assembly for this change to the Academy's enabling legislation.

Thank you for your time and consideration.

Sincerely,

Myron Genel, MD
President

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