

PA10-81

HB5289

House	1257-1260	4
Public Health	47-51, 55-60, 578-581	15
<u>Senate</u>	<u>3545, 3550-3552</u>	<u>4</u>
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2010**

**VOL.53
PART 5
1169 – 1557**

Will the Clerk please announce the tally.

THE CLERK:

House Bill 5339.

Total Number voting 143

Necessary for passage 72

Those voting Yea 143

Those voting Nay 0

Those absent and not voting 8

DEPUTY SPEAKER O'CONNOR:

The bill passes.

Will the Clerk please Calendar Number 253.

THE CLERK:

On page 11, Calendar 253; Substitute for House Bill Number 5289, AN ACT CONCERNING THE SALARIES OF THE CHIEF MEDICAL EXAMINER AND THE DEPUTY MEDICAL EXAMINER, favorable reported the Committee on Government Administrations and Elections.

DEPUTY SPEAKER O'CONNOR:

Representative Grogins.

REP. GROGINS (129th):

Yes, thank you, Mr. Speaker.

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

DEPUTY SPEAKER O'CONNOR:

The question is acceptance of the Joint
Committee's favorable and passage of the bill.

Representative Grogins, you have the floor.

REP. GROGINS (129th):

Thank you, again, Mr. Speaker.

This bill came to us from the Office of Policy
and Management and will require the Commission on
Medicolegal Investigations, also known as COMLI, to
submit recommendations concerning the salaries of the
chief medical examiner and the deputy chief medical
examiner to the Commission of Administrative Services
for their review and approval.

Under current law, COMLI is authorized to set the
salaries of the chief and deputy chief medical
examiners regardless of available funding. This
proposal would ensure that the agencies personal
services and cost do not exceed budgetary levels.

So therefore, I encourage my colleagues to
support this measure and this bill also passed
unanimously out of both Public Health and Government
Administrations and Elections Committee. So I would
encourage my colleagues to support this.

DEPUTY SPEAKER O'CONNOR:

Thank you, Representative.

Will you remark further on this bill?

Representative Giegler.

REP. GIEGLER (138th):

Thank you, Mr. Speaker.

I, too, rise in support of this bill. This ensures that the Office of Medical Examiners stays within its appropriate amounts and it's a good bill and we should pass it. It's one of the only agencies that just really is allowed to set salaries outside of DAS. Thank you.

DEPUTY SPEAKER O'CONNOR:

Thank you, Representative.

Will you remark further on the bill? Will you remark further on this bill?

If not, will staff and guests please come to the well of the House. Will the members please take their seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the chamber. The House is voting by roll call. Members to the chamber.

DEPUTY SPEAKER O'CONNOR:

Have all the members voted? Have all the members voted? Will members please check the board to

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HOUSE OF REPRESENTATIVES

April 21, 2010

determine if your vote has been properly cast.

If all the members have voted, the machine will be locked and the Clerk will call the tally.

Mr. Clerk, please announce the tally.

THE CLERK:

House Bill 5289.

Total Number voting	146
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Necessary for passage	74
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Those voting Yea	146
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Those voting Nay	0
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Those absent and not voting	5
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DEPUTY SPEAKER O'CONNOR:

The bill passes.

Will the Clerk please call Calendar Number 214.

THE CLERK:

On page 10, Calendar 214; Substitute for House Bill Number 5411, AN ACT CONCERNING MEDICAID, favorable reported the Committee on Human Services.

DEPUTY SPEAKER O'CONNOR:

Representative Hewett.

REP. HEWETT (39th):

Mr. Speaker, I move that this bill be referred to Appropriations Committee.

DEPUTY SPEAKER O'CONNOR:

**JOINT
STANDING
COMMITTEE
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**PUBLIC
HEALTH
PART 1
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financial audit.

SENATOR HARRIS: Okay. We'll ask the Attorney General about that. Thank you.

WENDY FURNISS: Thank you.

REP. RITTER: Further questions from the committee?

Thank you very much for you testimony.

WENDY FURNISS: Thank you.

REP. RITTER: Next, we will from OPM Deputy Secretary Michael Cicchetti.

And yes, he's here.

MICHAEL CICHETTI: Good morning, Representative Ritter, Senator Harris. For the record, my name is Michael Cicchetti, deputy secretary at the Office of Policy and Management. I'm here to offer some comments on House Bill 5289, AN ACT CONCERNING THE SALARIES OF THE CHIEF MEDICAL EXAMINER AND DEPUTY MEDICAL EXAMINER.

You have my testimony so I wont read it word for word, but I just wanted to outline a couple of points.

Number one, this is identical to a provision that was passed last year out of this committee. Two, this really is not -- commenting on the level of salary that the two individuals make. It's really just putting in place the checks and balances that we believe are necessary. There's no other positions in the state that -- that deal with directly, that are entirely funded by the general fund that have no provision for oversight from the Office of Policy and Management in terms of the level of salaries and the amounts of raises that are

given and whether, in fact, raises are even given. There are other positions throughout the state that are exempt from this process but those positions do have a level of oversight and they are typically, at least some of their funding, comes from sources other than the general fund.

So really this is, as I said earlier, this is not to comment on the salary levels it really is just putting in the checks and balances that we believe are necessary to ensure that we have a -- an equitable salary system throughout the entirety of state government not just in the -- not just where it is now.

So with that, I will conclude my testimony and I'll be happy to answer any questions the committee members may have.

REP. RITTER: Thank you.

Are there questions from the committee?

Representative Giegler.

REP. GIEGLER: Thank you.

I just have a couple of questions. The -- the budget, the overall budget for the medical examiner, is that -- that's under the offices of OPM?

MICHAEL CICCHETTI: No, the budget -- it's a separate agency, as any other agency, but any -- any salary increases in any other agency, say in the Department of Public Health, there is a check and balance system so that people can not just increase their salaries without some sort of oversight. In fact, the balance of the employees at the chief medical examiner's office are subject to that

oversight. It's just these two positions are not. So we're saying that we should take how we treat the rest of that agency and all other state agencies and just continue that coverage for these two positions.

REP. GIEGLER: Another question is the revenue that the medical examiner takes in.

MICHAEL CICCHETTI: Uh-huh.

REP. GIEGLER: Does that go to the general fund or does that go to him for operations?

MICHAEL CICCHETTI: It goes to the general fund.

REP. GIEGLER: It goes to the general fund.

MICHAEL CICCHETTI: Uh-huh.

REP. GIEGLER: Okay. Thank you very much.

MICHAEL CICCHETTI: Thank you.

REP. RITTER: Thank you.

Are there any further questions from the committee?

Hearing none -- oh, Senator Stillman.

SENATOR STILLMAN: Thank you, Madam Chair.

Good morning.

MICHAEL CICCHETTI: Good morning, Senator.

SENATOR STILLMAN: Nice to see you.

MICHAEL CICCHETTI: Nice to see you, too.

SENATOR STILLMAN: I'm not familiar with this

commission on medical legal investigations, --

MICHAEL CICCHETTI: Uh-huh.

SENATOR STILLMAN: -- which would have the authority to submit recommendations concerning the salaries. Could you fill us on that commission? Who sits on it? How many members? Who appoints them? That kind of thing. Thank you.

MICHAEL CICCHETTI: You know what, I don't have the information on how many members there are but essentially it's an oversight committee for the -- the office. They -- and what we would do is allow that commission, instead of actually setting the salary, would make recommendations to the Office of Policy and Management as in other -- as other state agencies do.

SENATOR STILLMAN: Is that their sole role --

MICHAEL CICCHETTI: No.

SENATOR STILLMAN: -- just setting salaries?

MICHAEL CICCHETTI: No.

SENATOR STILLMAN: I just -- could you --

MICHAEL CICCHETTI: That is not their --

SENATOR STILLMAN: Could you send us some information to --

MICHAEL CICCHETTI: Yes, I will.

SENATOR STILLMAN: -- the committee --

MICHAEL CICCHETTI: That is not their sole role.

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PUBLIC HEALTH COMMITTEE

March 1, 2010
10:00 A.M.

SENATOR STILLMAN: -- in general about some information. Who sits on it? I'd love to know the background of the people, et cetera.

MICHAEL CICCHETTI: I will get you the full information.

SENATOR STILLMAN: What they do.

MICHAEL CICCHETTI: But they're -- and, in fact, they're -- and I'm sure the chief medical examiner can fill you on what their role is, but I know it's well beyond just the salaries of these two positions.

SENATOR STILLMAN: Okay.

MICHAEL CICCHETTI: It goes into the policy and how the examinations are conducted.

REP. RITTER: Thank you, Senator.

Any other questions from the committee?

Thank you for your testimony.

MICHAEL CICCHETTI: Thank you.

REP. RITTER: Next, we'll be hearing from DMHAS Commissioner Pat Rehmer. She will be followed by Chairman Todd Fernow from the chief medical examiner's office.

COMMISSIONER PATRICIA REHMER: Good morning, Chairpersons Harris and Ritter, Ranking Member Debicella and Giegler, and other distinguished members of the Public Health Committee. I am Pat Rehmer, commissioner of the Department of Mental Health and Addictions Services and I am here this morning to speak in favor of three bills; House Bill 5291, AN ACT CONCERNING THE SHARING OF INFORMATION BETWEEN THE DEPARTMENT

SB 246
SB 247

Once again, we've attached the language we would like you to use to the back of our testimony. Thank you for the opportunity to -- to address the committee and I'd be glad to answer any questions that you may have.

REP. RITTER: Thank you, Commissioner.

Are there questions from the committee?

Hearing none, seeing none, I guess, our next speaker will be Todd Fernow from the chief medical examiner's office.

TODD D. FERNOW: Good morning, Representative Ritter, Senator Harris and members of the committee. I have submitted my testimony and I went through it in detail. It pretty much covers what I intend to say. But I do want to clarify something, I'm not with the Office of the Chief Medical Examiner. I am the chairman of the Commission on Medicolegal Investigations, which was indeed the question that was asked from Mr. Cicchetti.

HB 5289

We are an independent, unpaid commission. We were created by statute in 1969. And I think what's missing from this debate -- and it's clarified in my testimony -- is the fact that at its inception, the creation of the commission was designed to do two things that were seen as necessary in Connecticut. Connecticut was probably in the forefront in this country in this respect -- wanted to do away with the old coroners system, which was, as people who people may remember it, is -- in Connecticut was subject to political influence and patronage.

And it is all over the country that states that still have the coroners system are rife with problems. Well, this legislation was designed

to eliminate it. And the way they eliminated it was by creating this independent commission that wasn't beholden to any political force.

Now, on its face the bill -- the proposed removing the medical examiner's salary question from the commission and giving it to the OPM appears innocuous. I would submit on the behalf on the commission, it isn't. It seeks to regulate to the political arena the decision that has been placed by the Legislature, for good reason, in the hands of nine citizens who are selected by virtue of their academic and professional credentials and not their political affiliations.

So in answer to the question that, I think, Senator Stillman asked, I will tell you that we have nine members, two full law professors, two full professors of pathology, a member from the Medical Society, a member from the Connecticut Bar Association, two public members and designated person from the Department of Public Health.

It also should be mentioned here that -- it was also left out of Mr. Cicchetti's testimony -- is that we recognize in the -- in the office -- the chief medical examiner's office recognizes that they serve a number of competing constituencies even handedly and fairly including the prosecutor's office, defense counsel, counsel on both sides in hotly litigated civil lawsuits, the Department of Children and Families, agencies that have suspicious deaths arise. And then our constituencies uniformly are understood and I -- I have questioned many of these people, feel that they are treated very fairly at the hands of the chief medical examiner and now our new deputy chief medical examiner.

