

PA 11-022

HB6445

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

**VOL.54
PART 3
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suspension of our rules for the immediate transmittal to the Senate and the calendar numbers are 61, 265, 297, 298 and 299.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Question is on suspension.

Is there objection? Is there objection?

Hearing none, so ordered. The rules are suspended and those items will be transmitted to the Senate.

Let us return to the call of the calendar.

Mr. Clerk, kindly call Calendar 135.

THE CLERK:

On page 32, Calendar 135, House Bill Number 6445, AN ACT CONCERNING EMERGENCY NOTIFICATION SYSTEMS, favorable report of the Committee on Government Administration and Elections.

DEPUTY SPEAKER GODFREY:

The distinguished chairman of Public Safety Committee, Representative Dargan.

REP. DARGAN (115th):

Thank you, Mr. Speaker.

I move acceptance of the joint committee's favorable report and passage of the bill.

DEPUTY SPEAKER GODFREY:

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Question is on acceptance and passage.

Will you explain the bill, please, sir?

REP. DARGAN (115th):

Thank you, Mr. Speaker.

This bill basically protects the information that's in the system of notification underneath our Freedom of Information law.

Mr. Speaker, the Clerk has an amendment, LCO 5282, may he please call it, and I be allowed to summarize.

DEPUTY SPEAKER GODFREY:

The Clerk is in possession of LCO Number 5282, which will be designated House Amendment Schedule "A."

Will the Clerk please call the amendment.

THE CLERK:

LCO Number 5282, House "A" offered by Representatives Dargan, Aresimowicz and Representative Olson.

DEPUTY SPEAKER GODFREY:

Gentleman has asked leave of the chamber to summarize.

Is there objection?

Hearing none, please proceed, Representative Dargan.

REP. DARGAN (115th):

Thank you, Mr. Speaker.

This is a technical amendment that also protects

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municipalities from the same exemption as the state system so if people give information to their database through 911 that this would be protected through the Freedom of Information and I move for its adoption.

DEPUTY SPEAKER GODFREY:

Question is on adoption.

Will you remark on House Amendment Schedule "A"?

Will you remark on House Amendment Schedule "A"?

If not, let me try your minds. All those in favor signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER GODFREY:

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?

Representative Chapin from New Milford.

REP. CHAPIN (67th):

Thank you, Mr. Speaker.

Mr. Speaker, regretfully, I rise in opposition to this bill. Two years ago, I had the pleasure of serving on the Public Safety Committee and being a participant in the public hearing process when we amended this statute

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and we included a new definition for "emergency notification system." I remember at the time during the floor debate I did inquire as to the definition of "emergency." I believe that the response I received was that this statute does not define that. My concern at the time was that these reverse 911 systems would be over utilized in situations that were really not a life threatening emergency.

This language before us today, as amended, actually strikes the life threatening part of that and I can tell you that within the last years there have been a number of calls that I have received as a reverse 911 phone calls that in my opinion were far from life threatening and in some cases, I don't believe that they were even -- should have been considered emergencies. I would have preferred that we had tightened up the language on what constitutes an emergency in these circumstances.

Unfortunately, it looks like that the language before us goes in the opposite direction and I believe that there are cases where this will become an even greater problem. I think in the future I would prefer the option, as I we have, I think, through the Department of Public Safety, on receiving text messages, but we have to opt-in to do that. I would hope that maybe in the future we could

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consider something like that and keep those phone calls coming only to those things that are really truly life-threatening emergencies.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

The gentlewoman from Danbury, Representative Giegler.

REP. GIEGLER (138th):

Thank you, Mr. Speaker.

I rise in support of the bill before us. It passed unanimously out of the Public Safety Committee. It clarifies the authority of the Governor in the case of an emergency and I urge my colleagues support. Thank you.

DEPUTY SPEAKER GODFREY:

Thank you, madam.

The gentleman from the 66th, Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

Mr. Speaker, if I might, just a few questions to the proponent of the bill.

DEPUTY SPEAKER GODFREY:

Please frame your questions, sir.

REP. MINER (66th):

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Thank you, Mr. Speaker.

The changes contemplated in this piece of legislation in light of the comments made by Representative Chapin, is it the intention that this system be broadened in any way to be a better opportunity for chief elected officials or other officials of the state to communicate with residents of a community. Through you.

