

PA12-153

SB0354

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**JOINT
STANDING
COMMITTEE
HEARINGS**

**FINANCE
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PART 1
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environments is, you know, subject to a whole host of decisions by those parents.

REP. VILLANO: Thank you, Ben.

SECRETARY BENJAMIN BARNES: You're welcome.

REP. WIDLITZ: Any further questions?

Thank you, Mr. Secretary.

SECRETARY BENJAMIN BARNES: Thank you.

REP. WIDLITZ: Also just a reminder, would you get us a list of the bridges that are included for the -- in the bond issue?

SECRETARY BENJAMIN BARNES: Yes, I certainly will.

REP. WIDLITZ: Thank you very much.

SECRETARY BENJAMIN BARNES: Thank you.

REP. WIDLITZ: Next we have Commissioner Kevin Sullivan who has some very interesting legislation proposed for today.

COMMISSIONER KEVIN SULLIVAN: Good morning, Representative Widlitz, Representative Williams, other members of the committee. Thank you for raising a number of our bills for the hearing today. I will be as quick as I can because I know that you have public folks who want to testify here this morning.

Senate Bill 357 actually makes a number of changes that we need. The first Section 1 grows out of work we have done with the OPM office of labor relations. It addresses a very real situation in which Connecticut General Statutes 1215 acts as a bar to either the State or a state employee being able in a disciplinary proceeding, a personnel proceeding to produce the actual evidence of the tax records that may have been an issue if there had been misconduct by that employee.

HB 5421
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SB 356
HB 5426

It has no other purpose other than fraud and therefore we would ask that we create civil penalties that essentially make this illegal to own, operate, possess and use in the state of Connecticut. And here we have worked with both the Attorney General and the Department of Consumer Protection in bringing this legislation forward.

Let me just comment on a few other bills that are of interest to the department. We fully support H.B. 5425 which will update the marine transit and docking time period that triggers or does not trigger state tax liability in Connecticut.

We also support 5420. As the secretary has said, we believe that this will bring a level playing field to the business of marketing hotel rooms within the State of Connecticut. The issue, as Senator Daily was getting at, is the fact that under current law, unless you are an operator, you are not subject to the occupancy tax.

And these companies that are remarketing are not hotel operators unless you define them to be hotel operators. And by doing what is proposed in the bill they do become subject to the occupancy tax and therefore there will be a level playing field no matter who is selling that room.

We have also met with the advocates for Senate Bill 354 and would only say to you that we are available to assist you in making sure if you do this that it gets done in a way that we can actually implement.

The department also has no position on Senate Bill 356, the Neighborhood Assistance Act tax credits, but because of the confusion that arose last year I want to be absolutely clear what this proposed bill does and does not do. All that this proposed bill does is to make a

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The proposed funding will assure that all of our regional fire schools will be capable of providing state-of-the-art training at facilities that are safe for all our firefighters.

On behalf of our association I would like to thank you for your consideration and anticipated support on this bill.

REP. WIDLITZ: Thank you very much for your testimony. We are very excited to have that included in this bill as well and it's well deserved.

Are there any questions?

Thank you very much for your testimony and for being here today.

ANTHONY DIGNOTI: Thank you.

REP. WIDLITZ: Next is Tim Phelan followed by Howard Rifkin and Betsy Crum.

TIM PHELAN: Good afternoon, Representative Widlitz and Senator Daily, Representative Williams, other members of the Finance Committee. It's good to see everybody today.

I'm Tim Phelan, President of the Connecticut Retail Merchants Association. The Connecticut Retail Merchants Association is a statewide trade association representing retailers large and small throughout the state of Connecticut. I'm today to talk very, very briefly, as I know your schedule is busy, on Senate Bill 354.

This bill acts -- adds a new requirement to any retailer that sells prepaid calling cards or phones that have prepaid minutes by requiring that retailers collect and remit to the state-mandated e-911 fee to the State Department of Revenue Services. And while this is not something that the retail industry

is looking to do, we understand that this process is now in place in at least 20 jurisdictions and because of that most of our members are better prepared to take on this new responsibility.

However this new task is not without any additional costs and therefore we would ask the committee to consider two small changes, in our opinion to the bill. One, we would ask that you increase the amount specified in the bill that retailers can keep on the collection of this new fee from the 1 percent that has been identified in the bill.

