

PA 11-010

HB6371

House	601-605	5
<u>Senate</u>	<u>836-841, 1554-1558, 1687-1689</u>	<u>14</u>

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

**VOL.54
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345 – 704**

rgd/gbr
HOUSE OF REPRESENTATIVES

79
March 16, 2011

House Bill Number 6258.

Total Number voting	145
Necessary for adoption	73
Those voting Yea	145
Those voting Nay	0
Those absent and not voting	5

DEPUTY SPEAKER ARESIMOWICZ:

The bill passes.

Will the Clerk please call Calendar Number 44.

THE CLERK:

On page 7, Calendar 44, House Bill Number 6371,

AN ACT CONCERNING EXEMPTIONS FROM THE CERTIFICATE OF
NEED PROCESS FOR RESEARCHERS UTILIZING CERTAIN
TECHNOLOGIES THAT HAVE NO IMPACT ON HUMAN HEALTH,
favorable report of the Committee on Public Health.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Ritter of the 38th.

REP. RITTER (38th):

Thank you, Mr. Speaker.

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

DEPUTY SPEAKER ARESIMOWICZ:

The question is on acceptance of the joint
committee's favorable report and passage of the bill.

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Will you remark?

REP. RITTER (38th):

Yes, I will, Mr. Speaker.

Mr. Speaker, this bill exempts from current law certificate of need review; the acquisition of equipment by a person for use exclusively by scientific research that does not -- that is not conducted on humans.

Mr. Speaker, the Clerk has an amendment, LCO 4755, and I would ask the Clerk to please call the amendment and I'd be granted leave of the Chamber to summarize.

DEPUTY SPEAKER ARESIMOWICZ:

Will the Clerk please call LCO 4755, which will be designated House Amendment Schedule "A."

THE CLERK:

LCO Number 4755, House "A," offered by
Representatives Aresimowicz Olson and E. Ritter.

DEPUTY SPEAKER ARESIMOWICZ:

The Representative seeks leave of the Chamber to summarize the amendment. Is there objection to summarization? Is there objection to summarization?

Hearing none, Representative Ritter, you may proceed with summarization.

REP. RITTER (38th):

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Thank you, Mr. Speaker.

Mr. Speaker, this amendment simply clarifies the language found in line 93. Specifically in 93, it strikes the language, does not involve human beings, and inserts the language, is not conducted on humans, in leu thereof. And I move adoption.

DEPUTY SPEAKER ARESIMOWICZ:

The question before the Chamber is on adoption of House Amendment Schedule "A." Will you remark on the amendment?

Representative Perillo of the 113th.

REP. PERILLO (113th):

Mr. Speaker, thank you.

As stated previously, this is simply clarifying language. It does not change the intent of the bill. It simply makes clear the goals and I would urge the amendment's adoption.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir.

Will you remark further? Will you remark further on the amendment before us? If not, I will try your minds. All those in favor, please signify by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ARESIMOWICZ:

Those opposed, nay.

The ayes have it. The amendment is adopted.

Will you remark further on the bill as amended?

Will you remark further on the bill as amended? If not, will staff and guests please come to the well of the House. Will the members take their seat. And 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 Orange In the Chair.

DEPUTY SPEAKER ORANGE:

Have all the members voted? Have all the members voted? Please check the board to determine if your vote has been properly cast. If your vote has been properly cast, the machine will be locked. And will the Clerk please take a tally. Will the Clerk please announce the tally.

THE CLERK:

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March 16, 2011

House Bill 6371, as amended by House "A."

Total Number voting	143
Necessary for adoption	72
Those voting Yea	143
Those voting Nay	0
Those absent and not voting	7

DEPUTY SPEAKER ORANGE:

The bill passes as amended.

Are there any point of personal privilege or introduction? Any points of personal privilege?

Representative Haddad, you have the floor, sir.

REP. HADDAD (54th):

Yes, Madam Speaker, for a point of personal privilege.

DEPUTY SPEAKER ORANGE:

Please proceed, sir.

REP. HADDAD (54th):

Madam Speaker, I wanted to introduce four students from the University of Connecticut who are here with the Connecticut Speech Language Hearing Association. They're here to lobby us on some bills. They're doing a great job learning about the Legislature, and informing us about some very important bills concerning speech and language pathology.

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April 27, 2011

SENATOR LOONEY:

Thank you. Thank you, Madam President.

I accept the yield from Senator Crisco and ask that this item be marked passed temporarily.

THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk.

THE CLERK:

Madam President, on the top of page 7, Calendar Number 104, House Bill Number 6371, AN ACT CONCERNING EXEMPTIONS FROM THE CERTIFICATE OF NEED PROCESS FOR RESEARCHERS UTILIZING CERTAIN TECHNOLOGIES THAT HAVE NO IMPACT ON HUMAN HEALTH, as amended by House Amendment Schedule "A," which is LCO Number 4755, a favorable report of the Public Health Committee.