DEPUTY SPEAKER GODFREY:

Representative Dargan, do you care to respond.

REP. DARGAN (115th):

Thank you, Mr. Speaker.

Through you to Representative Miner, there's been confusion about this issue. You know, the state uses a system, which is called Everbridge, which municipalities, if they use it, it's a really at no cost to them, but there are a number of 911 PCEP systems that are paid for directly by the municipalities by themselves. So that local board of selectman, mayor, counsel form of government could then if it's paid for by -- by its own municipality could set up its own guidelines for they consider is an emergency and what the reasons are that they might send out notification to a part of their community and/or their city. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

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Representative Miner.

REP. MINER (66th):

: Thank you, Mr. Speaker.

So in the case of this bill, as amended, is it the intention that the -- the state system would be used for anything other than an emerging? Through you.

DEPUTY SPEAKER GODFREY:

Representative Dargan.

REP. DARGAN (115th):

Through the guidelines that are set up through the state, that answer would be no.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so as this piece of legislation, if it were to be adopted by this legislative body, does this -- does this restrict or expand that municipal notification system? Through you.

DEPUTY SPEAKER GODFREY:

Representative Dargan.

REP. DARGAN (115th):

Thank you, Mr. Speaker.

Through you, just for clarification, that the General

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Assembly would not have any control over a local municipality by buying their own system of what guidelines that we wanted to submit, but if they're through our own system and there are monies that come from the state in order to pay for that system, there would be guidelines in place as far as for emergency notification. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

So as I understand your explanation, if the town of Litchfield were to implement such a system, piggyback on the state system, they would be bound by the same restrictions the state put its use of its system. Through you.

DEPUTY SPEAKER GODFREY:

Representative Dargan.

REP. DARGAN (115th):

Yeah, each community -- I mean there are guidelines to do this. Basically what this bill does is to have more subscribers with their cell phone use or tech use that they would be protected underneath the Freedom of Information. That this information would not be given out to other

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companies or subscribers. Through you.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And thank the gentleman for his answer with regard to the Freedom of Information.

I think my focus is more related to the use of this information in terms of reaching out to residents of a community. Am I correct that even if the Town of Litchfield were to develop a system, use the state's system as their template or, perhaps, be a part of that system, they are somehow restricted in the use of that system to emergencies, through you.

DEPUTY SPEAKER GODFREY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker. That's why the definition of "emergency" is not really defined in this bill. There is another bill that will be before us that might narrowly define that information because one community might give out specific information that a certain area or a street is closed, or there might be a flooding. Now, some people might suggest that that might not constitute an emergency,

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but if you went through five feet of water and you were stuck in there, other people might disagree with what the philosophy or the definition of emergency. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And I thank the gentleman for his answers.

I, having been a member of volunteer fire and ambulance of the years and a member of the E-911 Commission for some time, I can tell you that the use emergency notification systems is not only a statewide, but a national problem. More often than not, people will tell you and tell me that the line between what's an emergency and what is directions in terms of dialing 911 in the state of Connecticut for instance is more than blurred. I would hope that this legislation changing the definition from life-threatening emergency to emergency isn't going to further that blurring, but I'm afraid that it might.

More often than not in an effort to try and make something meet the needs of people, you know, we develop language that may be an enhancement, but I'm afraid that it may actually be going the wrong way. I think -- I

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certainly do support a broad notification system. I hope just this doesn't make it worse. Thank you.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

It's getting just a tad noisy in here. Could we all take our seats and clear the aisles, please. Thank you.

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Mr. Speaker, a question, through you, to the proponent of the bill, if I may.

DEPUTY SPEAKER GODFREY:

Please frame your question, sir.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Representative Dargan, this past November, we had a much celebrated election issue that took place in the Town of Bridgeport and it's my recollection that the 911 system was used at that time to notify of that issue and the fact of the polls would remain open for an additional two hours. Am I correct in the fact that that took place and that 911 system was used at that time. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Dargan.

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REP. DARGAN (115th):

Thank you, Mr. Speaker.

