

PA12-163

HB5241

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2012**

**VOL.55
PART 6
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April 18, 2012

so if you'd all join with me recognizing David
Bosso on his 2012 Teacher of the Year.

SPEAKER ORANGE:

Congratulations, David, and thank you for your
service to our students.

Will the Clerk please call Calendar Number 92.

THE CLERK:

On Page 34, Calendar 92, substitute for House Bill
Number 5241, AN ACT CONCERNING DELAYED BIRTH
REGISTRATION, favorable report by the committee on the
Judiciary.

SPEAKER ORANGE:

Representative Ritter.

REP. RITTER (38th):

Thank you, Madam Speaker.

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

SPEAKER ORANGE:

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

Will you remark further? Representative Ritter.

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REP. RITTER (38th)

Yes, I will.

Thank you, Madam Speaker.

Madam Speaker, this bill addressed the situation where a delayed birth certificate is requested to be filed.

Madam Speaker, the Clerk is in possession of an amendment, LCO Number 3257. It is a strike-all amendment. I request that the Clerk please call the amendment and I be granted leave of the Chamber to summarize.

SPEAKER ORANGE:

Will the Clerk please call LCO Number 3257, which will be designated as House Amendment Schedule "A."

THE CLERK:

LCO 3257, House "A," offered by Representative Ritter and Senator Gerratana.

SPEAKER ORANGE:

The Representative seeks leave of the Chamber to summarize.

Is there objection?

Seeing none, Representative Ritter.

REP. RITTER (38th):

Thank you, Madam Speaker.

Madam Speaker, this amendment, as I indicated, is a strike-all amendment and essentially becomes the bill.

In summarizing the amendment, I would like to point out that in understanding this situation one important thing to the committee on Public Health was learning that Connecticut's evidence for the issuance of a delayed birth certificate is somewhat weaker than that in our surrounding states. And the feeling is that additional information and scrutiny would be required. And this bill essentially does that.

The bill requires that requests for a delayed birth certificate be filed with the de -- or the amendment, excuse me -- be filed with the Department of Public Health rather than with the local vital records registrar. It specifies information about the required affidavits and what would happen if the department is satisfied to issue the actual birth certificate.

The amendment further then directs the Department of Public Health -- I'm sorry -- reflects the adult parent or legal guardian in the instance that the Department of Public Health is not satisfied and denies

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the request to petition to the Probate court in the area
-- in the town where the birth occurred.

Due process would essentially mandate the posting
of a hearing, a hearing and eventually a ruling. And the
Court could then order that that delayed birth
certificate be filed.

The bill -- the amendment strengthens Connecticut's
requirements around issuing a delayed birth certificate
and I move its adoption.

SPEAKER ORANGE:

The question before the chamber is on adoption.

Will you remark further on House "A"?

Representative Perillo, did you want to remark on
House "A"?

REP. PERILLO (113th):

Madam Speaker.

SPEAKER ORANGE:

You have the floor, sir.

REP. PERILLO (113th):

Thank you, Madam Speaker.

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If I could, just a few questions, through you, to the proponent of the bill.

SPEAKER ORANGE:

Certainly. Please proceed, sir.

REP. PERILLO (113th):

Thank you.

One question that's been asked of me today about this bill and perhaps the chair could clarify, why would someone actually seek a delayed birth certificate?

SPEAKER ORANGE:

Representative Ritter.

REP. RITTER (38th):

Thank you, Madam Speaker.

One of the more common instances that we heard might be when the birth does not occur in a hospital or a health care facility. And perhaps the paperwork burden that's then necessary to then go ahead and process is a burden that is difficult for the parents to accomplish.

This must be filed within a year of the birth. And sometimes, Madam Speaker, that simply does not occur.

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Representative Perillo.

REP. PERILLO (113th):

Thank you, Madam Speaker. And I thank the chair for her answer to that question.

If I could, just in the amendment, direct the chair to line 9. It referenced that two other persons must have firsthand knowledge of the facts if -- through you, the chair could offer some sort of clarity as to what firsthand knowledge of the facts would be?

SPEAKER ORANGE:

Representative Ritter.

REP. RITTER (38th):

Thank you, Madam Speaker.

The -- if I back up a little bit, beginning on lines 7 and look at lines 7 through 9, you will see that the knowledge of the facts must be sufficient to allow that person to -- to swear to an affidavit of their knowledge of those facts.

And so that would be the first answer to the -- to the Representative's question.

I might also point out that the Department of Public Health then would scrutinize these affidavits. And

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if there was an instance where perhaps, the factual content was not sufficient to allow them to go ahead and -- and feel comfortable in granting this there is a process to handle further scrutiny once they would make a denial.

Through you, Madam Speaker.

SPEAKER ORANGE:

Representative Perillo.

REP. PERILLO (113th):

Thank you very much, Madam Speaker.

And again, I thank the chair of the Public Health committee for her answer to the question.

A few more questions, specifically to line 71. This is -- this is a word that's used in the amendment and also in the original bill. The word, indigent, is used. If -- if -- is that defined in any way shape or form? What would qualify an individual as being indigent in the eyes of the court?

Through you, Madam Speaker.

SPEAKER ORANGE:

Representative Ritter.

REP. RITTER (38th):

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Thank you, Madam Speaker.

Madam Speaker, this amendment which becomes the bill, does not contain a specific definition of the word "indigent." But if the Representative would look beginning on lines 69 through 71 and note that this is pertinent to their ability to pay for the costs of the test.

And so I -- it is at least implied that that would be an insufficient ability to pay for the costs of the tests in this instance.

Through you, Madam Speaker.

SPEAKER ORANGE:

Representative Jason Perillo.

REP. PERILLO (113th):

Thank you very much and just another question if I may though you Madam Speaker -

SPEAKER ORANGE:

Please proceed.

REP. PERILLO (113th):

-- on the following line, line 72, in a further discussion about DNA testing, it states that the results -- if the results of such test indicate a 99 percent or

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greater probability that a person is the mother or father, 99 percent is a new number. It was not in the original version of the bill.

So I'm just wondering how -- how that benchmark came to be? Why that benchmark is appropriate? If the chair could answer that?

Through you, madam.

SPEAKER ORANGE:

Representative Elizabeth Ritter.

REP. RITTER (38th):

Thank you, Madam Speaker.

That knowledge came to us through discussions with the administrator at the probate court. And from a -- I believe -- generally accepted knowledge about the accuracies of DNA testing.

Through you, Madam Speaker.

SPEAKER ORANGE:

Representative Perillo.

REP. PERILLO (113th):

Thank you, Madam Speaker.

As the chair had said before, our rules as it pertains to this here in the State of Connecticut are generally light in comparison to that of other states. This is clearly something that has an impact on national security, on identity theft. This amendment, and of course, the amendment which will become the bill is appropriate, given that it seems that what's laid out here is something that should reasonably met -- be met by an individual has a proper right to that birth certificate.

So I would both urge adoption of the amendment before us and then, you know, the bill once the amendment is adopted.

Thank you, Madam Speaker.

SPEAKER ORANGE:

Thank you, sir.

Will you care to remark further?

REP. RITTER (38th):

No. Thank you.

SPEAKER ORANGE:

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Will you care to remark further on House Amendment,
Schedule "A"? Will you care to remark further on House
"A"

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

REPRESENTATIVES:

Aye.

SPEAKER ORANGE:

All those opposed, nay. The ayes have it.

The amendment is adopted.

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

Representative Ritter.

REP. RITTER (38th):

Thank you, Madam Speaker.

As I indicated and has been emphasized several
times, the amendment essentially becomes the bill.

Connecticut has in the past been, I believe, aware
that its requirements were perhaps not as strong as the
surrounding states and indeed over the past recent years,

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have had instances that have caused us to perhaps understand that in a more painful way.

And so I urge my colleagues to support this bill.

SPEAKER ORANGE:

Thank you, madam.

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

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.

SPEAKER ORANGE:

Have all members voted? Have all members voted?

If all the members have voted, please check the machine to determine if your vote has been properly cast.

If so the machine will be locked and the Clerk will take a tally.

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And will the Clerk please announce the tally.

THE CLERK:

House Bill 5241, as amended by House "A."

Total Number Voting	144
Necessary for Passage	73
Those voting Yea	144
Those voting Nay	0
Those absent and not voting	7.

SPEAKER ORANGE:

The bill as amended passes.

Will the Clerk please call Calendar Number 212.

THE CLERK:

On Page 38, Calendar 212, substitute for House Bill
Number 5455, AN ACT CONCERNING PENALTIES FOR AND THE
INVESTIGATION OF THE OPERATION OF ILLEGAL MASSAGE
ESTABLISHMENTS, favorable report by the committee on the
Judiciary.

SPEAKER ORANGE:

Representative Grogins, you have the floor, madam.

REP. GROGINS (129th):

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GENERAL ASSEMBLY
SENATE**

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May 9, 2012

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Calendar page 7, Calendar 376, House Bill 5279, move to place the item on the consent calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

That may have been placed there previously.

THE CHAIR:

It had been, sir.

SENATOR LOONEY:

Okay. And skipping, Madam President, to Calendar 398, on page 8, Calendar 398, House Bill 5241, move to place on the consent calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, calendar page 15, Calendar 464, House Bill 5344 that -- double check has that been placed on consent previously?

THE CHAIR:

Yes sir.

SENATOR LOONEY:

All right. And Madam President, calendar page 16, Calendar 469, House Bill 5038, move to place on the consent

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(HB 5283)

On page 3, Calendar 240, House Bill 3283; page 3, Calendar 299, House Bill 5437; page 5, Calendar 349, Senate Bill 374; page 6, Calendar 375, House Bill 5440; page 6, 362, House Bill 5011.

On page 7, Calendar 376, House Bill 5279; on page 7, 387, House Bill 5290; on page 8, 394, House Bill 5032; on page 8, 396, House Bill 5230.

Also on page 8, Calendar 398, House Bill 5241; on page 8, Calendar 393, House Bill 5307; on page 9, Calendar 403, House Bill 5087; on page 9, Calendar 406, House Bill 5276; on page 9, 407, House Bill 5484; on page 11, Calendar 424, House Bill 5495; on page 12, Calendar 435, House Bill 5232; on page 13, Calendar 5 -- excuse me Calendar 450, House Bill 5447; on page 14, Calendar 455, House Bill 3 -- I'm sorry -- House Bill 5353.

On page 14, Calendar 453, House Bill 5543; on page 14, Calendar 459, House Bill 5271; on page 15, Calendar 464, House Bill 5344; on page 15, Calendar 465, House Bill 5034; on page 16, Calendar 469, House Bill 5038; on page 17, Calendar 475, House Bill 5550; on page 17, Calendar 474, House Bill 5233; on page 17, Calendar 477, House Bill 5421.

Page 18, 480, House Bill 5258; on page 18, Calendar 479, House Bill 5500; page 18, Calendar 482, House Bill 5106; on page 18, Calendar 483, House Bill 5355; on page 19, Calendar 489, House Bill 5248; on page 19, Calendar 488, House Bill 5321; on page 20, Calendar 496, House Bill 5412.

On page 21, Calendar 504, House Bill 5319; page 21, Calendar 505, House Bill 5328; on page 22, Calendar 508, House Bill 5365; on page 22, Calendar 510, House Bill 5170; on page 23, Calendar 514, House Bill 5540; on page 23, Calendar 517, House Bill 5521.

Page 24, Calendar 521, House Bill 5343; page 24, Calendar 518, House Bill 5298; page 24, Calendar 523, House Bill 5504; page 29, Calendar 355, Senate Bill 418; on page 13, Calendar 444, 5037; and Calendar 507, House Bill 5467.

THE CHAIR:

Senator -- Senator Suzio.

SENATOR SUZIO:



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Bills placed on the Consent Calendar on May 9, 2012

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Bills from Senate Agenda Number 3 from the May 9th Senate Session that were placed on the Consent Calendar

HB5304
HB 5342

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SENATE

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May 9, 2012

Good evening, Madam President.

I just want to clarify. I thought I heard the Clerk call House Bill 5034? Is that on the consent calendar?

THE CHAIR:

Do you know what page that is, sir?

SENATOR SUZIO:

No I -- he was reading so fast, Madam, I couldn't get it.

THE CHAIR:

It's -- yes it's 53 -- I don't know.

SENATOR SUZIO:

5034.

THE CHAIR:

5034, yes sir.

SENATOR SUZIO:

I object to that being put on the consent calendar, Madam President.

THE CHAIR:

Okay, that will be removed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Yes, just seeing that -- ask to remove that item from the consent calendar.

THE CHAIR:

So ordered.

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At this time we'll call a roll call vote on the consent calendar.

Mr. Clerk.

THE CLERK:

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

THE CHAIR:

Senator Coleman, we need your vote, sir.

Senator Kissel, Senator Kissel. Senator Kissel, will you vote on the consent calendar please?

All members have voted?

If all members have voted, the machine will be closed.

Mr. Clerk, will you call the amendment -- I meant the tally.

THE CLERK:

On today's consent calendar.

Total Number Voting	36
Necessary for Adoption	19
Those Voting Yea	36
Those Voting Nay	0
Those Absent and Not Voting	0

THE CHAIR:

The consent calendar has passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, I believe the Clerk is in possession of Senate Agenda Number 6 for today's session.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PUBLIC
HEALTH
PART 1
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**2012
INDEX**

CHAIRMEN: Senator Gerratana
Representative Ritter

MEMBERS PRESENT:

SENATORS: Kane, Slossberg, Stillman,
Welch

REPRESENTATIVES: Abercrombie, Ackert,
Ayala, Betts, Carter,
Gentile, Hetherington,
LeGeyt, Lesser, Lyddy,
Miller, Nardello,
Perillo, Ryan,
Scribner, Srinivasan,
Stallworth,
Taborsak, Tercyak,
Widlitz

SENATOR GERRATANA: Welcome, Commissioner Mullen.

COMMISSIONER JEWEL MULLEN: Thank you. Good morning.

SENATOR GERRATANA: Good morning.

COMMISSIONER JEWEL MULLEN: Senator Gerratana,
Representative Ritter, and distinguished of the
Public Health Committee. My name is Dr. Jewel
Mullen, Commissioner of the Department of Public
Health. I'm here this morning to thank the
committee for raising the department's bill and
to let you know that I'm here, once again, along
with a number of staff from the Department of
Public Health to answer questions you have
regarding the following bills: Senate Bill
Number 188, AN ACT CONCERNING FINANCIAL
ASSISTANCE TO LOCAL HEALTH DEPARTMENTS FOR LEAD
POISONING PREVENTION; House Bill Number 5241, AN
ACT CONCERNING DELAYED BIRTH REGISTRATION; Senate
Bill Number 186, AN ACT CONCERNING THE LICENSING,
INVESTIGATION, AND DISCIPLINARY PROCESSES FOR
PHYSICIANS AND NURSES; House Bill Number 5321, AN

HB 5334
HB 5244
HB 5242

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PUBLIC
HEALTH
PART 2
353 – 705**

2012



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

TESTIMONY PRESENTED BEFORE THE PUBLIC HEALTH COMMITTEE
March 7, 2012

Meg Hooper, Planning Branch Chief, (860) 509-7218

House Bill 5241- An Act Concerning Delayed Birth Registration

The Department of Public Health is in favor of House Bill No. 5241. The Department thanks the Public Health Committee for raising the Department's Bill.

A delayed birth certificate is one that is filed one year or more after a birth occurs. Under existing Connecticut law, the requirements for applying for a delayed birth certificate are very weak. An applicant merely needs to provide three affidavits to the vital records registrar of the town where the birth is claimed to have taken place. Unlike other states, Connecticut statute does not require the applicant to submit documentary evidence to support the delayed birth event. Under this proposal, an applicant will need to submit such evidence.

The reasons to strengthen the requirements for filing a delayed birth certificate are many. Delayed birth certificates have been used as a mechanism to commit many serious crimes such as identity theft, imposter fraud, passport scams and others. The Department is aware of several incidents in which it issued a delayed birth certificate, later to find out that it had been used for fraudulent or nefarious activities. Many of the cases involved persons who were in the United States illegally, and created false identities by obtaining a delayed birth certificate. The Department had also issued a delayed birth certificate for Carlina White, the woman who was kidnapped from a New York City hospital as an infant, and raised in Connecticut.

Identity theft, imposter fraud, passport scams, and kidnapping are extremely serious crimes, yet they are also related to even larger issues such as national security and human trafficking. The US Department of Health and Human Services as well as the Department of State's Passport Services perceive delayed birth registration as a loophole waiting to be exploited.

Given the importance of these issues, there is a need to revise Connecticut's delayed birth registration law to enable the Department to scrutinize applicants more stringently, and possibly prevent potential crimes. The measures contained in this proposal will tighten control over the belated birth registration process, while at the same time, accommodate those persons, who through no fault of their own, do not have an official birth certificate, and are therefore unable to obtain benefits and services.

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