The range of percents that retailers are allowed to keep her collection of this new -- of this fee ranges from the jurisdictions that we had talked about 20 different jurisdictions and the fees range from the 1 percent up to 5 percent in some jurisdictions.

We would particularly note that in our neighboring State of Rhode Island, it has a 2.5 percent vendor allowance. In addition to the vendor allowance there is also an issue concerning the actual amount of usage that the first phone has and the amount of -- whether or not in some jurisdictions, whether or not the smaller amount of minutes or phone is allowed to be exempted from the e-911 fee.

This exemption makes collection much simpler for retailers because most prepaid wireless companies package their phones with no minutes or just minutes to get them activated. And I know that the exemption, it may vary from states, some states that have a flat fee, as I think is identified in this bill, Senate Bill 354, I think, has a 50-cent flat fee. Other states have done percentages of -- based on the purchase price of the phones.

So we would ask if the committee continues with this bill, that we can work with you on both of those issues, whether it is the vendor

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allowance or in the exemption for the smaller phones.

Thank you.

REP. WIDLITZ: Thank you for your testimony and we'll be happy to work on that with you.

Are there questions from committee members?
No.

Thank you very much, Tim.

TIM PHELAN: Okay. Thank you.

REP. WIDLITZ: Howard Rifkin followed by Betsy Crum and Ron Cretaro. He's not here. Okay.

Betsy Crum followed by Ron Cretaro.

BETSY CRUM: Good afternoon. My name is Betsy Crum and I'm the executive director of the Connecticut Housing Coalition. And thank you for let me testify today.

We represent, the coalition represents a broad network of community-based affordable housing activity all over the state. We have more than 250 member organizations that include nonprofit developers, human service agencies, resident associations and other housing practitioners.

And I want to point out that we also have an affiliate organization called the Public Housing Resident Network. James White who was to testify earlier could not make it today, but I just want the folks who are here from the Public Housing Resident Network to just raise their hands so that you know that they took time out from their day today to come and support Senate Bill 25, which is AN ACT AUTHORIZING AND ADJUSTING BONDS FOR THE STATE FOR CAPITAL IMPROVEMENTS.

Our coalition strongly, very strongly supports

nursing home care that makes sense for our changing health care system. Modernization efforts will allow nursing homes to create both the models of care that are desired by consumers and the systems of care that will be required in the new landscape of health care reform.

Greenhouse models, culture change modifications, energy efficiencies, electronic health records, transportation systems and other capital improvements should be allowed within the systems of grants, loans and funding.

Leading Age Connecticut continues to encourage the State to strengthen and invest in the long-term care system and to provide the opportunity and environment for individual providers to transform our system of aging services one solution at a time. The time is now to look towards innovative solutions and create the future of aging services.

Thank you for this opportunity.

REP. WIDLITZ: Thank you for your testimony.

Any questions? Okay. Thank you very much.

MAG MORELLI: Thank you.

REP. WIDLITZ: Ted Schroll followed by Karen Schuessler.

TED SCHROLL: Good afternoon, Representative Widlitz and members of the Finance Revenue and Bonding Committee. My name is Ted Schroll. I'm a legislative representative for the Connecticut State Firefighter's Association. The association represents approximately 26,000 career and volunteer firefighters in Connecticut. We are here to speak in favor of a portion of Senate Bill 25.

SB354

Our association has been actively involved in

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REP. JOHNSON: Thanks so much for being here and thanks for your testimony.

TED SCHROLL: Thank you.

REP. JOHNSON: Thank you, Madam Chair.

REP. WIDLITZ: Thank you.

And most importantly, they save lives.

TED SCHROLL: We try.

REP. WIDLITZ: Any questions from the committee members?

Thank you so much for your testimony.

TED SCHROLL: If I may, Madam Chair?

I just want to mention that I didn't pick it up before. We would also be -- like to be in support of Senate Bill 354, which is the e-911 bill which is on your agenda. We're in support of anything that's going to increase that fund for the 911 and make the 91 even a better system than it is.

REP. WIDLITZ: Great. Thank you very much.

TED SCHROLL: Thank you.

REP. WIDLITZ: Karen followed by Neil Griffin and Rebecca Bombero.

KAREN SCHUESSLER: Okay. Good afternoon. My name is Karen Schuessler and I'm the director of Citizens for Economic Opportunity, which is a coalition of community and labor groups addressing health care reform and corporate responsibility issues.

And I strongly support H.B. 5426. I think that I'm really pleased that the business tax credit and policy review committee has been

Thank you very much.

RAPHAEL PODOLSKY: Thank you very much.

REP. WIDLITZ: John Emra followed by Jeffrey Arin and Kathleen Burns.

JOHN EMRA: Good afternoon, Representative Widlitz and members of the committee. My name is John Emra with AT&T. I'm here this afternoon to testify in support of Senate Bill 354, AN ACT CONCERNING THE ENHANCED EMERGENCY 911 PROGRAM.

Connecticut's 911 system is funded through a monthly user charge which is established through an annual proceeding at the Public Utility Regulatory Authority. It bases that monthly charge that users pay based on the total budget that's necessary to run the 911 system. Currently the fee is set at 50 cents which is the statutory limit.

Wired telephone customers are assessed on a monthly basis 50 cents. What's known as postpaid wireless customers, those are customers who typically have contract for services, be it a long-term contract or a month-to-month contract, and pay for their usage on a postpaid basis. They likewise pay for their 911 contribution on their bill on a monthly basis.

Prepaid wireless users are a different story. Because there's not an ongoing business transaction that happens with that customer, essentially the only time you have a business relationship with that customer is at the point of sale. There are a number of mechanisms that have been tried to be created to try to recapture those 911 fees.

So for instance, carriers like AT&T, we will decrement, that is take minutes from a customer on a monthly basis to try to take

those minutes that equate to that user's contribution to the 911 fee -- the 911 fund, excuse me.

Unfortunately users have found a number of different ways to game the system. We quite often don't know where those customers are located when they first turn on a prepaid phone. They're asked for a zip code. They'll give a phony zip code, a phony location. We have to actually tell consumers when we plan to take the minutes from them on a monthly basis. That's required by federal truth in billing requirements. And these customers are smart. They'll make sure they don't have any minutes of that day to take those minutes from their account.

So what this all means is that you have a bunch of people who have gamed the system and are free riding on the system. And it ends up costing the State's 911 system over \$2 million a year in lost revenue that doesn't go into fund 911.

The bill before you would follow a model piece of legislation that's now been passed in 20 different states that would institute a point-of-sale 911 collection process. So at the time that you bought a prepaid phone or you bought a card to recharge your prepaid phone, you as a customer would be assessed that 50-cent fee that would be collected by the retailer and remitted to the State and then that would be forwarded to the 911 fund.

As I said, it's been now passed in 20 different states. The fiscal impact is about \$2.2 million in lost revenue today that would then be brought into the 911 fund. There's also some additional language in the bill that I want to make you aware of, and that's in lines 168 through 170.

There is a thing called progressive wire line inclusion schedule which has existed for a

number of years that the PURA applies to wired telephone for 911. And basically what it means is if you're a large user, let's say you're Northeast Utilities, as an example, and you happen to have a large location in Berlin, Connecticut, you're not assessed the full 50 cents on every phone located at that one location. Because of the thinking being that if there's an emergency at that location every user is not going to pick up the phone at the same time and call and report that same emergency to 911. So there's a sliding scale discount based on the number of phones you have at a given location.

The PURA a number of years ago started applying that to wireless phones. So let's use Northeast Utilities again as an example. And they, say, have, say, 3,000 wireless phones. They get that same discount on wireless phones even though the rationale that all those phones are located in the same place doesn't really stand up in a wireless world.

So this language in lines 168 through 170 would strike that wire line discount for wireless customers and that would add an additional \$4.5 million to the 911 fund. So all total it's about \$6.7 million in recovered money that this legislation brings into the 911 fund.

I thank you for your time and urge your support for this legislation and I'd be happy to answer any questions you might have.

REP. WIDLITZ: Thank you for your testimony.

There was testimony earlier about the retailers and different fees that might be charged depending upon the amount of the card, the prepaid card.

Do you have any experience with other states on that? Or is it --

JOHN EMRA: Sure. So the model legislation that this flows from originally called for the retailers who are responsible here for collecting those 911 fees and remitting them to the State. So there's a job here for them to do and there's a cost associated with it.

The model legislation calls for them to receive 3 percent of the monies that they collect and be able to keep that to handle their administrative costs. The legislation that's before you calls for them to collect 1 percent, so that's the difference.

If you looked at the 20 states where this has been done, there's one state I believe that has 0 percent for the retailers. There's one state that is 5 percent. The typical norm is around 3 percent, 2 percent, 3 percent. So this is -- this number that's in this legislation is below what has been done in a lot of states and is below the model act. But to answer your question, that's kind of -- some states have sort of fallen all over the place on where that number happens to be. Some is at zero. Some is at 5 percent.

