

PA12-086

HB5289

House	6970-6980	11
Judiciary	1376-1377, 1378	3
Senate	4177, 4178-4179	<u>3</u>
		17

H – 1143

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2012**

**VOL.55
PART 21
6812 – 7162**

Representative Hwang, of the 134th, sir.

REP. HWANG (134th):

Thank you, Mr. Speaker.

I rise in strong support of this bill and I want to thank the Chair of the Commerce Committee, as well as the ranking member, in their wonderful work in this endeavor. I think as we talk many times in the chamber it's about jobs, jobs, jobs. And this is an opportunity for us to be able to retain the best talent that exists in our state as they pursue education not only in a public school setting, but also in a private school setting. Our hope is to keep as many talented young people as we can in our state. One of the biggest losses for our state is the brain drain of young talent. I simply believe that this bill will go a long way to keeping those talents in our state and building our labor force to be effective, as well as a powerful one.

So I rise in strong support and I urge the Chamber's support as well. Thank you, sir.

DEPUTY SPEAKER RYAN:

Thank you, sir.

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

If not, will staff and guests please come to the well of the House. Will the members please 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 taking a roll call vote. Members to the Chamber, please.

DEPUTY SPEAKER RYAN:

Have all members voted? Have all members voted? Will members please check the board to determine if their cast is properly cast. If the members have voted, the machine will be locked and the Clerk will take a tally.

The Clerk will please announce the tally.

THE CLERK:

Senate Bill 78 as amended by Senate "A" in concurrence with the Senate.

Total number voting	146
Necessary for adoption	74
Those voting Yea	145
Those voting Nay	1
Those absent and not voting	5

DEPUTY SPEAKER RYAN:

The amendment -- I'm sorry -- the bill -- the bill as amended passes in concurrence with the Senate.

Will the Clerk please call Calendar Number 378.

THE CLERK:

On page 17, Calendar 378, House Bill Number 5289, AN ACT INCREASING THE PENALTY FOR SUBSEQUENT OFFENSES OF CRUELTY TO ANIMALS, favorable report of the Committee on Judiciary.

DEPUTY SPEAKER RYAN:

Representative Fox, chairman of the Judiciary Committee, sir, you have the floor.

REP. FOX (146th):

Thank you, Mr. Speaker.

I move for the acceptance of the Joint Committee's favorable report and passage of the bill.

DEPUTY SPEAKER RYAN:

The question is acceptance of the Joint Committee's favorable report and passage of the bill. Will you remark?

Representative Fox.

REP. FOX (146th):

Thank you, Mr. Speaker.

The state of Connecticut currently has a law regarding abuse of animals. It involves crimes -- the acts such as torturing, cruelly beating, killing or unjustifiably injuring any animal. What this bill does,

Mr. Speaker, is it elevates the penalty for those instances where an individual had previously been convicted of this offense. So for multiple offenses of doing what many of us would think to be unspeakable acts towards animals, what this does is it elevates that to -- it goes from an A misdemeanor to a felony, which would be punishable for up to five years in jail and a \$5,000 penalty. And I would urge passage of the bill.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Will you remark further on the bill before us? Will you remark further on the bill before us?

Representative Miner of the 66th District.

REP. MINER (66th):

Thank you, Mr. Speaker.

I just have one question on this bill, if I could, through you, please.

DEPUTY SPEAKER RYAN:

Please proceed, sir.

REP. MINER (66th):

Thank you, Mr. Speaker.

In the many years that's we've been talking cruelty to animals, I think many of us realize that there is a lot of unjust action taken out on animals and some of us that

are involved in agriculture and those of us that live in rural communities sometimes want to make sure that by supporting something, we're not creating a circumstance where someone in an agricultural community could be charged. And my understanding as you've described it is that this is intended ratchet up the charges on someone who has been already found to have been cruel animals. So is there anything in this language -- I have not read it all -- that would dip into that other section of agriculture or -- I've had conversations with some members here -- there may arise circumstances where in an effort to try to end the suffering of a pet, any one of us might take action they think is appropriate.

So does any of this deal with those circumstances?
Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Fox.

REP. FOX (146th):

Through you, Mr. Speaker, and I do appreciate the question and my answer would be I don't think so because, as I stated, it just elevates the penalty for multiple offenses. So provided that those instances that the Representative is describing, which I can certainly understand where potentially animals are working on a farm

or for other purposes, provided that there's not a significant number of arrests on the existing law, which I don't believe that there are, then the elevated penalty should not be of concern to those animal owners.

DEPUTY SPEAKER RYAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. And I thank the gentleman for the clarification.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Hetherington of the 125th.

REP. HETHERINGTON (125th):

Thank you, Mr. Speaker.

I rise in support of this bill. I don't know how many offenses there are in this category, but in any event, there's no justification for a second offense, probably not even for the first offense, but certainly not for a subsequent offense. Just commenting on Representative Miner's question, I think it is fairly clear from the word "unjustifiably" that if someone were to put down an animal who was injured or wasted by disease, it would not be subject to prosecution under this. This is designed to get against -- to address careless or gratuitous cruelty

to animals. And they are (inaudible) creatures in our care and we ought to punish severely subsequent acts of cruelty. So I support this bill and urge my colleagues to do the same. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Kupchick of the 132nd.

REP. KUPCHICK (132nd):

Thank you, Mr. Speaker.

I rise in strong support of this bill. Many other states have increased the penalty of animal abuse and Connecticut needs -- finally is doing that as well. There really is absolutely no -- no justification for anyone -- excuse me -- to abuse an animal. They are helpless and they look to us to take care of them. And as Representative Hetherington said, it's -- there is nothing that justifies abuse of any type or any form and I am really excited to see that this bill is coming through the Legislature. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Chapin of the 67th District.

REP. CHAPIN (67th):

Thank you, Mr. Speaker.

Some questions to the proponent, through you, please.

DEPUTY SPEAKER RYAN:

Please proceed, sir.

REP. CHAPIN (67th):

Thank you, Mr. Speaker.

Can the gentleman tell me how many people last year may have been convicted under this statute? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Fox.

REP. FOX (146th):

Through you, Mr. Speaker, I'm not sure.

DEPUTY SPEAKER RYAN:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker.

Again, through you, assuming that there was a public hearing for this, was there any testimony that really demonstrated that people are convicted for multiple offenses? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Fox.

REP. FOX (146th):

Through you, Mr. Speaker, there definitely was a

public hearing in the Judiciary Committee. This was a bill that was proposed by Representative Labriola and it was something that was of interest to him, but also generated interest among other committee members and it did pass the committee unanimously. So I'm not aware of specific instances from the public testimony, but I do know that there was interest in seeing this legislation pass.

DEPUTY SPEAKER RYAN:

Representative Chapin.

REP. CHAPIN (67th):

Thank you, Mr. Speaker.

And I was trying to ascertain how large of a problem this may be here in Connecticut. I thank the gentleman for his answers. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Urban of the 43rd District, lovely Stonington and North Stonington.

REP. URBAN (43rd):

Thank you, Mr. Speaker.

And Mr. Speaker, I said in strong support of this bill. I have spent a great deal of my time trying to draw the relationship between animal cruelty and future violent behavior. And if we can send this message that the state

of Connecticut is looking at more -- if you abuse animals more than once, we're going to take that extremely seriously. I think that's a terrific idea and I support this. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

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

If not, will staff and guests please come to the well of the House. Will the members please 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 taking a roll call vote. Members to the Chamber, please.

DEPUTY SPEAKER RYAN:

Have all members voted? Have all members voted?
Will members please check the board to determine if their cast is properly cast. If the members have voted, the machine will be locked and the Clerk will take a tally.

Mr. Clerk, please announce the tally.

THE CLERK:

House Bill 5289.

Total number voting

147

meb/rgd/tmj/gdm/gbr
HOUSE OF REPRESENTATIVES

503
May 7, 2012

Necessary for adoption	74
Those voting Yea	147
Those voting Nay	0
Those absent and not voting	4

DEPUTY SPEAKER RYAN:

Bill as amended is passed -- I'm sorry -- the bill is passed.

Mr. Clerk, 447, please.

THE CLERK:

On page 27, Calendar 447, Senate Bill Number 227, AN ACT CONCERNING CORRECTIONS TO CERTAIN CENSUS DESIGNATIONS, favorable report by the Committee on Commerce.

DEPUTY SPEAKER RYAN:

Distinguished Chairman of the Commerce Committee, Representative Berger.

REP. BERGER (73rd):

Thank you, Mr. Speaker.

I move for acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the Senate.

DEPUTY SPEAKER RYAN:

Question is on acceptance and passage.

Explain the bill, please, sir.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**JUDICIARY
PART 5
1301 - 1641**

2012

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hac/gbr JUDICIARY COMMITTEE

March 7, 2012
12:00 P.M.

12, sometimes 14 hours waiting to testify.
But -- so I just wanted to say that I really appreciate the fact that you are still here and I'm sorry I missed part of your testimony; I was in another hearing.

But that there was a story written today in the Connecticut Mirror about this -- this hearing and about the impact of people's stories. And I just walked in at the tail end of your story, and I could tell that there was a lot of passion in your story. So I really wanted to express my appreciation for what you did today. Thank you.

LORRIANE GODFREY: Thank you for your time
(inaudible).

REP. FOX: Thank you.

LORRAINE GODFREY: Have a good evening all.

REP. FOX: Any other questions, or?

LORRAINE GODFREY: Oh, anything else?

REP. FOX: I guess that's it. Thank you very much.

LORRAINE GODFREY: Thank you very much.

REP. FOX: Next we have Nancy Parker. And just before you begin, Nancy Parker is the last name we have down as far as testimony this evening. Is there anyone else in the audience who wishes to testify? Yes. Okay.

VOICE: (Inaudible)

REP. FOX: Okay, well, after Ms. Parker. Okay.

NANCY PARKER: It's not good evening anymore, it's good night. I didn't prepare testimony; I

HB 5389

SB 246

HB 5289

just really wanted to quickly urge your support and passage of three bills. I can't believe I've been sitting back there and there's air conditioning coming down on me and it's cold and it's only March 7th and they've got air conditioning on.

But I just really quickly want to say, I have -- I live in Hartford. I grew up in California, I went to college in New York City, and I've lived in Hartford for 35 years, and I have been a psychiatric social -- I was a psychiatric social worker for many years; I worked at the Institute of Living, and I worked in corrections, and I worked with Department of Children and Families. For about the last ten years now I've been a lobbyist and advocate here at the Capital, and I'm still a social worker.

I want to quickly urge your support and passage of raised Bill Number 5389 AN ACT CONCERNING THE PALLIATIVE USE OF MARIJUANA. I don't smoke marijuana. I can't say that I haven't in the past, but I do not need medical marijuana, thank God. But from what I hear and what I've learned, I know that so many people do.

I have a friend who visited me from California last year; she stayed with me for a number of months, and she lives in California. And when she told me that medical marijuana is prescribed in California for anxiety and insomnia I was kind of shocked. And I just thought it makes perfect sense to -- that it should be legal for all the much more serious illnesses that it's used for, also. And it just makes perfect sense instead of all the other drugs that are used for all the diseases we've heard about today.

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hac/gbr JUDICIARY COMMITTEE

March 7, 2012
12:00 P.M.

But it just really struck me when she told me that it's prescribed for anxiety and insomnia. It -- it just really struck me. So that's the main bill I want to support. And the other two I want to urge your support and passage of are, I have been a passionate animal rights advocate and lobbyist for about ten years, and I would just like you -- to ask you to pass raised Bill Number 5289 AN ACT INCREASING THE PENALTY FOR SUBSEQUENT OFFENSES OF CRUELTY TO ANIMALS. And raised Bill Number 246 AN ACT CONCERNING LIABILITY FOR DAMAGE CAUSED BY A DOG.

I only heard one other person testify on that one today. But I strongly believe in the rights of animals, and I strongly would request and ask that these bills be passed. So, thank you very much.

REP. FOX: Thank you for your testimony. Are there any questions?

NANCY PARKER: Thanks.

REP. FOX: Thanks for being here all day.

NANCY PARKER: Have a nice night.

REP. FOX: Okay. And as I said, that concludes the list, but there's one more. Ma'am, if you would like to step forward.

MARIA FODEN: It's not even evening anymore, right?

REP. FOX: If you could please state your name.

MARIA FODEN: My name is Maria Foden, I'm an attorney and practice immigration law down the street, (inaudible). I have been in practice for 32 years, and I practice primarily with very low, low, income. I would say the

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GENERAL ASSEMBLY
SENATE**

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2012**

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PART 13
3941 - 4222**

rc/law/gdm/gbr
SENATE

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May 8, 2012

On calendar page 28, Calendar 512, House Bill 5424. Madam President, move to place the item on the consent calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

And a final item is on calendar page 30, Calendar 522, House Bill 5289. Madam President, move to place this item on the consent calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if the Clerk would -- would read the items on the consent calendar for a verification and then if we might move to a vote on the consent calendar.

THE CHAIR:

Mr. Clerk.

SENATOR LOONEY:

Thank you, Madam President.

THE CHAIR:

Thank you, sir.

THE CLERK:

On page 6, Calendar 364, House Bill 5089; page 7, Calendar 378, House Bill 5554; page 8, Calendar 391, House Bill 5446; page 9, Calendar 395, House Bill 5483.

On page 10, Calendar 402, House Bill 5299; page 12, Calendar 425, House Bill 5476.

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On page 13, Calendar 426, House Bill 5443; on page 14, Calendar 438, House Bill 5347; Page 14, Calendar 439, House Bill 5388; page 15, Calendar 441, House Bill 5501.

Also on page 15, Calendar 442, House Bill 5536; page 16, Calendar 445, House Bill 5145; page 16, Calendar 446, House Bill 5395; on page 16, Calendar 448, House Bill 5414; page 17, Calendar 451, House Bill 5548; page 18, Calendar 456, House Bill 5285.

Also on page 18, Calendar 458, House Bill 5031; on page 20, Calendar 468, House Bill 5217; page 21, Calendar 471, House Bill 5164; page 22, Calendar 476, House Bill 5263.

On page 23, Calendar 485, House Bill 5237. On page 25, Calendar 497, House Bill 5512; page 26, Calendar 502, House Bill 5497; page 26, Calendar 503, House Bill 5409.

On page 28, Calendar 512, House Bill 5424. And on page 30, Calendar 522, House Bill 5289.

THE CHAIR:

That seems correct.

Mr. Clerk, would you please call for a roll call vote on the consent calendar. (Inaudible.)

THE CLERK:

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

THE CHAIR:

Senator Gomes, would you like to vote, please. Thank you.

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

Mr. Clerk, would you please call a tally.

THE CLERK:

On today's consent calendar,

rc/law/gdm/gbr
SENATE

279
May 8, 2012

Total Number Voting	35	
Necessary for passage	18	
Those Voting Yea	35	
Those Voting Nay	0	
Those Absent and Not Voting		1

THE CHAIR:

The consent calendar passes.

Are there any points of personal privilege or announcements? Are there any points of personal privilege or announcements?

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Yes, Madam President, if there are no announcements or points of personal privilege, we will, of course, be in session tomorrow -- or actually it's later today but -- but not on Thursday. But --

THE CHAIR:

Okay. Promise?

SENATOR LOONEY:

-- we will -- we will convene later this morning. We will have a -- announce the Democratic caucus at eleven followed by session at noon today.

Thank you, Madam President.

With that, would move the Senate stand adjourned, subject to the call of the chair.

THE CHAIR:

So ordered, sir. Everybody drive safely.

On motion of Senator Looney of the 11th, the Senate, at 12:32 a.m. adjourned subject to the call of the chair.