Politicizing the setting of salary would serious questions that every state in this country has tried to walk away from. They've tried to get away from having nonindependent agencies set salary. And finally, Mr. Cicchetti suggested that it's necessary for checks and balances. While I will note that we don't come up with the salaries for the chief and deputy chief by -- by rolling dice. The benchmark for us, happens to be ironically the salaries that OPM sets for the doctors who work in the Office of the Chief Medical Examiner, who are all unionized. And it's a result of their collective bargaining agreements that they get salaries and we are now put in a position, as the commission, to set salaries based on what the -- the junior medical examiners make.

The chief and deputy chief are highly trained; between them they have five board certifications. They have almost 40 years of experience and it's administrative experience. They also, and it should be noted, carry a full caseload. They do as many autopsies and handle as many cases as the line physicians. So we're placed in a position where we are always very sensitive to the salaries that the subordinates are making and we set salaries accordingly. And they understand that if OPM is going to reduce salaries of line physicians at OCME, we're going to act accordingly.

I don't know if any evidence has been introduced that we've acted half-hazardly or irrationally in setting salaries. I'd be happy to answer questions about how we work but I think I'll the rest of my comments to my letter. Thank you. Any questions?

REP. RITTER: Thank you very much.

Are there questions from the committee?

I will -- hold it --

TODD D. FERNOW: Sorry.

REP. RITTER: And -- Senator Harris has a question but before that I just want to thank for this background information. As been noted, we heard this bill last year and this is quite a bit more information than we had the advantages of looking at last year and I just want to thank you for providing that to us.

TODD D. FERNOW: Thank you.

REP. RITTER: I was not aware of the full background; 1969 was a long time ago. Thank you. And I believe Senator Harris has a question.

SENATOR HARRIS: Thank you, Madam Chair.

Professor Fernow, do you know how this is done in other states? What system is used?

TODD D. FERNOW: Yes, I mean, I can't tell you state by state but there are four general systems involved. One is the old fashioned coroner system, which I think is universally reviled as the most antiquated and least acceptable. There are hybrids that -- that are -- are dealt with by county or -- or by an appointed agency.

In many states around Connecticut, the supervising agency happens to be an agency that's typically affiliated with one side or the other. In Massachusetts and New Hampshire, for instance, the OCME reports directly to the Department of Public Safety and they are forbidden, among other things, from talking to the defense counsel in criminal cases. They

are also not as accessible to members of the civil bar who are litigating or deciding to litigate wrongful death actions. There are hybrids. There are county systems.

There are very few that have independent commissions based on the equivalent of a blue ribbon panel. I think there are maybe half of dozen states that actually have that kind of a setup; though, they are increasing in number. There was a report from the National Academy of Science last year that indicated and promoted that the current trend for all medical examiner offices in the country should be aimed at the kind of nonpartisan and independent commission that we actually have in Connecticut already. But -- and I can get you the citations of the National Academy of Science report.

SENATOR HARRIS: That would be --

TODD D. FERNOW: You know, I mean, it's only part of it that deals with forensics. So --

SENATOR HARRIS: Yeah, that would -- that would be useful. And in those states that do have an independent commission, how are salaries set there?

TODD D. FERNOW: I don't know that information.

SENATOR HARRIS: Is it through the commission?

TODD D. FERNOW: They are set by a variety of factors but I don't have that detailed information. I mean there is as many as, I'd say two or three hundred different structures that -- that in one way or the other supervise medical examiner offices around the country. Very few are centralized state commissions. I think it's about half a dozen. And I don't have -- have your answer.

SENATOR HARRIS: Okay. Thank you.

REP. RITTER: Thank you very much for your testimony. And I will add that Senator Stillman has that testimony waiting for her when she comes back because you answered quite a few of her questions.

TODD D. FERNOW: Okay. Thank you.

REP. RITTER: Thank you.

Our next speaker will be State Representative Pam Sawyer. I hope she's here. Okay. Representative Sawyer apparently is not here.

Our next person on the list would be State Senator Gary LeBeau. And is the Senator still here? I know he was here earlier waiting patiently. Okay.

Maybe what I will do is ask if the following, which is if Representative Chris Wright is present. Come on up.

REP. CHRISTOPHER WRIGHT: Thank you, Madam Chairman.

Chairman Ritter, Chairman Harris and members of the Public Health Committee. My name is Christopher Wright. I'm the state representative from the 77th District in Bristol and I'm here to speak to you today on House Bill 5304, AN ACT CONCERNING THE ESTABLISHMENT OF DROP-IN DAY CARE FACILITIES IN HEALTH CLUBS.

I'm here on the behalf of a constituent of mine who contacted me. She very much wanted to be here today, but, unfortunately, she is currently undergoing cancer treatment so unfortunately she couldn't. This -- this came

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PUBLIC
HEALTH
PART 2
326 – 648**

2010



STATE OF CONNECTICUT
OFFICE OF POLICY AND MANAGEMENT

TESTIMONY PRESENTED TO THE PUBLIC HEALTH COMMITTEE
March 1, 2010

Michael J. Cicchetti
Deputy Secretary
Office of Policy and Management

Testimony Supporting House Bill No. 5289

AN ACT CONCERNING THE SALARIES OF THE CHIEF MEDICAL EXAMINER AND DEPUTY
MEDICAL EXAMINER

Senator Harris, Representative Ritter, Senator Debicella, Representative Giegler and distinguished members of the Public Health Committee, thank you for the opportunity to offer testimony in support of House Bill No. 5289, An Act Concerning the Salaries of the Chief Medical Examiner and Deputy Medical Examiner.

This bill will require the Commission on Medicolegal investigations (COMLI) to submit recommendations concerning the salaries of the Chief Medical Examiner and the Deputy Chief Medical Examiner to the Secretary of the Office of Policy and Management (OPM) for review and approval. Under current law, COMLI is authorized to increase the salaries of both the Chief Medical Examiner and the Deputy Chief Medical Examiner without further review and approval regardless of available funding. Requiring COMLI to submit recommendations to OPM for review and approval will ensure any salary adjustments are considered as part of the budgeting process and will ensure that the agency's personal services costs remain within budgeted levels.

Aside from the Chief and Deputy Chief Medical Examiner positions, few state employee positions are exempt from OPM approval. These exceptions include professional staff in the institutions of higher education, whose salaries are set by their respective Board of Trustees, ten positions in the Agricultural Experiment Station, whose salaries are set by the Board of Control, and the Chief and Deputy Chief Investment Officers of the Office of the State Treasurer, whose salaries are set by the Treasurer, in consultation with the Investment Advisory Council. Unlike the aforementioned institutions which have funding streams in addition to the General

Fund (for example, the State Treasurer positions are both funded from the Pension/Investment Fund), funding for the Office of the Chief Medical Examiner comes entirely from the General Fund, thus making this oversight necessary to ensure expenses remain within appropriated levels. Also, existing statute requires COMLI to submit recommendations concerning salaries and compensation for other professional staff to the Department of Administrative Services, and this proposal simply provides a similar process for the Chief and Deputy Chief Medical Examiner salaries.

It is important to note, this proposed change would only make the COMLI advisory as to salary only and would not affect the COMLI's current authority over medicolegal policies and its jurisdiction over the medical examiner's term of office, qualifications, and appointment of other staff members.

I would like to again thank the committee for the opportunity to present this testimony. I respectfully request the Committee support this bill and, as always, my staff and I are available at your convenience to answer any questions you may have.

STATE OF CONNECTICUT
OFFICE OF THE CHIEF MEDICAL EXAMINER
 11 Shuttle Rd., Farmington, CT 06032-1939
 Telephone: (860) 679-3980 Fax: (860) 679-1317



March 1, 2010

To: Senator Jonathan Harris, Representative Ritter and distinguished members of the
 Public Health Committee

From: Todd D. Fernow, Chairman, Commission on Medicolegal Investigations
 Professor of Law, University of Connecticut School of Law

**Re: Raised Bill # 5289: An Act concerning the salaries of the Chief Medical
 Examiner and the Deputy Chief Medical Examiner**

I am writing as the Chairman of the Commission on Medico-Legal Investigations ("Commission") to oppose passage of this bill. The purpose of this bill is to amend General Statutes Sections 19a-404 and 19a-405, to strip the Commission of its current authority to set the salaries of the Chief and Deputy Chief Medical Examiners. The bill proposes to reduce the Commission to an advisory role on salary for these two highly skilled professionals and to vest the Office of Policy and Management with the exclusive responsibility for doing so.

In my view, this proposed bill, perhaps innocuous on its face, threatens to undermine one of the most fundamental and ingenious components of Connecticut's Medical Examiner's legislation—the independence of the Office of the Chief Medical Examiner ("OCME").

As brilliantly conceived in 1969, our Medical Examiner's office was designed to replace the coroner's system. It was explicitly crafted to be accessible to a multitude of constituencies directly affected by its workings: every police agency in the state; all the public and private forensic and pathology departments in operation here; prosecutorial officials; criminal defense counsel; all professionals involved in investigating and litigating insurance claims and lawsuits arising from the unnatural death of a citizen; and a variety of state agencies who are called upon to investigate suspicious deaths, ranging from the Connecticut Department of Correction to the Department of Children and Families.

In order to guarantee that OCME pathologists would not be beholden to any one constituency, the framers of our enabling statutes devised a scheme that is quite possibly unique in the United States: the creation of an independent OCME oversight Commission, whose members were not picked on the basis of political or governmental affiliation, but because of their association with the broader academic and professional communities. Thus, our statutes mandate that our Commission be comprised of: two full professors of pathology, two full professors of law, a member of the Connecticut Medical Society, a member of the Connecticut Bar Association, two members of the public, and the Commissioner of Public Health.

No less critical to maintaining the independence of this Office was the decision to allocate the decision on the appropriate salary for the Chief Medical Examiner, and very recently, the Deputy Chief Medical Examiner, to the independent Commission, rather than to the Executive or Judicial Branches of Government. It was and is essential to the proper functioning of the OCME that its policies not be subject

to interference—however benignly or altruistically intended—from the powerful state agencies and departments who are regular habitués of the political landscape in Connecticut.

While there is no doubt that bringing every single state agency in Connecticut into the fold of the Office of Policy and Management would be an efficient way of identifying and doling out limited resources at times of economic crisis, it is just as clear to me that subjecting an agency known for 40 years for its fairness, accessibility and ability to serve often competing constituencies without undue outside pressure is of even greater long-term value to the People of Connecticut.

I have an abiding fear that if the policies and salaries of the managers at the OCME are subordinated to the Office of Policy and Management, the multitude of constituencies identified by the framers of the Medicolegal Investigations Act will no longer have the voice they were designed by statute to have, and will not be able to protect the interests of the citizens of this state to the degree to which we have all become accustomed. To put it bluntly, the carefully crafted role of the Commission on Medicolegal Investigations will cease to have relevance as the enforcing authority over the OCME.

As a final note, before this body agrees to subordinate the policy and economic decisions of the OCME and the COMLI to the Office of Policy and Management, I would ask that you look around at other Medical Examiner's offices around the country that are built on less independent models than ours. In many of these states, the OCME's are now considered extensions of the State Police or the state prosecution system, and are not readily accessible to any of the other constituencies mentioned above. The rule, commonly enforced in such states, (which, I have recently learned, is also the case in Massachusetts), is that the OCME is forbidden to speak to defense counsel in criminal cases without the express permission of the local prosecutor's office. This, of course, prolongs criminal discovery and inhibits meaningful pretrial negotiations because one "side" in the litigation maintains exclusive access to some of the most critical and dispositive information in the case. Undoubtedly, opinions given under such a regime are presumed to be inherently biased, and therefore, suspect.

Civil cases are also tremendously impacted by having an OCME office that is considered free from outside governmental influence. In Connecticut, parties contemplating civil litigation will regularly tailor their expectations—even to the point of avoiding a lawsuit altogether—if they have access to information concerning the death of a person and access to a medical opinion both parties agree is trustworthy at the earliest stages of the investigation. I have been informed repeatedly by members of both the plaintiff's and defense bars that our OCME's office is considered by both groups as fair-minded and accessible.

In sum, I strongly encourage you to vote against making such a deep and fundamental change to a statutory scheme that has achieved an extraordinary level of trust with a broad range of interested constituencies in the 40 years since its enactment. Even if you are inclined to support this legislation, moreover, before you do so, I encourage you to solicit input from at least the Insurance and Banking Committee and the Judiciary Committee for their input into the wisdom of enacting this rule into law. I would expect that both Committees might well harbor strong views concerning the matters I have outlined above.

Very Truly Yours,

Todd D. Fernow
Chairman, Commission on Medicolegal Investigations
Professor of Law, University of Connecticut School of Law

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2010**

**VOL. 53
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3251 - 3554**

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. And Mr. President, several additional items to mark. Going back to calendar page 7. Mr. President, calendar page 7, Calendar 377, House Bill 5291. Mr. President, move to place that item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, on calendar page 11, Calendar 465, House Bill 5448. Mr. President, move to place that item on the consent calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Yes, thank you, Mr. President. Mr. President, moving to calendar page 12. Mr. President, calendar page 12, Calendar 466, House Bill 5289. Move to place that item on the consent calendar.

THE CHAIR:

Without objection, so ordered

SENATOR LOONEY:

Bill 121; calendar page 7, Calendar 377, Substitute for House Bill 5291; Calendar page 8, Calendar 398, Substitute for Senate Bill 231; calendar page 9, Calendar 442, Substitute for House Bill 5141; calendar page 10, Calendar 449, House Bill 5495; calendar page 11, Calendar 451, Substitute for House Bill 5535; Calendar 465, Substitute for House Bill 44 -- 5448; calendar page 12, Calendar 466, Substitute for House Bill 5289; Calendar 473, Substitute for House Bill 5059; Calendar 476, Substitute for House Bill 5117; calendar page 13. Calendar 478, House Bill 5290; Calendar 481, Substitute for House Bill 5119; Calendar 482, Substitute for House Bill 5120; calendar page 15, Calendar 492, Substitute for House Bill 5446; Calendar 494, House Bill 5315; Calendar 504, Substitute for House Bill 5306; calendar page 20, Calendar 532, Substitute for House Bill 5033; calendar page 21, Calendar 534, Substitute for House Bill 5543; Calendar 539, Substitute for House Bill 5350; calendar page 25, Calendar 561, Substitute for House Bill 5419; calendar page 36, Calendar 374, Substitute for House Bill 5225; calendar page 37, Calendar 415, House Bill 5131; calendar page 38, Calendar 454, Substitute for House Bill 5526.

Mr. President, that completes the items placed on Consent Calendar Number 2.

THE CHAIR:

Please call for a roll call vote. The machine will be open.

THE CLERK:

The Senate is now voting by roll on the consent calendar. Will all Senators please return to the chamber. Senate is voting by roll 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 locked. The Clerk will call the tally.

THE CLERK:

Motion is adoption of Consent Calendar Number 2.

Total number voting

35

Necessary for Adoption 18

Those voting Yea 35

Those voting Nay 0

Those absent and not voting 1

THE CHAIR:

Consent calendar Number 2 passes.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

Mr. President, I would move that any items on the consent calendar requires additional action by the House of Representatives be immediately transmitted to that chamber.

THE CHAIR:

Without objection, so ordered, sir.

SENATOR LOONEY:

And also any other items acted upon today, not on the consent calendar requiring action by the House of Representatives. Also would move that those items be immediately transmitted.

THE CHAIR:

Seeing no objection, sir, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I would yield to any members seeking recognition for announcements or points of personal privilege.

THE CHAIR:

At this time, I will entertain any points of