Through you, I mentioned earlier in my comments, that was an issue that came to my attention in the City of Bridgeport and the system notification that was used was paid for by the City of Bridgeport. Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

Through you, Mr. Speaker, I guess -- and forgive me if I missed this -- but to Representative Miner's points, in the use of the 911 system in that particular instance, was the city bound by any restriction that the state might have had certainly with regard to a definition of an emergency, through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, although, the questions raised by Representative Chapin and Miner, and now by Minority Leader Cafero, with the number of new technologies that exist out there, with PCEPs or public

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service answering recordings or reverse 911s, these are somewhat of a new systems and first responders and chief elected officials of our respective communities, or board of selectman or board of alderman, or whatever form of government, that we do come under, are still trying to come up with a procedure in place.

With that issue that took place in Bridgeport, I know I've had some conversations with Representative Chapin about that and thought that would be a misuse of maybe the system in a 911 system as far as what was engaged in a political event that day. So with that in mind, we are trying to set some guidelines up. When municipalities do want to come into the system that is proposed through the state that there would be some guidelines so this incident would not happened, but we really don't have any jurisdiction over if a community wants to buy a specific technology in order to communicate with the residents within their community.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

I guess I take from your comments -- and I again

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forgive me if I missed the previous dialogue -- that currently if a municipality chooses to join in the State's 911 system, we really haven't worked restrictions and it's sort of up to the local municipality to set their own guidelines as to how they use it for their particular residents. It sounds that if that in the future what you are hoping to do through your committee and this Legislature is establish guidelines that if in the event a municipality cares to piggyback, as Representative Miner said, to the 911 system, they would be bound to the same restrictions we set as a state in their local municipality regardless of whether their local municipality wanted to use it a different way. If, in fact, they did want to use it a different way, I gather from your comments, they'd have to buy their own system, but if they use the state system, they'd be restricted to whatever the state said it has to be restricted to, in this case, emergency situations, as you hope to be further defined in another piece of legislation.

Is that accurate? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, that is a fair and an

accurate assessment from Minority Leader Cafero. Again, just to point out that this is new technology. I know communities have taken their lumps as what the reasoning they use reverse 911 or whatever system they have in place and, you know, it's a learning curve and we're trying learn with this new technology to protect as many residents as possible, but to also have some guidelines in place so we can't say that Minority Leader Cafero will be walking today on Main Street in Norwalk, please come out and see him. I'm sure some people might, in Norwalk, like to hear that and would like to see Minority Leader Cafero walking down Main Street. In other instances, they might through tomatoes at Representative Cafero. So those are some of the learning curves that we do that, Representative Cafero.

DEPUTY SPEAKER GODFREY:

Three servings of vegetables. Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Representative Dargan, I hope to God that it is never used for that purpose. I guess just my last question would be, if we adopt this bill, however, we have to make clear that those future restrictions on the system are not

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contained in this bill, and therefore, even with the passage of this bill, currently, if nothing else was done, a municipality who is using the state system would be able to determine what they individually, as a community, believe is an emergency and not, and that will be the case and remain the case until subsequent legislation is passed to more strictly define the use of a 911 system. Is that accurate? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Dargan.

REP. DARGAN (115th):

Through you, that is accurate.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

I thank the gentleman for his answers.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

For the second time, Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

Mr. Speaker, it kind of troubles me that we're having this conversation about what appears to me to be a

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reduction in the definition as to what purpose this system could be used for. The language clearly goes from life threatening to emergency. I think the intention of that is as it described was that it was emergencies other than life-threatening emergencies. There is also some language in the bill that talks about what would be available in terms of the Freedom of Information Commission. I get all that.

Whether you have a private phone, a public phone, whether you have a private system or not private system, we have rules in place about what 911 means and I guess, you know, as I stand here today, I'm still concerned that this language as it was discussed in committee could have been clearly expanded to make the Legislature's interest known to municipalities that this was not the purpose for which this system was designed, that we did not suggest that there was in any way an intention that a system that would allow for the notification of an impending tornado or something other than that, something like that, while it might not be specifically be life threatening, it certainly is threatening to life and health and well-being, but that's not contained in here.

So we're going to wait another day, another month, another year for language that restricts its use against

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notifying people that the minority leader is going to be on Main Street. I just find that troubling, Mr. Speaker. And I do appreciate the people who take their work here very seriously, but I don't know under what bill that language would somehow be included in the future. And I don't -- I mean I guess I'm not sure if that was a question -- is a question that would be properly before the Legislature at this time if I were to ask the Distinguished Chairman, if he could identify the legislation under which he anticipated the restrictions that were suggested by Minority Leader Cafero being included in legislation this year. If not here, is there another bill that we would expect to be coming. If I could, through you.

DEPUTY SPEAKER GODFREY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker, I believe that there is. I'm trying to remember the number. I don't have it off the top of my head, but I think it has to deal with the definition of defining "emergencies." Through you.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

And if so I could, to the best he understands, that bill would be before the Legislature during this legislative session to be taken up, through you.

DEPUTY SPEAKER GODFREY:

Representative Dargan.

REP. DARGAN (115th):

Through you, I assume that it would be unless it dies in another committee if it's referred to and I can't answer that that, through you.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

And so I'd ask one further question, again, knowing that I may be stretching it a little bit, the language that we're talking about, would that be a subject that would be germane to this piece of legislation. Should it be offered as an amendment? Through you.

DEPUTY SPEAKER GODFREY:

Representative Miner, I think the question of germaneness is a subject for a chair not --

REP. MINER (66th):

Fair enough.

DEPUTY SPEAKER GODFREY:

-- for a person who is debating a bill.

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REP. MINER (66th):

Fair enough. And so would it be -- through you, would that be a similar subject matter to this, putting aside the question of germaneness.

I'll withdraw the question. Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you.

Will you remark further on the bill as amended? Will you remark further on the bill as amended?

If not, staff and guests please come to the well of the House, members take your seat. 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, please.

DEPUTY SPEAKER GODFREY:

Have all the members voted? Have all the members voted? If all the members have voted, the machine will be locked. The Clerk will take a tally, and the Clerk will announce the tally.

THE CLERK:

House Bill 6445 as amended by House "A."

Total Number voting 145

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Necessary for adoption	73
Those voting Yea	107
Those voting Nay	38
Those absent and not voting	5

DEPUTY SPEAKER GODFREY:

The bill, as amended, is passed.

Will the Clerk please call Calendar 85.

THE CLERK:

On page 7, Calendar 85, House Bill 6373, AN ACT
CONCERNING THE ADMINISTRATION OF PERIPHERALLY-INSERTED
CENTRAL CATHETERS IN LONG-TERM CARE SETTINGS, favorable
report of the Committee on Public Health.

DEPUTY SPEAKER GODFREY:

The distinguished chair of the Public Health
Committee, Representative Betsy Ritter.

REP. RITTER (38th):

Thank you, Mr. Speaker.

I move acceptance of the joint committee's favorable
report and passage of the bill.

DEPUTY SPEAKER GODFREY:

Question is on acceptance and passage.

Will you explain the bill, please, madam.

Actually, before that Representative Ritter, just
getting a little noisy.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PUBLIC
SAFETY AND
SECURITY**

**PART 4
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2011

ROBERT ROSS: Indoor. Yep.

SENATOR HARTLEY: Okay. Well, then that is beyond the scope.

ROBERT ROSS: Right. Okay.

SENATOR HARTLEY: That's all I'm trying to get at. Thank you very much.

Thank you, Mr. Chair.

REP. DARGAN: Further questions from committee members? Hearing none.

Thank you very much for your testimony, Rob.

ROBERT ROSS: Thank you.

REP. DARGAN: The next presenter is Commissioner Peter Boynton, the Department of Emergency Management and Homeland Security.

COMMISSIONER PETER BOYNTON: Good morning, Senator HB6445 Hartley, Representative Dargan, members of the Public Safety Security Committee. My name's Peter Boynton. I'm the Commissioner of the Department of Emergency Management and Homeland Security.

The first bill I'd like to comment on is H.B. 6444, AN ACT CLARIFYING THE DEFINITION OF EMERGENCY IN MAJOR DISASTER. And there's actually two items within that bill.

The first is to clarify the definitions of "major disaster" and "emergency" and make it easier to apply during an emergency situation by re-defining major disaster to include catastrophes for which the Governor has declared a civil preparedness emergency and by re-defining

"emergency" to include state-declared emergencies.

Currently, the definitions mirror the federal Stafford Act language to be used only when a disaster or emergency rises to the level of a presidential declaration, and this change would reflect the actual usage of the terms at the state level.

And the second item I'd like to comment on in that bill is that it would change the term "local civil preparedness director" to "local emergency management director." We view the two terms as interchangeable, but most often those individuals are referred to as emergency management rather than civil preparedness directors.

The second bill I'd like to comment on is H.B. 6445, AN ACT CONCERNING EMERGENCY NOTIFICATION SYSTEMS OR ENS. Those are vital tools to alert the public in the event of an emergency. And there's actually two items within that bill.

The first is to exempt any subscriber or emergency contact information collected for what's known as CT Alert, for the purpose of the Emergency Notification System from disclosure under the Freedom of Information Act. We believe that the general public will be less likely to sign up for these critical alert functions if their contact information then became available for other purposes.

And the second item in that bill is to change how the subscriber information, the contact information, can be used from life-threatening emergencies to emergencies. This will clarify for the users how they need to use that system.

And I just want to thank you for the opportunity

to comment in support of these important pieces of legislation.

REP. DARGAN: Thank you, Commissioner. Comments from members of the committee? Any comments from members of the committee?

Just one, Commissioner, on the Emergency Notification Systems you talked about referencing -- more specifically, I guess it would be, you know, FOI -- every time we seem to exempt something from FOI they always seem to have a problem with that.

And I remember a few years ago when we were working on -- with major industries similar to the SARA Act, the right-to-know -- more specifically, dealing with firefighters when they go to call within their specific community what type of chemicals might be in that facility.

We were able to work with a number of key private companies within our state, including the nuclear power plant in Waterford as far as what their security was. And we were able to make sure that that was not underneath the Freedom of Information, so for that reason a number of companies complied to what we were looking to try to do at that time.

And is this the same -- have you had any conversations with any individuals over at FOI specifically dealing with what we're trying to do here?

COMMISSIONER PETER BOYNTON: I would comment that there is an ENS working group that we've been using since we started using the system. And they do support this, but let me just touch base on the FOI.

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COMMITTEE

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10:00 A.M.

A VOICE: (Inaudible) -- we did communicate with FOI
and passed some e-mails back and --

REP. DARGAN: Just come forward just so we can get it
on record.

COMMISSIONER PETER BOYNTON: I think the short answer
is yes.

REP. DARGAN: Okay.

COMMISSIONER PETER BOYNTON: We did communicate with
them.

REP. DARGAN: Okay. Thank you for that. Further
questions from any committee members?

Thank you very much, Commissioner, for coming
before us today.

COMMISSIONER PETER BOYNTON: Thanks for the
opportunity.

REP. DARGAN: Thank you.

Next presenter is Chief Jim Strillacci.

JIM STRILLACCI: I'm Jim Strillacci, Police Chief from
West Hartford.

I'm speaking for the Connecticut Police Chiefs
Association on several bills. We support 6429,
AN ACT CONCERNING STORAGE OF STOLEN PROPERTY.

HB 6415
SB 966
SB 967
HB 6377
HB 6376

Under current law, police make an arrest and
seize stolen property as evidence. We can return
it if it's worth less than \$250 otherwise we have
to seize it as evidence, log it in at the police
station, and hold it. This evidence is very
seldom used in court. Most cases don't go to
trial. Most are plea bargained away, or pled

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE COMMISSIONERColonel Danny R. Stebbins
Acting CommissionerLieutenant Edwin S. Henion
Chief of Staff

March 3, 2011

Rep. Stephen Dargan, Co-Chairman
Sen. Joan Hartley, Co-Chairman
Public Safety and Security Committee
Legislative Office Building
Hartford, CT 06106

HB 6445 AN ACT CONCERNING EMERGENCY NOTIFICATION SYSTEMS

The Department of Public Safety supports this bill.

The Connecticut Emergency Notification System ("CT ENS") protocol working group identified two legislative issues with respect to Connecticut General Statutes Section 28-28a as amended by Public Act 09-86. This proposed bill will address those issues through technical improvements to the emergency notification system legislation which was enacted in 2009, specifically to subsection (a) of section 2 of Public Act 09-86.

The first portion of the legislative proposal eliminates the phrase "life-threatening" from the description of emergency, thus making it easier for authorized users of the CT ENS to determine when the state E 911 database may be used.

The second proposed change is to include "any subscriber or emergency contact information collected in connection with an emergency notification system" within the type of information which is confidential and not subject to disclosure under FOI, as the E911 database is currently protected. This will allow citizens to be able to provide their contact information without compromising their privacy or safety as many citizens now use cell phone numbers and e-mail addresses which may not be currently protected from public disclosure.