REP. WIDLITZ: Thank you very much.

Are there questions?

Okay. Thank you.

JOHN EMRA: Thank you.

REP. WIDLITZ: Okay. Let's see. Jeffrey Arin followed by Kathleen Burns and Rives Potts.

JEFFREY ARIN: Good afternoon, Cochairs Widlitz and Daily, members of the committee. My name is Jeffrey Arin. I'm the current vice president of housing and legislation for Connecticut NAHRO. I'm also the executive director of the Vernon Housing Authority and I also volunteer as a commissioner for the Coventry Housing Authority.

SB25

**JOINT
STANDING
COMMITTEE
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**FINANCE
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STATEMENT OF AT&T CONNECTICUT

Regarding Raised Senate Bill No. 354
**AN ACT CONCERNING THE ENHANCED EMERGENCY
 9-1-1 PROGRAM**
 Before the Committee on Finance, Revenue and Bonding
 March 12, 2012

Proposal:

Raised Senate Bill No. 354 would institute a point-of-sale 9-1-1 fee collection process for prepaid wireless phone customers.

Comments:

AT&T strongly supports Raised Senate Bill No. 354, appreciates the committee raising the legislation and urges its adoption.

Connecticut's 9-1-1 system is funded through a monthly user charge which is established through an annual proceeding at the Public Utilities Regulatory Authority ("PURA") and is based on the budget to run the 9-1-1 system. Currently, the monthly fee is set at 50 cents which is also the statutory cap for the fee.

Wired telephone customers are assessed the fee on their monthly bills and the funds are collected by carriers and remitted to the state. Post-paid wireless customers – those are customers who pay for their service on a monthly post-usage basis – are likewise assessed the fee on their monthly bills and the funds are collected by carriers and remitted to the state. However, for prepaid wireless customers, there is no monthly bill, and the service is paid for the majority of the time in retail stores. The provider also has no reliable way to determine which state the customer purchased the service. Federal law sets forth that the state of primary use can apply a tax or fee for post-paid wireless. That law specifically excludes prepaid wireless. Therefore, it is unclear which state has the right to tax the charge for prepaid particularly if the customer travels.

Providers have tried to establish mechanisms for the remittance of 9-1-1 fees for customers who use prepaid wireless services. However, all of the methods are deficient in a number of respects, which allows many such prepaid customers to "game" the system and avoid paying their fair contribution to the state's 9-1-1 operations. For example, customers routinely give an invalid zip code which is used to determine what jurisdiction is due the 9-1-1 fee. Under the decrement method, some customers will purposely ensure that they have no minutes left on their account on the day in which carriers subtract minutes from the account to settle the owed 9-1-1 fees of the customer. As a result of this activity, millions of dollars a year in owed 9-1-1 fees go uncollected, which robs the state of needed dollars to support the system and increases the costs of all the users who play by the rules and pay their fair share

AT&T Connecticut Testimony
Raised Senate Bill No. 354
March 12, 2012
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Raised Senate Bill No. 354 would ensure that all users pay their fair share of their 9-1-1 fees by instituting a point-of-sale collection process for 9-1-1 fees on prepaid wireless service. At the time of purchase, a customer of a prepaid service – be it a prepaid phone or minutes – the customer would be charged 50 cents for their 9-1-1 contribution. The fee would be collected by the retailer and remitted in the same manner as sales taxes are collected today on prepaid wireless service.

Instituting this change for prepaid wireless customers will result in the state collecting an additional \$2.2 million in 9-1-1 fees which today are not collected by virtue of users who avoid paying the fee. This estimate was derived using proprietary data from carriers providing service in Connecticut. Such estimates have been used in other states and have always under-represented the actual additional dollars that were brought into 9-1-1 funds after states instituted point-of-sale laws. A copy of the estimate is attached to our testimony.

The legislation, which is before you, is based on model legislation which was developed under the auspices of the National Conference of State Legislatures and involved the participation of carriers, retailers, public safety officials, and tax departments. Thus far, nineteen states have already enacted similar legislation with bills pending in another ten legislatures.

Lines 168-170 make additional changes to the 9-1-1 fee paid by all wireless customers. Historically, the legislature and the PURA created a “progressive wire line inclusion schedule” which gives a discount on the monthly rate paid by consumers and businesses with more than one phone at a location. This discount was provided because it was assumed that all the users at a physical location would not, at the same time, make a call to 9-1-1 to report an emergency; and, therefore, the fee which is assessed should be lower. A number of years ago, the PURA applied this wireline discount to wireless phones as well, even though by their very nature wireless phones are not typically located at the same location and therefore the rationale for the discount does not exist. Lines 168-170 eliminate this discount for wireless phones. Eliminating the progressive wireline schedule for wireless subscribers would bring in an additional \$4.4 million to the state’s 9-1-1 fund. The previously referenced and attached estimate provides information with respect to the additional revenue which would be generated as well from the elimination of the progressive wire line schedule.

Conclusion:

AT&T strongly supports Raised Senate Bill No. 354 and urges the Committee’s favorable approval of the legislation.



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MEMO

TO: Wireless Carriers
FROM: Scott Mackey
DATE: February 9, 2012
RE: Connecticut Prepaid POS 911 Fee Revenue Estimate -- REVISED

This memorandum updates the December 18, 2011 prepaid revenue estimate to reflect new variables, including the repeal of the progressive rate schedule and a higher proposed prepaid wireless 911 fee. This estimate reflects the additional revenue from prepaid at a \$.50 rate and estimates the higher revenues attributable to repeal of the progressive rate structure. It does not include the impact of the rate increase from the underlying fee on traditional landline and single line postpaid wireless plans.

The prepaid point-of-sale provision with a \$.50 rate would increase current revenues to the 911 fund by an estimated \$2.2 million. The repeal of the progressive rate structure would increase current revenues by an estimated \$4.5 million at the current \$.50 rate. Taken together, these two provisions are estimated to increase revenues by \$6.7 million. This estimate is based on actual subscriber profiles from four large wireless carriers that were "grossed up" to generate an estimate for the entire industry.

If you have any questions, let me know.

Connecticut Prepaid Wireless Point of Sale Revenue Worksheet

Flat Fee Revenue Estimate

		Source
FCC Reported Subscribers (Postpaid and Prepaid) as of December 2010	3,230,000	FCC Local Competition Report Status as of December 31, 2010
Assumed 2.0% increase Dec 10 to Dec 11	51,680	Estimated from FCC Local Competition Report and CTIA
Estimated CT Wireless Subscribers 12/2011	3,281,680	
Estimated Prepaid Wireless Market Share	21.2%	CTIA Semi Annual Report, November 2011
Estimated CT Prepaid Subscribers 12/2010 from FCC Data	695,716	
less 10% inactive accounts, exempts, etc	69,572	
Estimated CT Paying Subscriber accounts	626,145	
Proposed Point of Sale Charge Amount	\$ 0.50	

Prepaid Subscriber Average Purchase / Usage Profile		Monthly Rev Per Consumer	Aggregate Rev
Recharge 2X per month	20%	\$ 1.000	\$ 125,229
Recharge Monthly	60%	\$ 0.500	\$ 187,843
Recharge every 2 months	15%	\$ 0.250	\$ 23,480
Recharge Every 3 months	5%	\$ 0.167	\$ 5,213
total monthly revenue			\$ 341,765
less 3% dealer collection			\$ 10,253
less 2% DOR			\$ 6,835
Revenue / month at proposed amount			\$ 324,677
12 months			12
ESTIMATED POS REVENUE -- FLAT FEE			\$ 3,896,125
ESTIMATED EXISTING REVENUE FROM ACTUAL REPORTED			\$ 1,709,062
ESTIMATED NEW REVENUE			\$ 2,187,063

Reporting carriers for estimate of existing revenue

AT&T

Sprint (Boost Mobile)

TracFone

Verizon Wireless

Virgin Mobile

T-Mobile

Progressive Rate Schedule Repeal -- Estimated Revenues

Reporting Carrier Estimate	\$ 4,063,155
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Gross up missing carriers	10%
Estimated Additional Grossup	\$ 406,316

Total Revenue -- Current Rate	\$ 4,469,471
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	\$ 4,469,471
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Reporting Carriers:

AT&T

Sprint

T-Mobile

Verizon

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**TESTIMONY OF KEVIN B. SULLIVAN
COMMISSIONER
DEPARTMENT OF REVENUE SERVICES
FINANCE REVENUE & BONDING COMMITTEE
March 12, 2012**

Good morning Senator Daily, Representative Widlitz, Senator Roraback, Representative Williams and members of the Committee

Thank you for raising our agency bills which are part of the hearing today:

- SB 357 would make several minor but much needed changes
 - **Sec. 1** was developed in consultation with OPM's Office of Labor Relations. It addresses very real situations where the tax record non-disclosure requirements of CGS 12-15 bar both the state and state employees from necessary evidence in disciplinary proceedings. For example, a DRS employee might face discipline for browsing taxpayer information. Under current law, neither the state nor the employee would be able to disclose or seek to have disclosed into evidence the identity of the actual taxpayer records involved. The proposed change allows this information into evidence in these state employee matters but otherwise subject to the non-disclosure requirements of CGS 12-15
 - **Sec. 2** updates the dollar threshold for when action on taxpayer requests for penalty waivers approved by the Commissioner must be reviewed and approved by the Penalty Review Committee. The committee consists of the DRS Commissioner, the State Comptroller or a designee, and the Secretary of OPM or a designee. Waiver requests below the threshold are reviewed by DRS staff and the Commissioner. The current members of the Penalty Review Committee support this change.
 - **Secs. 3 & 4** makes needed technical corrections in the captive insurance company legislation passed during last year's special jobs session. This proposal was developed in consultation with the Insurance Department and is needed so that the state can move forward with planned efforts in this economic sector.
- HB 5421 would outlaw the sale, installation, possession or use of automated sales suppression devices popularly known as "zappers." This technology is available and used for only one purpose – creating fraudulent retail sales transaction records in order to understate sales tax liability. This "phantom-ware" is easily installed in electronic cash register systems so that unscrupulous merchants can automatically forge sales transaction records in order to under-report and under-pay sales tax otherwise due on the actual value of each of the transactions. This proposal has been developed in consultation with the Attorney General and the Department of Consumer Protection

HB 5420
SB 354
SB 356

In addition to these agency proposals, the Department has an interest in several other bills being heard today. We fully support HB 5425 updating the marine transit and

docking time period that triggers state tax liability. We also support HB 5420 in order to bring hotel remarketers within the scope of the room occupancy tax and level the economic playing field by treating room valuation the same no matter how the accommodation is booked.

We have met with the advocates for SB 354 and to discuss the proposed legislation and we are available to assist the committee if you choose to move with this bill. The Department has no position with respect to SB 356 concerning Neighborhood Assistance Act tax credits, and the same language that is in legislation now before the Commerce Committee. Given the confusion over what was adopted last session, however, I do want to point out what SB 356 does and does not do. The bill only makes business donations eligible for a credit and up to 2-year carry-back under the Business Entity Tax (BET). In other words, the maximum credit any business could receive for an eligible donation would be \$250 annually or a total of \$750 dollars with the maximum carry-back.

Finally, let me offer a general note of caution for this short session. Governor Malloy and the State Legislature have made dramatic progress in turning around the fiscal and economic condition of our state. Much of the heavy-lifting necessary was done by this committee. As you know, the fiscal balance that you have made possible is still fragile, especially given recent volatility in the personal income tax. Having served as a legislator for so many years, I know there is never a lack of ideas about taxes and tax expenditures. This is especially true of bills coming to your committee from other committees. Given all of the revenue and tax credit changes last year, I hope you will agree that this is a year to think small.

Thank you.

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2012**

**VOL.55
PART 25
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mr/ch/rgd/gdm/gbr
HOUSE OF REPRESENTATIVES

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Aye.

SPEAKER DONOVAN:

Opposed, nay.

The ayes have it. The amendment is adopted.

Remark further on the bill as amended?

Representative Willis.

REP. WILLIS (64th):

Yes, sir. I would like to request this bill
be -- this item be placed on the consent calendar.

Thank you.

SPEAKER DONOVAN:

Motion is to place this item on the consent calendar.

Any objection?

Hearing none, the item is placed on the consent
calendar.

Will the Clerk please call Calendar 538.

THE CLERK:

On page 31, Calendar 538, Senate Bill Number 354, AN
ACT CONCERNING THE ENHANCED EMERGENCY 911 PROGRAM,
favorable report by the Committee on Public safety.

SPEAKER DONOVAN:

Representative Patricia Widlitz, you have the floor,
madam.

REP. WIDLITZ (98th):

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Thank you, Mr. Speaker. Good evening, Mr. Speaker.

SPEAKER DONOVAN:

Good evening, madam.

REP. WIDLITZ (98th):

I move acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate.

SPEAKER DONOVAN:

The question is on acceptance and passage in concurrence with the Senate.

Will you remark?

REP. WIDLITZ (98th):

Yes. Thank you, Mr. Speaker.

The bill makes some changes to the current prepaid wireless e-911 fee. It move from a monthly fee to a fee on each purchase of prepaid wireless telecommunications minutes from a retailer. It also does away with the multiline discount for mobile phones.

Mr. Speaker, the Clerk is in possession of an amendment, LCO Number 4662. Will he please call and I be allowed to summarize?

SPEAKER DONOVAN:

The Clerk please call LCO 4662, previously designated Senate "A."

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THE CLERK:

LCO 4662, Senate "A," offered by Senator Daily.

SPEAKER DONOVAN:

Is there objection to summarization?

Hearing none, Representative, you may proceed.

REP. WIDLITZ (98th):

Thank you, Mr. Speaker.

Mr. Speaker, through this amendment the prepaid fee on a card is set to be the same rate charged monthly to a monthly phone subscriber.

I move adoption, Mr. Speaker.

SPEAKER DONOVAN:

The question is on adoption.

The question -- remark further? Remark further?

If not, let me try your minds.

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

REPRESENTATIVES:

Aye.

SPEAKER DONOVAN:

Opposed, nay.

The ayes have it. The amendment is adopted.

Care to remark further on the bill as amended? Care to remark further on the bill as amended?

mr/ch/rgd/gdm/gbr
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Representative Widlitz.

REP. WIDLITZ (98th):

Thank you, Mr. Speaker.

I request that this item be moved to the consent calendar.

SPEAKER DONOVAN:

The motion is to place this item on the consent calendar.

Is there objection? Objection?

Hearing none, the item is placed on the consent calendar.

Will the Clerk please call Calendar 545.

THE CLERK:

On page 33, Calendar 545, Substitute for Senate Bill Number 254, AN ACT RESTRICTING THE APPLICATION OF FERTILIZERS THAT CONTAIN PHOSPHATES, favorable report by the Committee on the Environment.

SPEAKER DONOVAN:

Representative Richard Roy, you have the floor, sir.

REP. ROY (119th):

Thank you, Mr. Speaker.

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

SPEAKER DONOVAN:

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calendar.

Representative Sharkey.

REP. SHARKEY (88th):

Thank you, Mr. Speaker..

Mr. Speaker, I'm about to call the items again that are on the consent calendar, but I would like to alert the Clerk to two bills that we will be taking off the consent calendar. They are Calendars 380, and Calendars 431. Those are Calendars 380 and Calendar 431.

HB5333
SB130

SPEAKER DONOVAN:

Will the Clerk please call Calendar 204.

THE CLERK:

On page 6, Calendar 204, Substitute for House Bill Number 530, AN ACT CONCERNING THE BOARD IN CONTROL OF THE CONNECTICUT AGRICULTURAL EXPERIMENT STATION, favorable report by the Committee on Government Administration and Elections.

SPEAKER DONOVAN:

Representative Sharkey.

REP. SHARKEY (88th):

Thank you, Mr. Speaker.

With that, let me -- I was looking to just list the calendar numbers again that we are planning to put on the consent calendar before I move them. I'll be doing this

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in numerical order by calendar number.

They are Calendar Number 71, Calendar 204, Calendar 205, Calendar 287, Calendar 292, Calendar 330, Calendar 402, Calendar 407, Calendar 412, Calendar 417, Calendar 425, Calendar 426, Calendar 442, Calendar 458, Calendar 460.

Calendar 463, Calendar 492, Calendar 495, Calendar 499, Calendar 500, Calendar 501, Calendar 506, Calendar 507, Calendar 508, Calendar 512, Calendar 515, Calendar 516, Calendar 530, Calendar 538 and Calendar 545.

And I'd also like to add to that -- I'm sorry. I omitted one which is Calendar 275.

SPEAKER DONOVAN:

The question before us is passage of the bills on today's consent calendar.

Will you remark? Will you remark?

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

THE CLERK:

The House of Representatives is voting by roll call.
Members to the Chamber. The House is voting the consent calendar by roll call. Members to the Chamber, please.

HB5025
HB5368
HB5326
HB5539
HB5146
SB328
HB5534
HB5555
SB157
SB232
SB339
SB340
SB41
SB98
SB116
SB196
SB97
SB188
SB234
SB237
SB299
SB347
SB371
SB391
SB345
SB383
SB384
SB29
SB354
HB5320
SB254

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SPEAKER DONOVAN:

Have all the members voted? Have all the members voted?

Please check the roll call board to make sure your vote has been properly cast.

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

The Clerk please announce the tally.

THE CLERK:

On today's consent calendar.

Total Number Voting	150
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Necessary for Adoption	76
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Those Voting Yea	150
------------------	-----

Those Voting Nay	0
------------------	---

Those Absent and Not Voting	1
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SPEAKER DONOVAN:

The consent calendar passes.

Will the Clerk please call Calendar 443.

THE CLERK:

On page 20, Calendar 443, Senate Bill Number 60, AN ACT PROHIBITING PRICE GOUGING DURING SEVERE WEATHER EVENTS, favorable report by the Committee on the Judiciary.

SPEAKER DONOVAN:

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Senate Bill 85,

Total Number Voting	33
Necessary for Passage	17
Those Voting Yea	30
Those Voting Nay	3
Those Absent and Not Voting	3

THE CHAIR:

The bill as amended passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I would move that the items adopted on Senate Agenda Number 2 be placed on the Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

And, Mr. President, would ask the Clerk to call next calendar page 38, Calendar 412, Senate Bill 354.

THE CHAIR.

Mr. Clerk.

THE CLERK:

Calendar page 38, Number 412, Senate Bill Number 354,
AN ACT CONCERNING THE ENHANCED EMERGENCY 9-1-1
PROGRAM, favorable report of the Finance Committee and
the Public Safety Committee.

THE CHAIR:

Senator Daily.

SENATOR DAILY:

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Thank you, Mr. President.

I move the joint committee's favorable report on the bill, and I seek passage.

THE CHAIR:

On acceptance of passage, will you remark?

SENATOR DAILY:

Thank you. Yes, I will.

This is an effort to collect, in advance, the fees on throw-away telephones, portable phones. As the legislation stands now, it is collected when that's turned in. Since that hasn't worked to our advantage, and has let many people with throw-away phones not pay for the 9-1-1 service, we seek to change it to an up-front payment.

THE CHAIR:

Thank you, Senator.

Will you remark further on -- are you --

SENATOR DAILY:

Yes, I will, please.

THE CHAIR:

Thank you.

Please proceed.

SENATOR DAILY:

The Clerk has an amendment, LCO 4662.

THE CHAIR:

Mr. Clerk, please call LCO 4662.

THE CLERK:

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LCO Number 4662, Senate Schedule Amendment "A",
offered by Senator Daily.

THE CHAIR:

Senator Daily.

SENATOR DAILY:

Thank you, Mr. President.

I move the amendment.

THE CHAIR:

On adoption, will you remark?

SENATOR DAILY:

Yes. This establishes that the rate shall always be the same as what is determined by P-U-R-A for both throw-away and regular cell phones.

THE CHAIR:

Thank you, Senator.

Mr. Clerk, please announce the pendency of a roll call vote, the machine will open.

SENATOR DAILY.

On the -- on the amendment?

THE CHAIR:

You want to continue?

I'm sorry.

SENATOR DAILY:

Thank you.

I think we would be fine with a voice vote on the amendment.

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THE CHAIR:

Oh, voice vote. I'm sorry. We've got to vote on the amendment. I apologize.

All those in favor, please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Those opposed, nay.

The ayes have it.

Senate "A" is adopted.

Senator Daily.

SENATOR DAILY:

Thank you very much, sir.

And if there is no objection, I would move this to the consent calendar. No.

We cannot do that sir, thank you.

THE CHAIR.

Right. That's why I was rushing before.

SENATOR DAILY:

Thank you.

THE CHAIR:

Thank you.

The machine will be open.

Mr. Clerk, please announce pendency of a roll call vote.

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THE CLERK:

An immediate roll call vote has been ordered in the Senate. All senators please report to the Chamber.
An immediate roll call vote has been ordered in the Senate.

THE CHAIR:

Senator Kelly.

Have all members voted?

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

THE CLERK:

On Senate Bill 354,

Total Number Voting	34
Necessary for Passage	18
Those Voting Yea	34
Those Voting Nay	0
Those Absent and Not Voting	2

THE CHAIR:

The bill as amended passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, if the Clerk would list the items on the consent calendar, and if we might proceed to a vote on the consent calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK: