SA 11-002

SB1238

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CONNECTICUT
GENERAL ASSEMBLY
HOUSE

PROCEEDINGS
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VOL.54
PART 3
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THE CLERK:

House Bill 6278.

Total Number voting	144
Necessary for adoption	73
Those voting Yea	144
Those voting Nay	0
Those absent and not voting	6

DEPUTY SPEAKER GODFREY:

The bill is passed.

The Clerk is in possession of Emergency Certified Senate Bill Number 1238. Will the Clerk please call.

THE CLERK:

Emergency Certified Bill 1238, AN ACT CONCERNING THE BOUNDARY LINE BETWEEN THE TOWN OF TRUMBULL AND THE CITY OF BRIDGEPORT, LCO Number 5338.

DEPUTY SPEAKER GODFREY:

The distinguished Chairwoman of the Planning and Development Committee Representative Gentile.

REP. GENTILE (104th):

Thank you, Mr. Speaker.

Mr. Speaker, I move passage of the Emergency Certified Bill.

DEPUTY SPEAKER GODFREY:

Question is on passage of the emergency certified

bill. Will you explain the bill please, madam.

REP. GENTILE (104th):

Certainly. I would be happy to.

What the bill does is the bill transfers the land described in this bill from Trumbull to Bridgeport. It also amends two special prior acts, one from 1994 and one from 1961 to reflect the transfer made in this act. It requires DEP to discuss allowing Trumbull to use approximately 19 acres for recreational purposes.

Section 1 of the bill describes the land to be transferred. Section 2 validates deeds, easements, liens and other instruments concerning the transferred property. Section 3 of the bill amends a 1994 special act by making a technical change and allowing DEP to purchase replacement property outside of Bridgeport instead of within.

Section 4 requires DEP to negotiate in good faith with Trumbull to allow that Town to utilize a portion of the property, approximately 20 acres for uses consistent with the restrictions on the property, specifically for parks and recreation.

And finally, Section 5 amends a 1961 special act that established the boundaries of the Trumbull Center Fire District to exclude the property being transferred in this

bill.

I urge passage.

DEPUTY SPEAKER GODFREY:

Thank you, madam.

Will you remark further on the Emergency Certified Bill?

The gentleman from Trumbull, Representative Rowe.

REP. ROWE (123rd):

Thank you again, Mr. Speaker.

And you know, a boundary change is not something that ought to be done lightly, but this e-cert is the result of a lot of negotiations between the Trumbull first selectman Tim Herbst, Bridgeport's Mayor Bill Finch and the Governor's office. And each of the three of them, those entities has signed off on it and is confident that it is in the best interests of the City of Bridgeport, the Town of Trumbull and the State of Connecticut at large.

You know, the issue here isn't whether or not the magnet school on which the property will be built should go forward. It's not an inexpensive school. The Governor however has indicated that the school is going to be built. So since this school is going to be built -- and the school has great promise. Notwithstanding it's great cost, it does have great

promise.

But since the school is going forward it's appropriate that we revise these boundary lines. It will -- it is more appropriately sited in Bridgeport. They can handle all that must be handled that goes along with a high school of this size.

And I'm very pleased that the bill also contains a section which will call upon the Department of Environmental Protection to negotiate in good faith with the Governor's office by their side and the Town of Trumbull to convey land to the Town from the State for purposes that will suit, not just the town of Trumbull and the region at large, but the greater state.

So I rise in support. I thank the Governor's office, the legal counsel for the work that they did, my first selectman Tim Herbst, the Mayor Finch as well. And will be voting in favor of the e-cert.

Thank you.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

The distinguished ranking member of the Planning and Development Committee, Representative Aman.

REP. AMAN (14th):

Thank you, Mr. Speaker.

As ranking member, it would be very difficult for me to say to my Trumbull rep that something that had been negotiated between Bridgeport and Trumbull for this long a period of time is something that I would not urge my colleagues to support. So of course I will be.

I think it's very unusual that we have a parcel in that area that is that large, 55 acres that would be available to build a school. I know that one of the major problems almost every community in Connecticut has today is when a need for a school is decided, trying to find a parcel of land that is both suitable and large enough to hold it is very often virtually impossible.