Sincerely,

A handwritten signature in cursive script, appearing to read "Col. Danny R. Stebbins".

Colonel Danny R. Stebbins
ACTING COMMISSIONER



P3 L 10

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**STATE OF CONNECTICUT
DEPARTMENT OF
EMERGENCY MANAGEMENT AND HOMELAND SECURITY**



Public Hearing – March 3, 2011
Public Safety and Security Committee

Testimony Submitted by:
Commissioner Peter J. Boynton
Department of Emergency Management and Homeland Security

Good Morning Senator Hartley, Representative Dargan and members of the Public Safety and Security Committee. Thank you for this opportunity to comment on two bills before you today.

The first bill I would like to comment on is HB 6444-An Act Clarifying The Definition of “Emergency” And “Major Disaster”.

This bill makes the definitions of “major disaster” and “emergency” clearer and easier to apply during an emergency situation by redefining “major disaster” to include catastrophes for which the Governor has declared a civil preparedness emergency and by redefining “emergency” to include state-declared emergencies. Currently, the definitions mirror the federal Stafford Act language, to be used only when a disaster or emergency rises to the level of a Presidential declaration. This change reflects the actual usage of these terms on the state level.

The bill also changes the term “local civil preparedness director” to local emergency management director. Although we view the two terms as interchangeable, these individuals—who serve as critical links between local response disciplines, local government, and DEMHS—are most often now referred to as “emergency management” rather than “civil preparedness” directors.

The second bill I would like to comment on is HB 6445-An Act Concerning Emergency Notification Systems. Emergency Notifications Systems are vital information tools in alerting the public of an emergency. The general public would be less likely to sign up for these critical alerts if their contact information was available for other purposes.

This bill would exempt any subscriber or emergency contact information collected for the purposes of an emergency notification system from disclosure under the freedom of information act. The bill also changes how subscriber information can be used from “life threatening emergencies” to “emergency”.

Again, thank you for the opportunity to comment in support of these two important pieces of legislation.

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THE CLERK:

Madame President, turning to Calendar page 12, Calendar 328, House Bill 6445, AN ACT CONCERNING EMERGENCY NOTIFICATION SYSTEMS AS AMENDED BY HOUSE AMENDMENT SCHEDULE "A", LCO 5282, Favorable Reports of the Public Safety and the GAE Committees.

THE CHAIR:

Senator Hartley, good afternoon.

SENATOR HARTLEY:

Good afternoon, Madame President and welcome back. Madame, I move acceptance and passage of the joint committee's Favorable Report and passage of the bill.

THE CHAIR:

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

SENATOR HARTLEY:

Yes, thank you very much, Madame. In concurrence with the House, yes this is a common sense proposal which first of all refines our definition of emergency eliminating the term life threatening so that we here in the State of Connecticut will be able to --

THE CHAIR:

Senator, can you wait a minute? Can I ask the

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Senate to please lower their voices a little? It is hard to hear the Senator speaking. Thank you.

Senator, please proceed.

SENATOR HARTLEY:

Thank you, Madame President. Which will allow the State the Connecticut to declare a state of emergency by virtue of a Governor's declaration. Additionally, it also recognizes that the technology and the world in which we live in now is constantly changing and would allow for the email addresses and cell phone addresses to be protected from the freedom of information so as people will not be reluctant to be part of the database and have the benefit of the alert system. I move acceptance and passage, Madame.

THE CHAIR:

Thank you. Acceptance of the bill, will you remark? Senator McLachlan.

SENATOR McLACHLAN:

Thank you, Madame President. I rise for a purposeful question to the proponent.

THE CHAIR:

Please proceed, sir.

SENATOR McLACHLAN:

Thank you, Madame President. Senator Hartley, in

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the City of Danbury there are essentially two reverse 911 systems. Reverse 911 of course is a trade name, not a system name and in the system that is used there which is often used for informational purposes, there are two databases for notification.

One is the emergency 911 database which includes everyone's phone number including those whom are unlisted or unpublished. And, then there's another database which is a commercially available telephone database that includes everyone who's phones are not on the do not call list.

So, I just want to be sure that for those communities that have a system available to them for informational purposes and do not use the emergency 911 database that includes the nonpublished and unlisted phone numbers, are they able to continue using that without any challenge by this legislation, through you, Madame President?

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you. Through you, Madame President, that is my understanding, Senator.

SENATOR MCLACHLAN:

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Thank you very much.

THE CHAIR:

Will you remark? Senator Boucher.

SENATOR BOUCHER:

Thank you, Madame President. When this bill was reviewed by some of us it brought to mind this latest November election when the reverse 911 system was used to alert voters that the polls were still open even though it was after the normal hours and I was just wondering if I could ask through you, Madame President, if the proponent of the bill had any discussions around that issue when they were contemplating this bill, through you, Madame President?

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Through you, Madame President. Senator Boucher, we recognized the situation that had occurred in November and that really was relevant to a local system, not our statewide system which we do not oversee, pay for or support in any way. So, it's kind of like that local control thing that we in Connecticut are so steeped in and we kind of left it

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at that.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Madame President, I really thank the proponent for that answer. So, am I to understand through you, Madame President, that there's no statewide policy as to the proper use of the statewide 911 system with regards to what constitutes an emergency and what's the appropriate use of the reverse 911 and in addition for a statewide election, through you.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you, Madame President. With regard to local individual municipal systems, the state does not oversee those.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madame President. I appreciate those answers and I do believe that that discussion and debate might be reserved for another occasion and maybe even before the end of the session. Thank you

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very much. Through you, Madame President.

THE CHAIR:

Thank you. Will you remark? Senator Hartley.

SENATOR HARTLEY:

Yes, thank you, Madame President. If there is no objection, I would ask that this be put on the Consent Calendar, Madame.

THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk.

THE CLERK:

Madame President, on page 12, Calendar 334, substitute for House Bill 6484, AN ACT CONCERNING THE AVAILABILITY OF ACCIDENT RECORDS OF THE STATE POLICE, Favorable Report of the Public Safety Committee and the Clerk has an amendment.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you, Madame President. I move acceptance of the joint committees Favorable Report, Madame, and passage of the bill.

THE CHAIR:

Acting on approval of the bill, will you remark

the Clerk might call the items on the second Consent Calendar so that we might move for a vote on that second Consent Calendar.

THE CHAIR:

Mr. Clerk, please call the bills.

THE CLERK:

Madame President.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Starting on page 4, Calendar 102, page 5, Calendar 125, page 6, Calendar 191, page 7, Calendar 104, page 9, Calendar 187, page 11, Calendar 287, page 12, Calendar 240, page 12, Calendar 328, page 12, Calendar 334, page 14, Calendar 366, page 17, Calendar 318, page 18, Calendar 338, page 24, Calendar 472, page 34, Calendar 176, page 37, Calendar 90, page 43, Calendar 197, page 46, Calendar 251. These are the items that the Clerk has on the second Consent Calendar.

HB6176
SB153
SB1078
SB1069
HB6445
HB6484
SB 38
HB6481
SB958

THE CHAIR:

Mr. Clerk will you now call for a roll call vote and the machine will be open on Consent Calendar two.

THE CLERK:

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An immediate roll call vote on Consent Calendar two has been ordered in the Senate. Will all Senators please return to the Chamber? An immediate roll call vote on Consent Calendar two has been ordered in the Senate. Will all Senators please return to the Chamber?

THE CHAIR:

Mr. Clerk will you please call the roll call vote again, please?

THE CLERK:

An immediate roll call vote on the second Consent Calendar has been ordered in the Senate. Will all Senators please return to the Chamber? An immediate roll call vote on the second Consent Calendar has been ordered in the Senate. Will all Senators please return to the Chamber?

THE CHAIR:

Have all members voted? Have all members voted? The machine will be locked and the Clerk will call the tally.

Do you want to call it again and this time we'll all -- we're going to recall that vote.

THE CLERK:

An immediate roll vote call has been ordered in

the Senate. Will all Senators please return to the Chamber?

THE CHAIR:

The machine will be open.

Have all members voted? All the members voted the machine will be locked and will the Clerk please call the tally.

THE CLERK:

Madame President,

Total Number voting 34

Necessary for adoption 18

Those voting Yea 34

Those voting Nay 0

Those absent and not voting 2

THE CHAIR:

The Consent Calendar number two has been adopted.

Senator Looney.

SENATOR LOONEY:

Thank you, Madame President. Madame President that will conclude our business for today but at this point would yield the floor for any members for purposes of announcements of committee meetings or other points of personal privilege.

THE CHAIR: