

PA12-176

HB5447

Environment	2099-2102, 2364-2370, 2737-2739	14
House	3617-3629	13
<u>Senate</u>	<u>4444, 4497-4499</u>	<u>4</u>
		31

**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 7
2085 – 2412**

2012

him and on -- discussions with him on Exec Noms Committee I have found the Commissioner to -- his -- his outlook to be extraordinarily good in terms of trying to get the agency to be flexible and work with everybody to try to find out what's best for property right owners and the environment.

So I have not talked to him directly and I -- so I can't speak to whether or not he's in support of the bill.

SENATOR RORABACK: And do you think there's a risk that if this bill does not pass the state could be exposed to claims that our policy is confiscatory and that we would therefore have to pay money to people for a taking of their property? Is that a real risk?

SENATOR MCKINNEY: I wouldn't be able to quantify the risk, but I think it's a potential.

SENATOR RORABACK: Thank you, Senator.

Thank you, Mr. Chairman.

REP. ROY: Thank you.

Any other questions or comments from members of the Committee?

Seeing none, Senator, thank you very much.

SENATOR MCKINNEY: Thank you very much.

REP. ROY: Okay, we'd called Representative Ed Jutila, he'll be next but he'll bring us into the public portion and the first speak from the public will be Doug Handel.

REP. JUTILA: Good morning, Representative Roy, Senator Meyer, ranking member, vice chair,

HB5447

members of the Committee, for the record, I'm Ed Jutila, State Representative for East Lyme and Salem. And I've brought with me today Rick Kanter who is the cochair of the Waterford/East Lyme Shellfish Commission. And we're here today to talk to you and speak in support of Senate Bill -- I'm sorry, House Bill 5447 and specifically we're interested in section two which we've proposed to make a couple of pretty minor changes to the statute that currently governs the Waterford/East Lyme Shellfish Commission.

And the purpose of this legislation is ultimately to increase the scallop population in the Niantic River. And I'm going to turn it over to the chairman, Rick Kanter, to explain in more detail and with greater expertise the purpose of the bill.

ERIC KANTER: Representative Roy, Senator Meyer, members of the Environment Committee, my name is Eric Kanter, cochair Waterford/East Lyme Shellfish Commission. I'm here to testify in support of House Bill 5447, AN ACT CONCERNING AQUATIC ANIMALS AS FOOD AND THE TAKING OF ESCALLOPS FROM THE NIAN TIC RIVER.

The Waterford/East Lyme Shellfish Commission, WELSCO, is a state chartered commission as opposed to a town commission due to the political boundary of the towns being in the Niantic River. Because of this division, WELSCO has State Statute Section 26-287 pertaining only to it and the Niantic River.

The Niantic River has historically held a population of bay scallops. In decades passed (gap in audio) management little. Recent harvests have been sparse and WELCO has been poking for ways to sustain and hopefully

increase yields.

The current statute in question dates from 1949, an era when the lifecycle of bay scallops was little understood. The statute allows scallops over two inches to be taken and three bushels harvested. Today's science shows scallops mature between 50 and 60 millimeters which is about 1.97 to 2.36 inches with some variation. So studies have shown most two-inch scallops to be immature and unable to reproduce.

Bay scallops generally live only 18 months to two years. They are spawned in the summer, grow over winter, spawn the next summer and die the following winter. Due to this brief lifespan, it's imperative that immature scallops are not harvested and if taken are returned to the river alive to spawn a succeeding year.

The Waterford/East Lyme Shellfish Commission asks the Legislature to update Section 26-287 via Bill 5447 by increasing the minimum size to two and a half inches and to allow the Commission to either decrease or increase the daily limit to reflect today's smaller population. WELSCO believes these simple changes will better allow the Niantic River scallop population to remain healthy and sustainable providing shell fishing opportunities for today and into the future.

REP. JUTILA: If I could, I'll just make one quick additional point. I know we're already over our time limit and you've got a lot of speakers here. But the point is that this statute is specific to the Waterford/East Lyme Shellfish Commission. It would apply only to shell fishing in the Niantic River and Eric and Rick and the members of the Commission are

the real experts and have done a lot of work, a lot of research, a lot of experts have worked with them on the Commission and we thing this would be good to increase the scallop population there and hope the members will support it. Thank you.

REP. ROY: Thank you.

Any questions from members of the Committee?

Representative Phil Miller.

REP. P. J. MILLER: Thank you, Mr. Chairman.

And thank you, Representative and Mr. Kanter for your very thoughtful testimony. Your shellfish commission's excellent reputation precedes you.

I would -- my only question is do you feel that if this becomes law that you will have a good buy-in from the constituents, the residents and the harvesters and fisherman and such?

ERIC KANTER: I do. I -- we use the annual growth ring in conjunction with the size as a harvest management tool. And I think because of the short lifespan and the decreased population in scallops the last few years, the Commission, the townspeople, the recreational fishermen, all are in agreement that we want to err on the side of caution. We would rather throw back a few adults than harvest a few immature scallops. So I believe that there is no conflict with the recreational shell fishermen.

REP. ROY: Thank you.

Any other questions or comments from members

have professional staff out there on the front lines. So I guess I will be okay with this small raid.

AMY HARRELL: Thank you. Yes. As I understand there is a -- there's a very large cushion available.

REP. MUSHINSKY: It's too large. And that, you know, you're asking for trouble if you have a large cushion in a fund. You're asking for someone to steal it and they do.

So all the advocates here that think spay/neuter is important should badger the department to, you know, spent that money when it comes in. Spend it. Don't leave it around because it's too tempting.

REP. ROY: Thank you. Any.

Other questions or comments?

Representative Miner.

REP. MINER: If I come up with a good idea to raid that account do you think I can run it by you, Representative Mushinsky? I can think of a fish ladder in Wallingford.

REP. ROY: Obviously there's no more question (inaudible).

NICHOLAS SPERA: There's no buzzer on this one. Right? Is it the last?

A VOICE: (Inaudible.)

NICHOLAS SPERA: Yes. They will get a good grade for this one.

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Good afternoon, Representative Roy, Senator Meyer and the committee. My name is Dr. Nicholas Spera. I'm the principal of the Marine Science Magnet High School, first year of school down in Groton, Connecticut. We're operated by a LEARN.

I'm here today representing our students, parents and teachers. Some of them are behind me right now, and the other school-based aquaculture programs located in places like Bridgeport, New Haven and Ledyard. So thank you for the opportunity to speak today. This is regarding Raised Bill Number 5447, AN ACT CONCERNING AQUATIC ANIMALS AS FOOD.

I would also like to thank/acknowledge Senator Maynard for his hard, hard work in understanding of our school, curriculum and Mission.

The legislation before you today represents collaborative efforts of many including my students and staff as well as David Carey, the director of the Bureau of Aquaculture under the Department of Agriculture.

As stated on the department's website, according to the World Wildlife Fund, aquaculture is the fastest growing form of food production in the world. For those in the room who may not know, aquaculture is the science, art and business of cultivating marine or freshwater food fish or shellfish such as oysters, clams, salmon and trout under controlled conditions.

Governor Malloy has recently spoken of the need to expand aquaculture in our state with the idea of converting abandoned warehouses into productive fish-growing facilities. At MSMHS we have a

state-of-the-art aquaculture lab and faculty that provides students with the skills and expense necessary to become leaders in aquaculture as well as the broader fields of business, mathematics and science.

Our facility is an indoor recirculating aquaculture system, meaning that we recycle 100 percent of the water used. We have the capabilities to recreate any body of water throughout the world which allows us the ability to farm a significant number of different species.

Currently we are cultivating Nile tilapia and rainbow trout at the school. Within the next few months students will also begin cultivating shellfish in school-owned beds in Long Island Sound. This real-world curriculum provides exemplary preparation for future employment and an additional source of locally grown food to the community. Moreover this allows students the opportunity to foster real-world experiences in developing business and marketing plans, maintaining water quality to sustain aquatic life and managing and preparing fish and shellfish for restaurants and fish markets.

In conclusion, I'd like to thank this committee for the opportunity to speak about the importance of this proposed legislation. This necessary legislation will allow students the ability to market the aquatic plants and animals that we grow in our aquaculture lab. Furthermore this legislation enables us to fulfill the mission of our school, which is prepare students for higher education and marine-related employment.

On behalf of the students, parents and faculty of MSMHS I ask that you please pass this

legislation. This legislation will provide the students with the hands-on learning experience and skills that will equip them with the knowledge to become future leaders in business and aquaculture in the state of Connecticut.

REP. ROY: Thank you. Thank you very much.

Represent -- Senator Meyer.

SENATOR MEYER: Doctor, congratulations on your initiatives and your class and parents.

NICHOLAS SPERA: Thank you.

SENATOR MEYER: It's wonderful to have you with us and you're showing extraordinary patience in staying.

NICHOLAS SPERA: I have to feed them all, though. That's the only thing, but, you know, that's great.

SENATOR MEYER: Make sure it seafood.

NICHOLAS SPERA: Right. Right.

SENATOR MEYER: I wanted to ask you a question that's related to what you're doing. This committee has been unsuccessful in trying to find out what has caused the dramatic decline in our lobster population in Long Island Sound. And I wondered if you had a theory as to what's caused it and what we might do about it.

NICHOLAS SPERA: It's a great question. I'm going to turn over to my aquaculture teacher. As the principal of the school I can, you know, tell people to do other --

Would you like to talk about it?

I mean, one thing that -- which is interesting, our school, we're doing all farm-raised things. Your question is really about the environment piece which we're going to be talking about more.

But I don't know if you'd like to share on that. Would you like to touch on that?

ERIC LITVINOFF: Yeah. My name is Eric Litvinoff. I'm the aquaculture teacher at the Marine Science Magnet High School.

I definitely think that there's multiple things going on with the lobster populations. Probably a combination of things being flown into the water, which we've talked about here today with the magnification of all the nutrients, either from fertilizers and all of the things that people put on their lawns. Overfishing has definitely been a huge thing in this area for long periods of time. And I think that also the change in population -- not population, but change in the environment. All three of those things combined just create such an impact on the environment.

We've talked about maybe growing some lobsters in the school. Lobster aquaculture does take long periods of time. I think it takes about seven to ten years to grow one lobster to about one-pound size, which makes research on it pretty difficult, but if we start now, being our first year, then have no problem doing over the next lifetime of the school.

So there's a lot of things going on. I don't know if you can ever pinpoint one exact answer based on just how a population always changes and all the different species of lobsters out

there.

SENATOR MEYER: Well, it's interesting. The Department of Energy and Environmental Protection just shared a memo with us which opines that the lobster population decline did not come about from pesticides and fertilizers and chemicals going into the water, but primarily came about because of warming water, that the warmer water has had that effect.

ERIC LITVINOFF: Yeah. I mean, I totally agree with it. And it just -- it's so hard to pinpoint what exactly caused it.

Like, we know more about our own moon than we do about the bottom of the oceans. You know, the only lobsters that we can really take out and study are the ones that we caught. And usually those ones were either taken for food or were thrown back so they grow again.

How many lobsters can be down there at the bottom of the ocean that we've never even touched before, which could either have the answer or not have the answer, could prove those theories right or wrong. Which makes it so hard to say is, is that the right answer? Or is it a combination of things?

SENATOR MEYER: Okay. Thank you. Thank you.

REP. ROY: Any other questions or comments?

Thank you very, very much. And I thank you for your patience. I hope that you learned a little bit about democracy and public participation in government. And certainly look forward to seeing some of you up here in the years ahead, because we're not going to stay here forever.

NICHOLAS SPERA: We just want to sell our fish.
That's all. Thank you.

REP. ROY: With that, is there anyone else who
hasn't had a chance to speak who wants to
address this committee?

Representative Mushinsky.

REP. MUSHINSKY: Thank you, Mr. Chairman.

I just wanted to recognize that it's
Representative Rich Roy's last public hearing
as chairman and Representative Clark Chapin's
last public hearing as Rep Chapin in this
committee, and to thank them for a job well
done.

REP. ROY: Thank you all. This hearing is
adjourned.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 8
2413 – 2739**

2012

WATERFORD-EAST LYME SHELLFISH COMMISSION



Environmental Committee Public Hearing

Friday March 16th 2012

Testimony of the Waterford/East Lyme Shellfish Commission in support of H.B. 5447

Representative Roy, Senator Meyer, Members of the Environment Committee:

For the record my name is Eric Kanter, Co-chair Waterford/East Lyme Shellfish Commission and I am here to testify in support of H.B. 5447 AN ACT CONCERNING AQUATIC ANIMALS AS FOOD AND THE TAKING OF ESCALLOPS FROM THE NIAN TIC RIVER

The Waterford/East Lyme Shellfish Commission (WELSCO) is a state chartered commission, as opposed to a town commission, due to the political boundary of the towns in the Niantic River. Because of this division, WELSCO has state statute (sect. 26-287) pertaining only to it and the Niantic River.

The Niantic River has historically held a population of bay scallops (argopectin irradians). In decades past, large harvests were common and the need for management little. Recent harvests have been sparse, and WELSCO has been looking for ways to sustain, and hopefully increase yields.

The current statute in question dates from 1949, an era when the lifecycle of bay scallops (escallops) was little understood. The statute allows scallops over 2 inches to be taken and 3 bushels harvested. Today's science shows scallops mature between 50mm to 60mm (1.97" to 2.36"), with some variation¹. Studies have shown most 2" scallops to be immature and unable to reproduce.

Bay scallops generally live only 18 months to 2 years. They are spawned in the summer, grow, overwinter, spawn the next summer and die the following winter. Due to this brief lifespan, it is imperative immature scallops are not harvested and, if taken, are returned to the river alive to spawn the succeeding year.

The Waterford/East Lyme Shellfish Commission asks the legislature to update section 26-287 via bill 5447 by increasing the minimum size to 2½ inches and allow the commission to decrease the daily limit to reflect today's smaller population.

WELSCO believes these simple changes will better allow the Niantic River scallop population to remain healthy and sustainable, providing shellfishing opportunities for today and into the future.

Sincerely,

Eric N. Kanter

Co-chairman, Waterford East/Lyme Shellfish Commission

¹Reference: "Biology of the Bay Scallop", Leavitt, Roger Williams Univ.
Karney & Surier Martha's Vinyard Shellfish.



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Good afternoon, my name is Dr. Nicholas Spera, Principal of the Marine Science Magnet High School of Southeastern CT (MSMHS) located in Groton, CT and operated by LEARN. I am here today representing our students, parents, and teachers of MSMHS and the other school-based aquaculture programs located in places like Bridgeport, New Haven, and Ledyard.

Thank you for the opportunity to speak today regarding Raised Bill No. 5447 - AN ACT CONCERNING AQUATIC ANIMALS AS FOOD. I would also like to thank and acknowledge Senator Maynard for his hard work and understanding of the Marine Science Magnet High School's curriculum and mission. The legislation before you today represents the collaborative efforts of many, including my students and staff at MSMHS, as well as David Carey, Director of the Bureau of Aquaculture and Laboratory Services that resides under the Department of Agriculture.

As stated on the Department's website, according to the World Wildlife Fund, aquaculture is the fastest growing form of food production in the world. For those in the room who may not know, aquaculture is the science, art, and business of cultivating marine or freshwater food fish or shellfish, such as oysters, clams, salmon, and trout, under controlled conditions. Governor Malloy has recently spoken of the need to expand aquaculture in our state with the idea of converting abandoned warehouses into productive fish-growing facilities.

At MSMHS, we have a state of the art aquaculture lab and faculty that provide students with the skills and experience necessary to become leaders in aquaculture, as well as the broader fields of business, mathematics, and science. Our facility is an indoor Recirculating Aquaculture System, meaning that we recycle 100% of the water used. We have the capabilities to recreate any body of water throughout the world which allows us the ability to farm a significant number of different species.

Currently, we are cultivating Nile Tilapia and Rainbow Trout at the school. Within the next few months, students will also begin cultivating shellfish in school-owned beds in Long Island Sound. This real-world curriculum provides exemplary preparation for future employment and an additional source of locally grown food to the community. Moreover, this allows students the opportunity to foster real world experiences in developing business and marketing plans, maintaining water quality to sustain aquatic life, and managing and preparing fish and shellfish for restaurants and fish markets.

The mission of Marine Science Magnet High School is to prepare students for higher education and marine-related employment by addressing a wide range of marine-related topics and disciplines with a challenging, experiential curriculum responsive to the diverse interests of a broad spectrum of students.

In conclusion, I would like to thank the Environment Committee for the opportunity to speak about the importance of this proposed legislation. This necessary legislation will allow students the ability to market the aquatic plants and animals that we grow in our aquaculture lab. Furthermore, this legislation enables us to fulfill the mission of the school, which is to prepare students for higher education and marine-related employment. On behalf of the students, parents, and faculty of MSMHS, I ask that you please pass this legislation. This legislation will provide the students with the hands-on learning experience and skills that will equip them with the knowledge to become future leaders in business and aquaculture in the state of Connecticut.

H – 1133

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2012**

**VOL.55
PART 11
3438 – 3771**

DEPUTY SPEAKER GODFREY:

The Bill as amended is passed.

Will the Clerk please call Calendar 306.

THE CLERK:

On Page 17, Calendar 306, Substitute for House Bill 5447, AN ACT CONCERNING ACQUATIC ANIMALS AS FOOD AND THE TAKING OF SCALLOPS FROM THE NIANTIC RIVER.

Favorable report by the Committee on the Environment.

DEPUTY SPEAKER GODFREY:

Gentleman from the 37th, Representative Jutila, you have the floor, sir.

REP. JUTILA (37th):

Through you, Mr. Speaker. I move acceptance of the joint committee's favorable report and passage of the Bill.

DEPUTY SPEAKER GODFREY:

Question is on acceptance and passage. Will you explain the Bill please, sir?

REP. JUTILA (37th):

Through you, Mr. Speaker. Yes, this Bill is in two parts. Section one provides for the licensing and inspection of aquaculture producers that cultivate and harvest aquatic animals for human consumption. This originated with the Marine Science Magnet High School

in Groton which has a thriving aquaculture program. They'd like to be able to take it to the next level by being able to market the products they produce. Section two of the Bill merely increases the minimum size of scallops for taking out of the Niantic River from two inches to two and a half inches. It also allows the Waterford East Lyme Shellfish Commission to decrease as well as increase the daily limit for scallops in the river and this will help to ensure that scallops have a chance to reproduce and increase the scallop population in the river. Mr. Speaker, the Clerk has in his possession an amendment, LCO 3872 and I would ask that the Clerk call the amendment and that I be permitted to summarize.

DEPUTY SPEAKER GODFREY:

The Clerk is in possession of LCO Number 3872, which shall be designated House Amendment Schedule "A". Mr. Clerk, kindly call the amendment.

THE CLERK:

LCO 3872, House "A", offered by Representative Jutila and Senator Maynard.

DEPUTY SPEAKER GODFREY:

Gentleman has asked leave of the chamber to summarize. Is there objection? Hearing none,

Representative Jutila.

REP. JUTILA (37th):

Through you, Mr. Speaker. The amendment clarifies or makes clarifying changes to the definitions in the Bill and establishes specific statutory requirements for licensing of aquaculture producers as opposed to the original Bill which simply required the Department of Agriculture to adopt regulations and I would move adoption.

DEPUTY SPEAKER GODFREY:

Question is on adoption of House Amendment Schedule "A". Would you remark any further, Representative Jutila on "A"?

REP. JUTILA (37th):

No thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Very good, sir. Thank you. The distinguished Ranking Member of the Environment Committee, Representative Chapin.

REP. CHAPIN (67th):

Through you, Mr. Speaker. Mr. Speaker, a question to the proponent through you, sir.

DEPUTY SPEAKER GODFREY:

Proceed sir.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. I noticed in the file copy under the definition of aquatic animals it includes alligator, frog and aquatic turtle, but I don't see that in the amendment. Can the gentleman explain the reason why those three animals were removed? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Jutila would you care to respond?

REP. JUTILA (37th):

Yes, thank you, Mr. Speaker. Through you, to the distinguished Ranking Member of the Environment Committee. We looked over the definition and that definition appeared to be a general definition that encompassed a wide variety of aquatic animals. As we looked at it more carefully, we were pretty confident that the Marine Magnet School and the other two or three schools around the state who wanted to get into being aquatic producers or aquaculture producers would not want to be raising such aquatic life as alligators and frogs and so forth. Through you.

DEPUTY SPEAKER GODFREY:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker and again, through you, would the gentleman agree that in line 8 where it says or other forms of aquatic life that if a school chose to undertake those specific animals being removed that they would then be allowed to, because of the language, and other forms of aquatic life? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Jutila.

REP. JUTILA (37th):

Through you, Mr. Speaker, I suppose that under the language they conceivably could do that. Again, we don't think that any of the schools are interested in doing that and we felt that by taking those out of the definition we would at least be expressing a legislative intent that they not be included.

DEPUTY SPEAKER GODFREY:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker and I thank the gentleman for his answer. Mr. Speaker, I rise in support of the amendment. Thank you.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Gentleman from Litchfield, Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. I too have a couple of questions on the amendment, please.

DEPUTY SPEAKER GODFREY:

Proceed, sir.

REP. MINER (66th):

Mr. Speaker, as I look through the amendment, it appears to deal with impoundments both floating and submerged. Now, would that be in Long Island Sound? Through you.

DEPUTY SPEAKER GODFREY:

Representative Jutila.

REP. JUTILA (37th):

Through you, Mr. Speaker, I believe in the case of the Marine Magnet School, it would be Long Island Sound or some estuary of the sound.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. Mr. Speaker, since this Bill was taken up initially, some of you may be aware may not be aware, but the Atlantic Sturgeon's been listed as an endangered species and I know there's

some very recent information that came out from the DEEP with regard to regulation of impoundments. And, I'm curious if the gentleman knows how would changes such as might occur through the DEEP whose charge it has been in the past to regulate the fisheries, how does he see this interaction occurring so that the Department of Agriculture doesn't develop a regulation that's in conflict? Through you.

DEPUTY SPEAKER GODFREY:

Representative Jutila.

REP. JUTILA (37th):

Through you, Mr. Speaker, throughout the process of drafting this Bill and the public hearing process, there has been close coordination and cooperation between the relevant state agencies involved including the Department of Agriculture, DEEP and Consumer Protection. Through you.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. Could the gentleman point out to me where the DEEP is listed in this amendment? Through you.

DEPUTY SPEAKER GODFREY:

Representative Jutila.

REP. JUTILA (37th):

Through you, Mr. Speaker, I don't believe the DEEP is referenced in the actual amendment.

DEPUTY SPEAKER GODFREY:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker, and that's my concern. This is not the first time where we've had a situation where the agencies while we believe they have a great degree of communication, where we find out that they may not be as closely tied as we would hope. It is my intentions to support the amendment today. I make the comments I've made and ask the questions I've asked because I think they are important to the process and I would hope at least through the process of the development of regulations that the involvement of the DEEP becomes a little more apparent to the naked eye. Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir. Will you remark further on House Amendment Schedule "A"? Will you remark further on House Amendment Schedule "A"?

If not, let me try your minds. All those in

favor signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER GODFREY:

Opposed Nay.

The Ayes have it. The amendment is adopted.

Will you remark on the bill as amended?

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. Mr. Speaker, some questions to the proponent of the Bill as amended.

DEPUTY SPEAKER GODFREY:

Proceed, sir.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. Section two which the previously adopted amendment did not deal with is specifically dealing with the Waterford East Lyme Shellfish Commission. Is that correct? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Jutila.

REP. JUTILA (37th):

Through you, Mr. Speaker, that is correct.

DEPUTY SPEAKER GODFREY:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker and again, through you, can the gentleman tell me how many other shellfish commissions there may be and are they articulated in statute such as this particular shellfish commission? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Jutila.

REP. JUTILA (37th):

Through you, Mr. Speaker, I'm not sure how many other shellfish commissions in the state have their own statute. I'm only familiar with the East Lyme Waterford -- or Waterford East Lyme Shellfish Commission which is in my district.

DEPUTY SPEAKER GODFREY:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker and again, through you, so can the gentleman tell me whether other shellfish commissions may weigh in as to the size and whether the change in size contemplated in this Bill is consistent with other areas in the state? Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Jutila.

REP. JUTILA (37th):

Through you, Mr. Speaker, they certainly have the ability to weigh in. They could have done that at the public hearing if they had concerns and again, this change affects only the Waterford East Lyme Shellfish Commission, although I can say that the commission has come to me with the idea of making or proposing more comprehensive changes to the general regulations in the future but that's not for this year or this Bill. Through you.

DEPUTY SPEAKER GODFREY:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker and I thank the gentleman for his answers.

DEPUTY SPEAKER GODFREY:

The distinguished sound keeper, Representative Backer.

REP. BACKER (121st):

Thank you, Mr. Speaker. In the line of questioning that just passed between the two gentlemen, it's important to note that the

distribution of scallops by their nature around Long Island Sound has been rather limited in the last 30 or 40 years and the ability -- you don't really see them too much further to the west and you would in Old Lyme, Waterford, Niantic and areas of that place is where they've been in a bigger population due to the survivor of some eel grass. There are a few caught here and there but, that's the reason why it doesn't really address the whole state because they're really a very limited distribution just for FYI for this debate. Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Remark further on the Bill as amended? Will you remark further on the Bill as amended?

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

The House of Representatives is voting by roll call. Members to the chamber. The House is taking a roll call vote. Members to the chamber, please.

DEPUTY SPEAKER GODFREY:

Have all the members voted? If all the members have voted, the machine will be locked. The Clerk

will take a tally.

And, the Clerk will announce the tally.

THE CLERK:

House Bill 5447 as amended by House "A".

Total number voting	145
Necessary for adoption	73
Those voting Yea	145
Those voting Nay	0
Those absent and not voting	6

DEPUTY SPEAKER GODFREY:

The Bill as amended is passed.

Mr. Clerk, kindly call Calendar 245.

THE CLERK:

On Page 11, Calendar 245, Substitute for House
Bill Number 5037, AN ACT IMPLEMENTING THE GOVERNOR'S
BUDGET RECOMMENDATIONS CONCERNING PUBLIC HEALTH.
Favorable report by the Committee on Public Health.

DEPUTY SPEAKER GODFREY:

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

REP. RITTER (38th):

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

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2012**

**VOL. 55
PART 14
4223 - 4505**

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SENATE

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May 9, 2012

amended.

THE CHAIR:

I apologize, sir.

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

And Madam President, if the Clerk would now call the item from Senate Agenda Number 2 previously marked House Bill 5358.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Senate Agenda Number 2, House Bill Number 5358, AN ACT CONCERNING AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS, favorable report of the Committee on Finance, Revenue and Bonding.

THE CHAIR:

Senator Daily.

Oh, sorry. Excuse me, Senator Daily. It said Finance, but it happens to be Senator Stillman. I apologize.

Senator Stillman.

SENATOR STILLMAN:

Thank you, Madam President.

I move the joint committee's favorable report in concurrence with the House.

THE CHAIR:

The motion is on acceptance and passage in concurrence with the House.

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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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ERNEST J. COTNOIR
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TIMOTHY B. KEHOE
PERMANENT ASSISTANT
CLERK OF THE SENATE

Bills placed on the Consent Calendar on May 9, 2012

5358
5148
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5326
5025
5534
5539
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5462
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5011
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5279
5290
5307
5032
5230
5241
5087
5276
5484
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5543
5353
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- 5550
- 5258
- 5106
- 5355
- 5521
- 5248
- 5412
- 5319
- 5328
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- 5504
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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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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.