So it does seem like this compromise between Trumbull and Bridgeport is well thought out and will do work to the advantage of both communities. And so I urge my colleagues to support it.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

The gentleman for Bridgeport's 128th District, Representative Ayala.

REP. AYALA (128th):

Thank you, Mr. Speaker.

I rise today on behalf of the Bridgeport delegation to talk about this particular e-cert bill. This

bill -- actually prior to the bill, this has been negotiated and talked between Trumbull and Bridgeport for quite some time. We are very appreciative of the Governor's office in helping to facilitate the conversation that happened between the two municipalities. And I want the people in this Chamber to understand maybe some of the intricacies of this particular project.

This interdistrict magnet will actually be home to seven different towns in the region. The towns that will be participating in this interdistrict magnet will be Bridgeport, Trumbull, Stratford, Milford, Shelton, Easton, Monroe and Fairfield. So I think it really speaks well to the regionalization efforts that we're trying to push forth in -- here in the state.

In addition to this, the school will be 1500 slots, brand new slots opened up, which will give individuals from that region who want to specialize in science; there's going to be a main focus of a science curriculum in this magnet school. And that's extremely important, understanding the challenges that we face with individuals in our schools that are trying to achieve in the science curriculum. So this is extremely important.

The areas that will be discussed or the areas that

will be covered in this curriculum, as far as I am aware, is information technology, aeronautical science, zoology slash botany.

As I also understand by the time we finish building out this school, this school will actually be one of the greenest buildings in the state of Connecticut. They are upholding standards that go beyond what other schools are calling for or have. I believe that by the time it's finished it will receive a platinum standard certification to this building. So I think that's also something that is very important for us to be aware.

And the reason why this makes sense for the city of Bridgeport and the reason why the delegation has gotten behind it after speaking with the administration, one of the problems with the city of Bridgeport, although we have a tremendous amount of population, 147,000 people in our city, we're landlocked. So in essence to build this school anywhere within the city of Bridgeport, we would be decimating neighborhoods, taking down good housing stock to be able to make this happen.

I also want to thank the Fairchild Wheeler family. Without their consent this would never have been able to even start rolling. We would not have been able to begin this conversation. So I think it's important to recognize

the efforts and the fact that Fairchild Wheeler consented to having this school built on this property, which essentially when it was deeded to the City, which was then deeded to the State, was specifically to be used only as parkland.

And because of conversations and court proceedings, the Fairchild Wheeler family actually gave us the go ahead to be able to have this type of a use of this particular lot.

So with that I urge acceptance of this bill and I ask everyone to vote in favor. Thank you.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

The gentleman from Bridgeport's 126th District, Representative Stallworth.

REP. STALLWORTH (126th):

Thank you, Mr. Speaker.

Mr. Speaker, I take it as a wonderful opportunity that my first chance to speak on this floor I get to speak in support of this wonderful bill that would do wonderful things for education and in particular, Bridgeport and surrounding towns and cities.

This school would help to put people back to work as well as provide top-notch educational curriculum. And I

am -- I welcome the school to the north end of Bridgeport and I stand in support.

Thank you.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

The gentleman from Norwalk, Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Mr. Speaker, ladies and gentlemen of the Chamber, I stand in support of the emergency certified bill that's before us.

I simply rise for this purpose. Often in this Chamber, sometimes more often than I would care to see, we have emergency certified legislation that is before us. And I'm a firm believer, as I know you many of you are, that we shouldn't call or act upon something called an emergency certification unless it is truly an emergency.

And it is my understanding that in this particular case the timing of our passage of this bill does constitute an emergency with regard to the survival of this project and I think that's important to establish for the record.

And I would ask through you, Mr. Speaker, the good Chairwoman of Planning and Development Representative Gentile to just describe for the benefit of the Chamber,

most importantly the record, the emergency nature of this particular piece of legislation.

Thank you.

DEPUTY SPEAKER GODFREY:

Representative Gentile, do you care to respond?

REP. GENTILE (104th):

Thank you, Mr. Speaker. Yes, I'd be happy to.

Bridgeport currently has an application pending before the Trumbull Planning and Zoning Commission and it's one-time 60-day extension will, in fact, expire on April 18th.

Furthermore, resources have been allocated to plan for and design the school and the goal is to have the school open for the 2013-2014 school year. And with this ambitious date in mind land issues must be resolved now to allow the project to move forward.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

Thank you, sir.