THE CHAIR:

Senator Gerratana, welcome.

SENATOR GERRATANA:

And how do -- turn it on. Hello. There we go. Thank you, Madam President. I'm sorry.

Madam President, I move acceptance of the joint committee's favorable report and passage of this bill.

THE CHAIR:

Acting on approval of the bill, will you remark

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further?

SENATOR GERRATANA:

And -- yes. Thank you, Madam President. I just wanted to explain the bill for a minute. This is to permit scientific researchers to utilize certain medically related equipment without having to apply for certification through the certificate of need process in the Office of Health Care Access.

When this is scientific research, the bill makes clear that it will be used for those purposes, scientific purposes. I also understand that it's a biotech startup and that it will not be used on human beings.

THE CHAIR:

Will you remark? Will you remark further?

Senator Stillman.

SENATOR STILLMAN:

Thank you, Madam President.

Yes. I rise in support of this bill. This particular issue was brought to my attention by a constituent who is -- has a start-up company in medical research. And realized that he had sort of a roadblock in his way in terms of trying to move his business forward.

And it became very clear that there could be lots of other businesses that are startups that we're looking to continue to nurture in this state and the department didn't have a problem with it, thought it was certainly appropriate since this is for scientific research that doesn't have anything to do with utilizing any of this machinery in terms of its impact on people, but strictly for research and in this scientific area.

And so I ask members of the circle if they would please support this bill. As I said, I think it will go a long way towards helping many other startup companies move forward. Thank you.

THE CHAIR:

Will you remark further? Will you remark further?

Senator Fasano.

SENATOR FASANO:

Thank you, Madam President.

Madam President, through you to the good Senator, with respect to nonhuman, is that -- is there a reason why it says nonhuman as opposed to animal? Is there an issue as to why nonhuman versus animal? Through you, Madam President.

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THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA:

Thank you, Madam President.

Through you, my understanding is that nonhuman is the technical term and not animal. The technical and appropriate term.

Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Madam President. I thank you for the answers.

THE CHAIR:

Thank you. Will you remark further?

Senator McKinney, good afternoon, sir.

SENATOR MCKINNEY:

Good afternoon, Madam President.

Madam President, through you, and I would welcome an answer from either Senator Gerratana as chair of the committee or Senator Stillman who brought the issue before us, but I'm just curious, and perhaps concerned, as to why the department first sought the need to require an application for a CON for this type of

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research company. And I was just curious as to why the company was put in that position in the first place. Through you, Madam President.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA:

Thank you, Madam President.

Through you, Senator, this is my understanding. It does have an interesting story. Apparently the gentleman who is starting up this biotech company went to purchase a piece of equipment, exactly what I don't know, but I believe the story goes that the salesperson who sold him the equipment said oh, you know, you probably have to go to a certificate of need process.

So he did his due diligence and went to the Department of Public Health seeking a certificate of need. After a number of months delaying the business from starting he had to wait to get a response he found out because he is doing work with -- that doesn't include any medical work with people, with human beings, that he didn't need a certificate of need.

SENATOR MCKINNEY:

Thank you very much. I appreciate the good Senator's answer.

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THE CHAIR:

Thank you, Senator. Will you remark?

Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madam President.

Through you, a question for the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR McLACHLAN:

Thank you, Madam President.

Senator, I wonder if you could clarify for me the scientific research of nonhumans. Is this --

THE CHAIR:

Sorry. Excuse me, sir. Senator Looney.

SENATOR LOONEY:

I just ask that this bill be passed temporarily.

THE CHAIR:

Seeing no objection.

Mr. Clerk.

THE CLERK:

Madam President, the next item I have recorded is on calendar page 7, Calendar Number 106, Senate Bill Number 933, AN ACT CONCERNING SUBSTITUTE TEACHERS,

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May 11, 2011

Bill 6371.

The second is Calendar page 9, Calendar 187,
Senate Bill 1053.

The next is Calendar page 12, Calendar 240,
Senate Bill 1100, and the next is Calendar page 18,
Calendar 338, House Bill 6319.

And then the next is Calendar page 19,
Calendar 351, Senate Bill 982.

THE CHAIR:

Seeing no objection, so ordered.

Senator -- Mr. Clerk.

THE CLERK:

Madam President, calling from page 7, top of the
page, Calendar Number 104, House Bill Number 6371, AN
ACT CONCERNING EXEMPTIONS FROM THE CERTIFICATE OF NEED
PROCESS FOR RESEARCHERS UTILIZING CERTAIN TECHNOLOGIES
THAT HAVE NO IMPACT ON HUMAN HEALTH, as amended by
House Amendment Schedule "A," LCO Number 4755,
Favorable Report of the Public Health Committee.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA:

Thank you, Madam President.

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Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House.

This bill --

THE CHAIR:

Act --

SENATOR GERRATANA:

-- before -- thank you, Madam.

THE CHAIR:

Wait one moment.

Acting on approval of the bill, will you remark further?

Please --

SENATOR GERRATANA:

Thank you, Madam President, I will.

THE CHAIR:

Please proceed.

SENATOR GERRATANA:

This bill exempts from certificate-of-need review acquisition of any equipment used exclusively on scientific or for scientific research on nonhumans. This is research not conducted -- conducted on humans and only conducted on animals.

Thank you, Madam President.

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SENATE

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May 11, 2011

THE CHAIR:

Will you remark further?

Senator Suzio.

SENATOR SUZIO:

Thank you, Madam President.

I just want to say that I appreciate -- I had a discussion with Senator Gerratana about this, and I had originally had some concern about the phrase not on humans, and we discussed possibly substituting the word "animals" for it. But I've agreed not to submit my amendment with the legislative intent being clear, that this is for experimentation on animals is the intent of the actual legislation and -- and that Senator Gerratana was or Gerratana basically expressed agreement on that, and I appreciate that.

THE CHAIR:

Thank you.

SENATOR SUZIO:

So I thank you, very much.

THE CHAIR:

Thank you, Senator Suzio.

Will you remark?

Senator Stillman.

SENATOR STILLMAN:

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Thank you, Madam President.

I rise in support of this bill. This is an issue that was brought to my attention by a constituent who's doing some very particular research, which we are pleased to have opportunities for companies to do this in Connecticut because it is cutting-edge research, a very small company. And having to go through a C-O-N for a piece of equipment that is expensive but does not impact human beings, I've thought was a reasonable request to -- to help this industry move along.

And for those people who are curious as to what kind of machinery it is, it's called a "cone beam machine," and it's for dental research on animal's jaws. So it's very specific and will go a long way towards helping to not just grow a company but hopefully provide us with some real cutting-edge research, and I urge its -- its adoption.

Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark? Will you remark?

A roll call vote. Will you remark?

Senator Gerratana.

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SENATE

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May 11, 2011

SENATOR GERRATANA:

Madam President, if there's no objection, and seeing none, then I ask that this item be moved to the Consent Calendar.

THE CHAIR:

Seeing no objection --

SENATOR GERRATANA:

Thank you.

THE CHAIR:

-- we will put this on the Consent Calendar.

Mr. Clerk.

THE CLERK:

Madam President, turning to page 9, Calendar 177, substitute for Senate Bill Number 1110, AN ACT CONCERNING CONSUMER CREDIT LICENSES AND THE CONNECTICUT UNIFORM SECURITIES ACT, Favorable Report of the Banking Committee.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

If we might clarify, I believe that item was placed on the Consent Calendar, earlier. I believe the -- I just want to verify that, because the next

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Madam President, have an additional item to add to the Consent Calendar, that is Calendar page 17, Calendar 318, Senate Bill 152.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

And thank you, Madam President.

Madam President, if the Clerk might now call the Second Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Madam President, the Second Consent Calendar starts on page 7. It's Calendar Number 104, House Bill 6371.

And then we go to page 9, Calendar Number 187, Senate Bill Number 1053; page 12, Calendar Number 240, Senate Bill 1100; Calendar page 17, Calendar 318, Senate Bill 152; Calendar page 18, Calendar 338, House Bill 6319; Calendar page 37, Calendar 90, Senate Bill 464; Calendar page 43, Calendar 197, Senate Bill 1021; Calendar page 46, Calendar 251, Senate Bill 799.

That completes the Second Consent Calendar.

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THE CHAIR:

Thank you, Mr. Clerk.

If you will announce the pendency of a vote on the Consent Calendar, sir.

THE CLERK:

The Senate is voting by roll call on the Second Consent Calendar. Will all Senators please return to the Chamber. The Senate is voting by roll call on the Second Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

The machine will be opened.

THE CLERK:

The Senate is voting by roll call on the Second Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

The machine is now open, if the Senators will kindly record your vote.

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

THE CLERK:

Madam President:

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SENATE

239
May 11, 2011

Total number voting	36
Those voting Yea	36
Those voting Nay	0
Absent and not voting	0

THE CHAIR:

Consent Calendar -- the Second Consent Calendar
is now adopted.

Thank you, Mr. Clerk.

Senator Looney, you have the floor, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, that will conclude our business
for -- for today's session.

I just wanted to announce that there will be a
Democratic caucus immediately upon conclusion of the
session and that it's our intention to convene
tomorrow at noon there, as I will yield the floor for
members, for purposes of announcements of committee
meetings or points of personal privilege.

THE CHAIR:

Are there any announcements or points of personal
privilege at this time?