The gentleman from Bridgeport's 124th District, Representative Clemons.

REP. CLEMONS (124th):

Thank you, Mr. Speaker.

I stand to applaud the efforts of this Chamber in

bringing this e-cert to fruition. Also this just goes to show how both sides of the aisle can work together in a bipartisan manner for our children. And it's an exciting day for Bridgeport and Trumbull.

Thank you.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Representative Hwang.

REP. HWANG (134th):

Thank you, Mr. Speaker.

I rise in support of this bill as it serves the interest of education in our community. And more than anything else, it applauds the work of the Governor. And we hope to pass this in support of our first selectman in Trumbull.

Thank you.

DEPUTY SPEAKER GODFREY:

Thank you, Representative Hwang.

Will you remark further on the bill? Will you remark further on the emergency certified bill? If not, staff and guests please come to the well of the House. Members take your 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, please.

DEPUTY SPEAKER GODFREY:

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

THE CLERK:

House Bill 1238.

Total Number voting	144
Necessary for adoption	73
Those voting Yea	144
Those voting Nay	0
Those absent and not voting	6

DEPUTY SPEAKER GODFREY:

The emergency certified bill is passed.

The distinguished Majority Leader Representative Sharkey.

REP. SHARKEY (88th):

Thank you, Mr. Speaker.

Mr. Speaker, I move for the suspension of our rules for the immediate transmittal of the previous bill to the Governor.

DEPUTY SPEAKER GODFREY:

The question is on suspension of the rules for the

immediate transmittal of the emergency certified bill to the Governor. Is there objection? Is there objection? Hearing none, so ordered.

Will the Clerk kindly call Calendar 185.

THE CLERK:

On page 18, Calendar 185, House Bill Number 6545, AN ACT CONCERNING THE PROVISION OF PROPHYLACTIC AND EMERGENCY CARE TO HOSPITAL PATIENTS, favorable report of the Committee on Public Health.

DEPUTY SPEAKER GODFREY:

The distinguished Chairwoman of the Public Health Committee Representative Betsy Ritter.

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 GODFREY:

The question is on acceptance and passage. Will you explain that please, madam.

REP. RITTER (38th):

Thank you, Mr. Speaker.

Mr. Speaker, this bill came to us at the request of the American Academy of Pediatrics following a clarification of rules from CMS, the Centers for Medicare

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Calling from Senate Agenda Number 3, matter marked, order of the day, Emergency Certified Bill 1238, AN ACT CONCERNING THE BOUNDARY LINE BETWEEN THE TOWN OF TRUMBULL AND THE CITY OF BRIDGEPORT. The bill is accompanied by emergency certification, signed, Donald E. Williams Junior, President Pro Tempore of the Senate, Christopher J. Donovan Speaker of the House of Representatives.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Good afternoon, Madam President.

THE CHAIR:

Good afternoon.

SENATOR MUSTO:

I move the emergency certified bill.

THE CHAIR:

Acting in concurrence and approval of this bill, will you remark further?

SENATOR MUSTO:

Yes. For clarification of the bill, Madam President.

THE CHAIR:

Please proceed.

SENATOR MUSTO:

This bill comes to us as a negotiating bill between Trumbull and Bridgeport regarding the boundary line between the two cities. I would point out some of the things it does not do in the first instance.

It does not move any individuals in their homes. It does not change anyone who lives currently in either town and make them a resident of the other town. It simply changes the border regarding what is now state-owned parkland. It does not therefore impact any redistricting that may be going on right now after the current census.

What it does do is give an opportunity to Bridgeport which purchased this land last year as part of the conveyance bill. It gives Bridgeport ownership -- or not ownership, but it puts that land within the boundaries of the city of Bridgeport, because right now that land is in the boundaries of Trumbull.

So by putting that land in Bridgeport it gives Bridgeport the opportunity to control the zoning process and the -- it gives them to -- control the zoning --

THE CHAIR:

Sorry.

SENATOR MUSTO:

That's not your fault, Madam President.

-- to cover the zoning process and the building process for a magnet school that is slated to be built on that property.

It also conveys the land, so it acts as a conveyance bill to a certain extent, to the City of Bridgeport as we did last year. It makes -- it amends that law to make it clear that this land is now in the city of Bridgeport, as opposed to the city -- the town of Trumbull. And it changes the fire district boundaries in Trumbull, which is a completely internal issue just to account for the change.

It also requires that DEP, which currently owns a second piece of parcel which is also in the boundaries of Trumbull, but is being used by Bridgeport at this time as a facility for their park and rec department. It suggests and -- requires the DEP to negotiate in good faith to sell that land to Trumbull. That land is currently vacant land other than the Bridgeport facility. It was given to Bridgeport almost a hundred years ago and subsequently conveyed to the State with a deed restriction that will only be used for park

purposes. That deed restriction is written to this bill and will continue as well.

And so with that, Madam President, I would ask for the support of the circle regarding this bill. Thank you.

THE CHAIR:

Thank you. Will you remark?

Senator Suzio, please proceed.

SENATOR SUZIO:

Thank you, Madam Chair.

I have no objection to the bill as has been proposed, however as someone who -- since this bill does pertain to a magnet school and as someone who has been involved in public education in the form of activity on my local board of education for many years, I just wanted to express my concern about the efficacy of the magnet schools insofar as response to Sheff-O'Neill.

Basically we found the magnet school that we have in our city to be very, very beneficial to the city, but at the same time it seems to have had a minimal impact in terms of racial integration which is one of the primary goals of Sheff-O'Neill and of course one of the goals of the magnet school strategy the State

has adopted.

And I believe that's largely because most of the magnet schools have been built in the cities and I believe that there will be a much more successful integration of the schools if they were built in the suburbs.

So again, I don't have any objection to the bill that's here before us, but I would hope that this legislative body and the General Assembly would sometime in the future take a look at how the magnet school strategy has been implemented and reconsider potentially encouraging -- implementing it in terms of getting more of these schools in the suburbs where I think we'll be much more successful in developing more -- more racially diverse and integrated schools. And again, I support the bill and I thank you very much.

THE CHAIR:

Thank you, Senator.

Will you remark?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

Madam President, I also rise to support this particular endeavor in this bill, however it should be

noted that it is a sizable project, a hundred million dollars project opening up 2,000 slots for Bridgeport students. And it does certainly target a lot of eligible towns.

And you having been in the education arena for many years and I myself, likewise, are hopeful, always hopeful that magnet schools do what they are intended to do -- that it hasn't always been the case. We have high hopes for this, but we also should point out that there's some terrific charter schools in the Bridgeport area that also deserve a lot of attention and support; often times does not get as much and they've had to struggle a little uphill.

But they're doing incredible work. We've been fortunate enough to visit a number of those and have seen the outstanding students and the teachers that they attract and are really making great strides. And in cases where they have some of the most difficult to teach students they're getting some extraordinary results, with most of the kids graduating, wherein places where sometimes 50 percent unfortunately graduate.

So with that I do support this endeavor, but also making a pitch right now than we remember those charter

schools as we look at educational proposals that are going to come before us in this session.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark?

Senator Gomes.

SENATOR GOMES:

Thank you, Madam Chairman.

I just have a short comment to make. This bill will help the -- let construction go forward and it will benefit the city of Bridgeport. And the agreement that we've made with Trumbull is a good agreement and we benefit from it. And Trumbull will benefit from it, too, because a parcel of land will be exchanged between Bridgeport and them.

And this is a parkland that years ago Fairchild Wheeler who was a millionaire in the city of Bridgeport, donated this land to Bridgeport and it was designated for park use. So what will happen with -- Trumbull will have control of it, but the thing of it is it will still be designated for park use and we will have the other property. And we will go forward with the magnet school. And we thank you.

And I would hope that everybody here in the circle will recognize what we're trying to do. We're trying to build a magnet school that will not only benefit Bridgeport, but it will benefit Trumbull, too, because it will not just be Bridgeport students that attend this school, some Trumbull school students will too. Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark?

Senator Frantz.

SENATOR FRANTZ:

Thanks, Madam President.

I have a question through you, Madam President, to the proponent of the bill.

THE CHAIR:

Please proceed.

SENATOR FRANTZ:

Senator Musto, I don't sit on the education committee. I don't know all that much about magnet schools. I'm not going to be standing in the way of this proposal. I think it's probably a good one, but I am curious about the overall performance to date of this relatively new concept that we call magnet schools

in the State of Connecticut, especially if you compare it to some of the new paradigms.

I may not be asking the right person and maybe you can defer to someone else, but just a brief summary of how we've done in Connecticut with respect to magnet schools. Are the kids getting through? Are we seeing a hundred percent graduation rates or close to that? Are we seeing them move on to schools after that? And how many of them go on to higher education?

Through you, Madam President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Thank you, Madam President.

Senator Frantz, I don't know the answer to that because I -- neither do I sit on education, for that matter.

I can tell you that the magnet schools -- not all magnet schools, but some of the alternative schools that are in Trumbull and Bridgeport. We have the agriculture school in Bridgeport down by Long Island Sound. We have the agro-science center in Trumbull. It's not exactly the same type of school, but it's a separate alternative education type program. We have

what we call, Six to Six Magnet School, which is also in Bridgeport.

The Trumbull families that go to these schools -- and there are many of them -- send their children to these schools, are extremely satisfied with them. And we've had an internal debate in Trumbull about whether this school was a good idea.

And what I don't want to do too much today although, you know, I'm certainly happy to answer any question I can, is get too much into the merits of the magnet school. They cost money. They require state investment. They do other things that we can talk about at some other time.

I'm not myself as familiar with the magnet schools in general, as I said. But I can tell you that anecdotally the schools we do have in this area that both Trumbull and Bridgeport students go to. And the Six to Six Magnet School, by the way, is for young children. It's not a high school. I've gotten very good reports from them.

And whether we go this way in the future as a State, as has been suggested, or whether this school will get a hundred percent graduation rate, I don't even know that any schools have a hundred percent graduation

rate. I can't say.

What I can say is in regard to this school, some of the programs that are going to be offered are going to partner very closely with Beardsley Zoo. It's our only zoo in the state and there's a zoological program that this school would be -- it's part of the curriculum, part of the school curriculum would be zoology.

There is aerospace and we have Sikorsky and a subsidiary of Sikorsky that's going to be right next to where the school is going to be. So the educational benefits in this particular school I would certainly support in a debate, if we were having a debate about that. But regarding this particular bill, I'm sorry. I cannot answer your question specifically.

SENATOR FRANTZ:

Through you, Madam President.

Thank you for that answer. It does answer it to a certain degree. And you had questioned whether there was any school in Connecticut that has a hundred percent graduation rate. I don't know what the stats are, but I can tell you, you have one in your own district. It's called Achievement First. I believe your district does cover that area, which is a charter school. And

they have a hundred percent graduation rate and it's magic when you walk into that school. You've probably visited it already.

So if this new magnet school, Madam President, comes close to that, I'm in favor of it. Thank you.

THE CHAIR:

Thank you, Senator.

Senator Kelly.

SENATOR KELLY:

Thank you, Madam President.

Through you, I have a question for the proponent.

THE CHAIR:

Thank you.

Senator Musto.

Please proceed.

SENATOR KELLY:

And that is as I read the bill, there's a reverter in the State of Connecticut; should the City of Bridgeport not build the magnet school within ten years? My question is, in the event the City of Bridgeport does build the school, but then at some future point decides not to continue the purpose of the magnet school or educational purposes, is there then a reverter back to the State of Connecticut?

Through you, Madam President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Thank you, Madam President.

I think, Senator Kelly, you're referring to roughly around lines 224 to 226. Is that correct?]

THE CHAIR:

Through you, Senator.

SENATOR KELLY:

yes.

THE CHAIR:

Through you, to Senator Musto.

SENATOR MUSTO:

Thank you. It gets a little awkward next to each other like this.

Yes, Senator Kelly, this language I believe is the prior law that we did last year, so that the only thing we're changing in that section is the town, where this town goes. In line 225 it says, town of Trumbull, and we're substituting city of Bridgeport. Town of Trumbull is deleted because we're changing the border. So whatever would happen in the prior law would continue with that one change.

To answer the question directly, I believe, although I haven't been privy to the negotiations directly, that the heirs of this property have signed a waiver that would allow the school to be built and there's a deed restriction also on the property. So anything outside of the deed restriction and outside of the waiver would presumably cause a default or a reverter, as you say.

But again, I would say that having been prior law, all this does is change that town of Trumbull to town of -- or city of Bridgeport. And whatever happened last year was -- would be the effect under this law as it would have been under prior law.

Through you, Madam President.

THE CHAIR:

Thank you, Senator.

Senator Kelly.

SENATOR KELLY:

Thank you very much.

THE CHAIR:

Thank you. Will you remark?

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

Through you, I have a number of questions for the proponent of the bill.

THE CHAIR:

Senator Musto, please prepare yourself.

Please proceed.

SENATOR WELCH:

Thank you, Madam President.

Through you, I noticed that there's a fiscal note attached to this bill, but I thought I also heard you say that the land had been purchased already. Can you please elaborate on that?

SENATOR MUSTO:

May I have a moment, Madam President?

THE CHAIR:

Please. The Senate will stand at ease for a moment.

(Chamber at ease.)

SENATOR MUSTO:

Thank you, Madam President.

I'm -- there certainly is a fiscal note. I'm not sure -- if you could clarify. I'm not sure what the question was. I'm sorry.

Through you, Madam President.

THE CHAIR:

Senator.

SENATOR WELCH:

Madam President, maybe I can ask a different question and let me start with this. Who currently holds the property now?

SENATOR MUSTO:

Oh, through you, Madam President, both parcels of land are owned by the State. Last year what happened is the City of Bridgeport was -- sold the property pursuant to a grant for $2.8 million, the property that the school is slated for. So Bridgeport is, I guess, in the precious of having that land conveyed to it.

The other piece of land is currently owned by the State, the one that's going to remain in and become the property of Trumbull, is currently owned by the State. It's being used by Bridgeport. In essence, both pieces of land are owned by the State, being used by Bridgeport and situated in Trumbull at the moment.

After this bill becomes law, hopefully, the one piece of land where the school is going to be situated will be located in Bridgeport, used by Bridgeport and owned by Bridgeport. And the older piece of land will

be located, used and owned by Trumbull.

Through you, Madam President.

THE CHAIR:

Senator.

SENATOR WELCH:

Thank you, Madam President. If I could just break that down then a little bit. So in essence, not only does this bill than redraw the lines between Bridgeport and Trumbull, it also transfers property from the State of Connecticut to the City of Bridgeport. Is that correct?]

SENATOR MUSTO:

Through you, Madam President.

No. We did that last year. That was what happened last year. That's Section 3 -- I was just speaking with, I believe it's Section 3 -- that I was just speaking with Senator Kelly about, that that is current law that is just changing -- I'm sorry. There is a small portion perhaps that's being changed, but very little.

And that's -- most of that, if not all of it, was done in the conveyance bill last year. The property that's being transferred from the State is being transferred -- and I should back up because what it says

is the DEP will negotiate in good faith to transfer the property to Trumbull. That's the property we're talking about that's new property that would be transferred to the Town of Trumbull. That did not happen last year.

So that's really the transfer from the State to a municipality. The -- if that happens, and again, Bridgeport -- or excuse me, the State is going to be negotiating in good faith with the Town of Trumbull to do that under Section 2 -- I believe it's Section 2 -- no. I'm sorry. Section 2 is the ratification of the deeds. It is Section 4 that that happens.

Through you, Madam President.

THE CHAIR:

Senator.

SENATOR KELLY:

Thank you, Madam President.

Through you, I think I'm getting there. Maybe I can ask the question this way. The fiscal note says that in fiscal year '12 there's an approximately $4.7 million value to the Department of Environmental Protection. What exactly does that represent?

THE CHAIR:

Through you to Senator Musto.

SENATOR MUSTO:

I believe that that probably represents both parcels, because again, last year was $2.8 million and Bridgeport purchased that -- money with the grant from the Department of Environmental Protection. I believe DEP is currently the state agency in charge of both of those parcels. So that is the value of the land that is currently owned by DEP.

So again, this is in part sort of a mini conveyance bill. We've got our big conveyance bill we do every year. This is a smaller one that just deals with these two parcels. And I believe that 2.8 of that 4.7 million dollars is the land that we did last year. The other 1.9 million would be the other land, again that's currently owned by the State, situated in Trumbull and being used by Bridgeport for a parks department facility.

Through you, Madam President.

THE CHAIR:

Senator.

SENATOR KELLY:

Got it. Again through you, Madam President, thank you for that.

So I understand it, that the 4.7 isn't actually the impact of this bill. It's probably going to be somewhat less than that.

Now I also understood that there were particular restrictions placed on this property with respect to the deed when it was transferred to the State of Connecticut originally and that there were open-space -- and that might be a false premise, so if I am wrong on that please correct me.

But with respect to that, assuming that is true, how then can this be used for a school when it was given to the State with a restriction that it be used for open space?

Through you, Madam President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

While this was being negotiated in the first instance, while Bridgeport was trying to put a school there, Bridgeport contacted the heirs of the property who have the reversion rights. And negotiated with them to allow the school to be put there. And that has all already been taken care of. That was taken care of a year or two ago.

So the reversion right that the heirs had, they've given up to the extent, as I've discussed with Senator Kelly, that it's used for school.

Through you, Madam President.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you. Again, through you, madam president.

Is money that the City of Bridgeport using to purchase this property part of the school construction funds that we'll be receiving to construct this property?

Through you, Madam President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

I believe it is. Again, that's not part of this bill so, you know, the effect of this, the magnet school, the funding for the magnet school, et cetera, is not part of this bill, but I would think it is from my other conversations not regarding the bill, but regarding the school in general.

Through you, Madam President.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

And again, through you, Madam President.

Then is the portion of the money that we described that is somewhat -- is something less than 4.7 which will be part of this bill, money that the City of Bridgeport is going to give to the Department of Economic Protection?

Through you, Madam President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

If I understood your question, no. Bridgeport is not paying -- let me try to answer that. Bridgeport purchased the land with a grant from DEP. So essentially -- it's a little bit circular. I mean, it was a grant from DEP that Bridgeport is essentially paying to the State for to be placed -- excuse me, in compensation for the land.

That has all -- again, that's already been negotiated and taken care of last year. So to the extent Bridgeport is giving that money, the 2.8 million, yes, that's coming from the City of Bridgeport. The other 1.9 million is -- I don't

believe there's any actual funds being transferred. So there is really just the value of the land that is currently owned by DEP that's being transferred to Trumbull in this instance.

Through you, Madam President.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you.

And again, through you, Madam President, was there a public hearing at all anywhere along the way with respect to the process of purchasing either tracts of land?

Through you, Madam President.

THE CHAIR:

Senator Musto.

SENATOR MUSTO:

Not that I'm aware of.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Okay. Thank you. That's all I have, Madam President.

THE CHAIR:

Will you remark? Will you remark? Seeing none -- if not, the Clerk will please announce the roll call vote. The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber. Immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber.

THE CHAIR:

Have all members voted? Have all members voted? If all members have voted the machine will be closed.

Mr. Clerk.

THE CLERK:

Motion is a message of Emergency Certified bill 1238.

Total Number voting	35
Necessary for adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

The resolution has been adopted.

Senator Looney.

SENATOR LOONEY:

Madam President, I believe the Clerk is now in possession of Senate Agenda Number 5.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Madam President, the Clerk is in possession of Senate Agenda Number 5, dated Wednesday, April 13, 2011. Copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, I move all items on Senate Agenda Number 5, dated Wednesday, April 13, 2011, to be acted upon as indicated and that the agenda be incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

Seeing no objection, so moved -- so ordered.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, would also move for immediate transmittal to the House of Representatives of

Emergency Certified Bill 1238?

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if we might now return to the items previously marked go on today's calendar. With -- beginning with executive and legislative nominations on Calendar page 1. Madam President, would ask the Clerk to call those items beginning with Calendar Number 79.

THE CHAIR:

Thank you, Senator Looney.

Mr. Clerk.

THE CLERK:

Calling from Senate Calendar for Wednesday April 13, 2011. Calendar page 1, Executive and Legislative Nominations, Calendar Number 79, Senate Joint Resolution Number 32, RESOLUTION CONFIRMING THE NOMINATION OF TERRY H. JONES OF SHELTON, TO BE A MEMBER OF THE STATE BOARD OF EDUCATION, favorable report of the Committee on Executive and Legislative Nominations.

THE CHAIR: