

**PA12-092**

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**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**GOVERNMENT  
ADMINISTRATION  
AND ELECTIONS  
PART 1  
1 – 325**

**2012  
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March 2, 2012

jkr/gbr

GOVERNMENT ADMINISTRATION  
AND ELECTIONS COMMITTEE

10:30 A.M.

CHAIRMEN: Senator Slossberg  
Representative Morin

MEMBERS PRESENT;  
SENATORS: Meyer, McLachlan

REPRESENTATIVES: Lesser, Hwang, Abercrombie,  
Alibis, Floren, Fox,  
Hetherington, Labriola,  
Luxenberg, Santiago

SENATOR SLOSSBERG: Okay.

We'd like to call the public meeting to order and welcome, everyone. We're looking forward to hearing from everyone today, but first up for our speakers, we are delighted to welcome our esteemed Lieutenant Governor, Nancy Wyman, and our Secretary of State, Denise Merrill, to speak first.

And then I understand that the Lieutenant Governor -- we're so glad that she's here, but I understand she has to be leaving after she speaks, so we thank you, we welcome you back to the GAE Committee, look forward to hearing from you and recognize that you will be leaving us shortly.

NANCY WYMAN: Thank you, Senator Slossberg.

Representative Morin and the distinguished guests, members of the GAE Committee. It's good to see you, Representative Morin, I'll tell you. And for the record, if you don't know, I am Lieutenant Governor Nancy Wyman, and I thank you for allowing me to speak for a few minutes.

(HJ2) (SB27)  
(HB5022) (HB5024)

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You know, as you know, there is nothing more vital to the future of our state and our nation than ensuring that all our citizens have the power to vote. But across the country, many states are taking steps to put obstacles in the way of citizens' ability to exercise that right.

Here in Connecticut, we are doing just the opposite. Here in Connecticut, we fortunately have a Governor committed to reforming and modernizing our voting system so that more people can vote.

The reforms in this package will ensure that more of our residents have the power to decide who they want to represent them in government, the power to decide how they want to raise their taxes and who to do that and how those taxes are being spent, what kind of healthcare they want in the system, how they want their children to be educated and so many other aspects of their lives.

These proposals will allow more people to have their voices heard in a place where it truly matters, and that's the voting booth.

So I want to thank you for allowing me to be here with you today, and I know I'm leaving you in very capable hands, the capable hands of our great Secretary of State. Thank you

Bye, all.

SENATOR SLOSSBERG: Thank you, Nancy. And please tell the Governor we said thank you very much for his support and his leadership on these very important reforms.

Here at the GAE Committee, we've been

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working for a long time on a number of these. Very exciting to have the leadership in the Governor's office and the Lieutenant Governor's office and the Secretary of State to make these things actually happen, so please say thank you. We can't wait [inaudible].

Madam Secretary of State, delightful to have you back before us again, and looking forward to hearing from you this morning.

DENISE MERRILL: Thank you very much. Good morning, Chairman Morin, Chairman Slossberg and members of the Committee.

For the record, my name is Denise Merrill. I am Secretary of the State of Connecticut, and I wish to also thank Governor Malloy and Lieutenant Governor Wyman for their partnership in proposing and supporting the important reforms that are on your agenda this morning.

So my job will be to briefly address four bills raised by the Committee this morning, starting with the substitute language for House Joint Resolution 2. This amendment has been proposed before by my office and others. This year, Governor Malloy is proposing it with enthusiastic support.

The substitute language for House Joint Resolution 2 would amend the state constitution to remove the current barriers in the state constitution that allow voting by absentee ballot for only specified reasons.

I want to be very clear. This is not a proposal for a specific path. It is simply

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illustrate why I think this is so important.

Last October we had a snowstorm a week before our elections. All kinds of problems. We had towns where the precinct places were closed, town halls were closed, but one of the most heartbreaking questions I got from a number of Registrars and clerks was that they had a resident who was not able to get to their polling place because a tree was down, blocking the road, the resident was stuck in a shelter in town, would not be able to get to the polling place. The Registrars wanted to know, could these citizens vote by absentee ballot.

We had to tell them no, because under our current laws, these kinds of emergencies don't qualify as one of the reasons in our statutes or constitution for someone to vote absentee.

In fact, a spouse who is a caregiver to the husband or wife who doesn't want to leave the ailing spouse's bedside is not even allowed to vote by absentee ballot, because you have to be disabled yourself in order to get an absentee ballot.

These are the kinds of restrictions that I think need to change. The only way to do it is to remove this language from the constitution, and I think it really would serve our voters well to take this step.

Raised Bill 27, AN ACT TRANSITIONING THE REGULATIONS OF CONNECTICUT STATE AGENCIES TO AN ONLINE FORMAT, this is a major government modernization initiative.

I strongly support Governor Malloy's efforts

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to make all agency regulations available to the public online.

This would -- by the way, just in my office alone, would cut down on so many of the questions that come into our office if there was public access to the actual regulation. This won't just help our citizens but our businesses, the news media and members of the Bar.

As I hope you're aware, my office is committed to increasing public access to all public records by improving online access to all records stored in our office.

We've had several initiatives this year that are increasing access to the business records that we have in my office, as well as the voter registration files.

As you can imagine, we have to be aware, this is a major undertaking, as many of the regulations not only in our agency but in many state agencies are on paper and amendments to regulations are not necessarily stored in the same file with the original. It's an antiquated system, admittedly.

But to successfully accomplish a project of this scale, we are going to have to have resources, and I think everybody just needs to be aware of that.

I'm talking about not just infrastructure money to create the software and hardware needed to do this, but also we'd need to hire professional staff to accomplish the goal as it's currently written and would take time.

So while I completely support the goal, I think it would require the collaboration of other offices, such as LCO, the Judicial Branch, Executive Branch agencies. I look forward to collaborating on this -- with this Committee and the Governor on how we achieve this and move regulation recordkeeping into the 21st century.

Raised Bill 5022, AN ACT INCREASING  
PENALTIES FOR VOTER INTIMIDATION AND  
INTERFERENCE.

This bill would take some important steps to safeguard our citizens' right to vote by equalizing penalties for the types of voter suppression or intimidation with penalties we currently impose for other types of voter fraud.

I want to make it clear that we in Connecticut really have no established track record of widespread consistent voter intimidation and or suppression, such as has been seen in other states, but it's important to remember by establishing a penalty for a criminal act, we make a public policy statement about how seriously we take the crime, and we should have absolutely zero tolerance for people who would do anything to intentionally intimidate or improperly influence the sacred right of a Connecticut citizen to cast their ballot privately and independently.

We feel we should take these crimes just as seriously as we take other election crimes so it will have a deterrent effect. We have a whole chart of specific penalties that address which specific crimes, but I'll give

Chris Drake.

KACHINA WALSH-WEAVER: Good afternoon,  
Representative Morin, members of the  
Committee, Kachina Walsh-Weaver for the  
Connecticut Conference of Municipalities.

I'm going to talk quickly on a couple of  
bills before you. First and foremost, I  
want to talk about our support for Senate  
Bill 27. We certainly see this as a first  
step in transitioning all state agency  
regulations and public notices to be  
published online.

CCM supports this more efficient and  
cost-effective mechanism for making notice  
of and hosting final versions of state  
regulations.

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Providing important information online makes  
it more widely accessible to people across  
the state and elsewhere and also in a much  
timelier manner.

While considering this proposal, CCM urges  
the Committee to also advance legislation  
that would provide significant savings to  
local governments by modifying the  
requirements for posting legal notices in  
newspapers and allow municipalities the  
ability to public notice of the availability  
of a particular document on their website  
instead of having to publish the entire  
document.

We have spoken to the Committee on this  
particular issue for almost all of the years  
that I've been working for CCM. We urge the  
Committee to understand that times have  
changed, technology has changed, and so did

the habits and practices of our population.

Despite these advances and several years of explaining the issue, Connecticut's home towns continue to be mandated to legally post their notices in newspapers. The overall statewide cost on this is in excess of \$2 million, and that's based on a survey that we did two to three years ago with about 75 percent of the towns responding, so we certainly anticipate that this is a much larger cost statewide.

Both the proposal contained in the bill and CCM's urging of you to modify it, we'd like to point out the following: The Internet is accessible to everyone. Internet sites can be accessed from anywhere in the world at any point in time.

Public notices can be done online at minimal costs, and public notices placed on Internet sites can remain there indefinitely, whereas newspapers goes away.

Lastly, we are supportive of the Secretary of State and the Governor's bill, An Act Concerning Voting Rights.

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We do want to be on record, though, that CCM has always raised concerns about election day registration and the fact that it could impact the fiscal resources and the administrative resources of local Registrars' offices, but we think this in conjunction with other proposals that are being forwarded could be beneficial to the state as a whole.

We just certainly urge the Committee and the General Assembly as a whole to be mindful of

questions? No? Okay. Thank you very much for your testimony.

Our next speaker is Chris Drake.

CHRISTOPHER DRAKE: Good afternoon, Senator Slossberg, Representative Morin, Senator McLachlan, Representative Hwang and other distinguished members of the Government Administration and Elections Committee.

My name is Christopher Drake, and it is a pleasure --

REP. SLOSSBERG: It's nothing personal; we promise.

CHRISTOPHER DRAKE: The Committee seems to have vacated.

My name is Christopher Drake, and it is a pleasure to be before you testifying for my first time as deputy legal counsel for Governor Malloy.

Governor Malloy has asked me to share with you the reasons for submissions of Senate Bill 27 and House Bill 5027 as Governor's bills.

Let me begin with Senate Bill 27. This bill concerns the way in which the regulations the state's Executive Branch agencies are published.

As you know, Governor Malloy is dedicated to making Connecticut a better place to do business. One of the ways that we think we can do that is to make sure that all of our state regulations -- particularly those that regulate state business -- are available in an easily accessible and updated online

format. That is what this bill seeks to accomplish.

Currently, approved regulations are published in the Law Journal monthly by the Commission on Official Legal Publication, otherwise known as COLP.

COLP thereafter periodically publishes a supplement which codifies those regulations that have been approved since the last supplement.

In addition to these hard copy publications, some agencies do publish their regulations on their website, but others do not, and there's no requirement that they do so.

Other than using Westlaw or some other commercially available paid service, there's no way to search multiple agency regulations at one time, and those regulations that are available through Westlaw and other commercial sites do not include regulations that have been approved since publication of the last supplement.

In sum, there's real need for modernization. Moreover, COLP's ability to publish the regulations in hard copy is becoming more tenuous with the passage of time. COLP's primary responsibility is the publication of court decisions, the practice book, the code of evidence and the many court forms that the Judicial Branch uses.

These items take precedence over publication of the regulation and as a result, the supplement is not published on a regular basis.

COLP also uses a highly proprietary archaic typesetting system to print the Law Journal and the supplement, and there are very few people left who are trained to use it. When these people eventually leave state service, which may happen in the near future, there's a very real possibility that there simply won't be anyone left who is trained to operate the typesetting system.

To address these issues, the bill mandates that all regulations be published online by July 1, 2013, and eliminates all requirements that COLP publish the regulations in the Law Journal and in the supplement.

Under this bill, all state agencies will also be required to transmit newly approved regulations to the Secretary of the State in electronic format, and the Secretary of State will be responsible for uploading the regulations into a database and publishing them online.

Can I continue?

REP. SLOSSBERG: Yes, you may.

CHRISTOPHER DRAKE: Thank you.

The Secretary of the State will also publish online the notice of intent, the fiscal note and the small business impact statement, which are currently required prior to adoption of the regulation.

Finally, this bill creates a task force, which we hope will not only be bipartisan, but nonpartisan. The purpose of the task force is to develop the technical plan to

achieve the goal of transitioning all regulations online by July 1, 2013.

The Governor's general counsel, Andrew McDonald, and I met with relevant participants in this process over the summer, including members and staff from the Regulations Review Committee and representatives from the judicial branch, COLP, and the Legislative Commissioner's Office and the Office of the Secretary of State.

If one thing was made clear in those meetings, it was that although this seems like a simple thing to do, there are some difficult, though not insurmountable, technical hurdles that need to be overcome. We believe that the task force will be able to overcome those hurdles by the end of the year.

Turning now to House Bill 5027, HB 5027 proposes the elimination or merger of various boards and commissions. A list of the boards and commissions that we propose to eliminate and a summary of the mergers is attached to my written testimony.

Rather than touch on individual boards and commissions, I would just like to explain to the Committee the process that our office went through in creating the list.

We began with the list of more than 250 boards and commissions to which the Governor can make appointments. Therefore, those boards that are solely appointed by the members of the General Assembly or agency commissioners were not considered, with the exception of a small change made to the

So, Representative Floren, anything?

Thank you very much. I don't see Paul Filson, so we'll move on to Senate Bill 27. Paul Donovan, followed by Pamela Booth.

PAUL DONOVAN: Good afternoon, Government Administration and Elections Committee. My name is Paul Donovan. I am a student intern at the National Association of Social Workers, Connecticut Chapter, and I am here to testify on SB 27, The Act Transitioning the Regulations of Connecticut State Agencies to an Online Format.

The National Association of Social -- and you have your testimony [inaudible]. The National Association of Social Workers, Connecticut Chapter, is representing 3200 members, supports SB 27 as a way to make state government regulations more transparent and accessible to the public.

This proposal to place regulations online is long overdue and very much needed. In 2007, an NASW/CT had to hire an attorney to help us identify, print and analyze all the state regulations that govern the practice of social work in Connecticut.

We did this after spending numerous staff hours unsuccessfully trying to locate such state regulations. This guide is now used frequently by staff in answering inquiries from members and employers as to the rules regarding social work -- social work practice.

For this, the Chapter spent \$1,200, which was an unfortunate but necessary cost because of the difficulty of locating

current regulations.

An example of why this bill is needed is the hiring of social workers in nursing homes. A 2010 survey of nursing homes completed by the NASW with a 50 percent return rate found out one-third of the homes employed social workers who did not have at least a baccalaureate degree in social work even though the state regulation requires a BSW degree. That was implemented on January 1, 1989.

We believe that if the state regulations were online, this kind of wrongful hiring in violation of state regulations would be less common in our fields.

Another example is a hospital recently contacted us -- contacted us to find out if they must hire a licensed clinical social worker, an LCSW, for their hospice services.

This hospital had an internal candidate with an MSW degree who is not yet licensed, and the hospital wanted to offer her the position.

Because we now have the regulations for the hospice care social worker, we were able to inform the hospital that the social worker must be an LCSW for hospice care.

We received similar questions on home care, dialysis social work, nursing home social work, medical records, recovery care centers and school social work positions, all of which have regulations governing practice of which many employers and social workers are not aware of due to the fact that these records are not readily available.

Other significant benefits of this bill is that proposed regulations would be easily identified, making it far more likely that public input on proposed regulations would be made by interested parties.

Last year when the Department of Health was working on changes to the hospice regulations, we searched the DPH website to see if any changes were being proposed regarding social work services. However, the proposed regulations were not on the DPH website and took considerable amount of inquiry to finally locate a copy of the proposed legislation.

I'll just wrap up. As one -- as one of our members succinctly stated in a response to this bill, how we will -- how we will now not know what we are supposed to be doing? I think that was right.

In compliance with state regulations it is best to accomplish when those regulations are easily found and publicized in an accessible format. SB 27 accomplishes that, so thank you.

And if you have any questions...

REP. MORIN: Thank you very much -- Representative Floren -- and thank you for coming.

Pamela Booth.

PAMELA BOOTH: Good afternoon. My name is Pamela Booth, and I'm the administrator for the legislature's Regulation Review Committee, and I'm here to support the Governor's Bill 27, with some exceptions.

At the behest of my current chair, Senator Roraback and Representative Davis, and on behalf of chairs past and present, the agencies across the state, the Law Revision Commission, attorneys, lobbyists, law librarian, the state librarian and a wide variety of groups who over the last dozen years have worked with me or contacted me to bring similar legislation to fruition, we'd like to thank the Governor for bringing this initiative forward at this time.

Sadly, if this legislation goes forward into law, it will make Connecticut the last state in the union to put permanent regulations online.

We support making the Secretary of State's office responsible for the online service for permanent regulations. It's a logical choice and done by more than half of the states across the country. Since they are currently the repository for all of our permanent regulations, this makes perfect sense.

There is, however, a question of doing away with the paper copy, and it is here that there is serious question. Of all the states, there are only currently three across the country who have done completely away with paper. All others maintain some form of paper record, and in more than three-quarters of those states, the paper copy is still the official copy.

Since in Connecticut the process for adopting regulation winds its way through all branches of state government, from agency to COLP to public comment back to

agency, to the AG's office, back to the agency, to the Legislative Review Committee, back to the agency and finally to the Secretary of State's Office and to publication, a paper trail is important.

As you can see, ours is not a simple process. Especially during this time of transition, I believe it would be a great mistake to do away with the certified copy of the regulations currently filed with Secretary of State.

It will be easy enough in the future if it is desired to do away with this copy. As of yesterday, I am pleased to announce that in compliance with Public Act 11-150, regulation review is completely paperless with the exception of the one certified copy from the agencies. And we would like to continue that to be the -- the case.

Another issue that has come to my attention is the fact that people don't think about a comprehensive online system of regulations only in the Secretary of State's office. When I have talked with many them, the general public who call looking for information about a specific regulation, it would seem to me that not only would a broad base -- broad-based system not help them, but if you're Mary Jones looking to start a daycare, you're not going to be looking for the Secretary of State's office online service. You're going to go to public health.

So to their credit, many of our state agencies currently have regulations online, but they're not always up to date because of budget cuts.

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So we would propose that the agencies develop a robust, searchable, user-friendly web portal to their regulations [inaudible] the Secretary of State's.

If I may continue, I have one more big point to make.

REP. MORIN: [Inaudible].

PAMELA BOOTH: Having said all this, it is here that in the past while we got close to the finish line, it has always been the money, not the ideas, which tanked this project.

In 2008, DOIT estimated that the initial price tag would be over \$300,000 just for startup. This was looking at an outside source for help to development, did not include staffing or the maintenance of ongoing records, data storage, software update.

Anyway, the rest of my testimony is online, and I hope that the Committee will push this to its logical conclusion and pass this legislation with those exceptions. Thank you.

REP. MORIN: Thank you.

PAMELA BOOTH: Any questions?

REP. MORIN: No, thank you. Ed, I had stepped away. Had Catharine Sturgess -- do you want to speak again? Followed by Paul Filson. We're moving on to House Bill 5022.

CATHARINE STURGESS: And I was wondering if I might have permission to testify on 5024 as well

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REP. MORIN: Thank you. Any -- anyone else? I appreciate you being here, Ethan. Thank for waiting.

ETHAN SENACK: Thank you.

REP. MORIN: I don't see Tom Swan, but I do see Rafie, and I know you had signed up previously.

UNIDENTIFIED SPEAKER: Rafie.

REP. MORIN: Rafie, I'm sorry. And it's good to see you and thanks -- thanks for coming back.

RAPHAEL PODOLSKY: Thank you very much. I'm sorry. This happens around here all the time, you have conflicting schedules.

My name is Raphael Podolsky. I'm a lawyer with the Legal Assistance Resource Center in Hartford, a private legal aid program. We represent low-income Connecticut residents in a variety of civil circumstances.

I wanted to speak on two bills, and I'm also speaking on behalf of Attorney Shirley Berger of Connecticut Legal Services, who was unable to come today. We've each filed written testimony on -- on each of two bills.

The first one is House Bill No. 5027, and my comments are directed specifically towards Section 46 which deals with the Low-Income Energy Assistance Board. The request that we make to the Committee is that you retain the existing version of subsection D, that's D, as in David, of Section 46 and not make the changes proposed in that section. The

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rest of section 46 we're fine with.

What that -- the section is about, as I said, the Low-Income Energy Assistance Board. It's a very important board from an energy perspective. Its purpose is, I would quote, IS to ensure affordable access to residential energy services to low-income state residents.

It's been very involved in the energy assistance plan and energy conservation issues, and the possibility of a special low-income rate, and what it does is it really brings key stakeholders together, like consumer advocates and the utility companies and other -- other stakeholder groups.

Section 40 -- subsection D eliminates the part of existing law that essentially says OPM will provide support -- staff support to the board. The board will not function effectively without staff support.

It's a volunteer board, and part of what the bill does is it moves OPM off of the chairmanship of the board into being an ex officio member. But then subsection D takes out the part that says they can meet at OPM, they can get support services.

It's not a huge drain on OPM, but without those, the kind of work that that board does is -- they're not going to be able to do it. And so I would ask you to leave that sentence, in regardless what have -- whether you change the format status of the OPM representative on the board.

The second bill is Senate Bill No. 27, which is the one that deals with electronic

regulations. We're very supportive of the concept of making regulations more easily accessible to the public. We therefore support the bill. There are some things, though, we hope you will do in one case, perhaps a change in the bill. Other cases really add-ons to the bill. And let me just run through the list quickly.

First of all, the part that might involve some change, it's important you make sure that when regulations are proposed, there's an easy way the public can find out about them.

Posting on a website is useful for a lot of purposes but not for the purpose of letting people know there is something going on. And this bill takes out the publication in the Connecticut Law Journal, which is now mandatory.

And my suggestion is that you, number one, want to preserve Connecticut Law Journal publication as a requirement, because it allows people to monitor something on a periodic basis.

I'll go through this as quick as I can.

REP. MORIN: No, Rafie, Rafie, go ahead.

RAPHAEL PODOLSKY: Okay. You're not going to go to a website on a regular basis to find out what's going on. And then in conjunction with that, there ought to be some requirement for creating an alert list, the kind of list where you could sign up and particularly some somebody, for example, could sign up to receive all notices either by -- by agency or perhaps all agencies, so

they would get an email whenever something happens. And so I would say those two things ought to be in the bill as a way of getting notice.

In regard to the whole proposed regulation process, it would be very helpful if there were some way that people could easily find the status of anything that's in process so that the public can know where in the process it is once that process is started.

And also hopefully you will make sure that people will get a full copy of regulations in the same way -- the existing system says that the regulations are long. All that gets published is a statement that -- that you've got a long regulation, so you have -- you have to work to get a copy. You want to make sure that an electronic system -- you can get the copies in the same way you get it, whether it's long or short, it wouldn't matter.

In regard to making sure that you have a system that you have a system that people can get to regulations generally once they've been promulgated, you should note that there's some special categories that you want to make sure are picked up, and I'm not saying they are or are not in the bill. Just you want to make sure.

So an important one for us is there are certain statutes, weapon DSS, that allow them to implement proposed regulations while those regulations are in process.

That means those regulations are in effect. They need to be reachable and disclosable as if they were regular regulations, because

otherwise you wouldn't know if you were trying to find the current status.

You want to make sure that emergency regulations are picked up.

You need to address what may be at least a problem with the state building code. And I'm not sure how you address this. The state building code used to be a state regulation. Now, the only thing that's a state regulation is the amendments, the Connecticut unique amendments to a proprietary international set of building codes that you have to buy.

And so if you want to know what the state building code says is, you can go to a library, where they have bought it, and you can read it off the shelves. Otherwise, you have to buy the product, because it's a private entity that has developed these very, very detailed building codes and that have been adopted by reference as part of our state building code.

And then -- so what you actually find in the state regulations are those sections that are different. We've modified this product.

But as a member of the general public, if you get everything online so that you can go research it from your computer, you can't see these other things.

There may be other codes that are like that. I don't know that. The only one I'm aware of. I don't know how to address that, because these are proprietary codes. I don't even know what the copyright rules are if I went to the library where they do have

a copy and I just decided I'm going to copy 500 pages.

You know, they always have those signs, you're not supposed to be copying things that are copyright-protected. So probably -- although I could get away with it, my guess is I'm not supposed to be copying it.

So -- so I can only see it in the library. And I don't -- or, you know, I could buy it, which would be obviously the easier thing to do.

You should remember that policy manuals are regulations. Like the Department of Human -- of Social Services works out of the Uniform Policy Manual, which is hundreds of pages long. If this stuff is going online, it should be accessible in the same way as everything else. Again, you should just make sure that whatever you write picks those kind of things up.

In the area of kind of sort of centralized publication, we think it's important that you make sure that it will be -- that things online will be accessible for searchability purposes all at once. You've got a lot of state agencies. You don't want to have to always be searching every state agency's regulations separately, even if they're all online.

You want to have at least the opportunity to search them all at once, you know, through a word search or something like that and you should make -- there should be some requirement for prompt updating with -- with the regular -- now the hard copy

regulations, they update them every six months.

So it's hard to keep up to date. They do substitute pages, so you want to make sure that you get prompt -- prompt posting.

Two -- two last things, I guess. On -- it would be a good idea if you could make sure that where state agencies have programmatic materials online, that there is a direct link from their programmatic materials to their regulations on those programs.

So if you have a state program in the regs, you should be able to click something when you're looking at the state program, and it will take you to the regs.

Actually, I think -- I think those are the things I wanted to mention. If you look at both my testimony and Attorney Berger's testimony, her testimony goes into more detail about things that she urges that you just make sure are covered by the bill. And again, some that may actually be covered either explicitly or implicitly and some of it I think may not.

But -- but please make sure that people can monitor some publication and find out about any proposed regs. Thank you very much. And we're happy to, you know, make ourselves available.

SENATOR SLOSSBERG: As always, a plethora of information. Every -- and you just said everything that you have is more or less on, you know, in writing, which is great.

RAPHAEL PODOLSKY: Writing, which is electronic for

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this Committee?

SENATOR SLOSSBERG: Fine, right. All a sudden  
nowadays --

RAPHAEL PODOLSKY: I tried very hard to give you  
paper and you wouldn't -- [inaudible].

SENATOR SLOSSBERG: You said something about making  
sure that you can get copies of the regs.  
I'm assuming what you mean is either -- is  
access to the full regs --

RAPHAEL PODOLSKY: Yes.

SENATOR SLOSSBERG: -- not just a physical copy --

RAPHAEL PODOLSKY: Right, mean access to the full  
[inaudible] --

SENATOR SLOSSBERG: Okay. So I just wanted to make  
sure --

RAPHAEL PODOLSKY: And easy access.

SENATOR SLOSSBERG: Okay. And can you just tell me  
with regard to the low-income commission  
that you were talking about, how often do  
they meet, how many people are on this?

RAPHAEL PODOLSKY: You know, I don't --

SENATOR SLOSSBERG: And what are the -- and I know  
you said that they provide some, you know,  
important opportunities for stakeholders to  
get together but do they provide -- you  
know, is there a work product there that  
comes out of this board or --

RAPHAEL PODOLSKY: I'm afraid that that's -- well,  
part of it I can answer, part of it I can't.  
If you look at Section 46 in the bill, it's

HB5027

# Legal Assistance Resource Center of Connecticut, Inc.

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## S.B. 27 -- Online state agency regulations

Government Administration and Elections Committee public hearing -- March 2, 2012  
Testimony of Raphael L. Podolsky

Recommended Committee action: APPROVAL OF THE BILL  
WITH ADDITIONS AND MODIFICATIONS

The modernization of public access to state agency regulations is long overdue. We therefore support the underlying concept of this bill. We believe, however, that some changes and additions in the bill are necessary to carry out that concept in a way that provides adequate public access. We therefore ask the Committee to look more closely at the following issues:

- \* Public awareness that a regulation is being proposed or is in process: The bill appears to eliminate notice in the Connecticut Law Journal (l. 19, l. 31, and elsewhere). Merely posting on a website does not provide notice that agency action is pending. Connecticut Law Journal notice should be retained. In addition, there should be an electronic alert system by which members of the public can receive automatic notices at each stage of the regulation-writing process.
- Proposed regulations: In recent years, the legislature has allowed DSS to operate under proposed regulations while their adoption is pending. To the extent that an agency implements proposed regulations before they become final, they should be included in all publications of regulations of that agency.
- \* Bulky regulations and policy manuals: Regulations that are now not published in full because of their bulk should be fully included in any online publication. This includes the DSS Uniform Policy Manual, which is now available only from DSS.
- \* Linkage: Agency websites that describe their programs should have a link to the program regulations.
- \* Searchability: The online publication of regulations should be searchable. The separate regulations of each agency should be technologically linked so that all can be searched simultaneously.
- \* Proprietary regulations: A system should be devised so that regulations which adopt private regulations (e.g., the State Building Code) can be accessed by the public without charge, in a manner equivalent to reading them in a library.

We would be pleased to make ourselves available to participate in any additional work on this bill being done by the Committee.

pg. 5, line 22

March 2, 2012

Testimony in support of Governor's #27

AN ACT TRANSITIONING THE REGULATIONS OF CONNECTICUT  
STATE AGENCIES TO AN ONLINE FORMAT

Good Morning Senator Slossberg, Representative Morin and Members of  
the Committee

My name is Pamela Booth and I am the Administrator for the legislature's  
Regulation Review Committee and am here to support the Governor's bill  
#27. With some exceptions.

At the behest of my current Chairs Senator Roraback and Rep. Davis and on  
behalf of my chairs past and present, the agencies across the state, the Law  
Revision Commission, Attorney's, lobbyists, law librarians, the State  
Librarian and a wide variety of other groups, who over the last dozen years  
have worked with me or contacted me to bring similar legislation to fruition,  
we thank the Governor for bringing forward this initiative at this time.

Sadly, if this legislation goes forward into law, it will make Connecticut the  
last state to bring permanent regulations to an online format.

We support making the Secretary of the State's office responsible for the  
online service for permanent regulations as it is the logical choice and is  
done so by more than half of the states across the country. Since they are  
currently the repository for all permanent regulations this makes sense.

There is, however, the question of doing away with the paper copy, and it is  
here where there is a serious question. Of the all the states, there are  
currently only 3 which have completely done away with paper. All of the  
others maintain a paper record of some kind. In more than ¾'s of these  
states the paper copy is still the official copy.

Since in Connecticut, the process for adopting regulation winds its self  
through all branches of state government (from agency to COLP to public  
comment to agency to AG's to agency to LRRC to agency to SOS to  
publication) a paper trail is important. As you can see ours is not a simple  
process. Especially during this time of transition, I believe that it would be a

mistake to do away with the certified copy of the regulations, currently filed with the SOS.

It will be easy enough to do away with the paper copy in the future if it is deemed unnecessary.

As of yesterday, the LRRC in compliance with PA 11-150, has gone 99% paperless, with the exception of the current certified copy of the proposed regulations, which is signed by me and returned to the agencies indicating the committee's ruling.

Another issue that has come to my attention is the fact that people don't think about a comprehensive on line system of regulations only in the SOS's office.

I have talked to many members of the general public who call looking for information about this or that permanent regulation and it would seem to me that not only should we have a broad based online system, but that agencies should post not only their regulations but notification of regulation making activities. If you are Mary Jones looking for information on opening a day care you will probably go the Department of Public Health web-site for information. The agency!!

Each agency needs to develop a robust, searchable, user friendly web portal to their regulations.

To their credit a number of agencies have been posting their regulations on their web-sites for some time.

Having said all of this, it is here that in the past while we got close to the finish line it has always been the money, not the ideas, which has tanked the project. In 2008, DOIT estimated that the initial price tag would be over \$300,000 for start-up. This was looking to an outside source to help develop the project. It did not include staffing or the ongoing records maintenance or data storage or software updates.

My last caution is a number of states have gone to some of the law publications such as West Law and Lexis/Nexis and I would advise against this, simply because these organizations have Connecticut's regulations currently on-line but they are not completely accurate. On numerous occasions our agencies, unable to get regulations online elsewhere, used regulations posted at these publications sites only to find that they were

drafting new regulations based on a regulation that had already been superseded.

In order to be as cautious as possible, most states with online access to regulations post a disclaimer, especially those that give up control of the online process or define the official copy as the hard copy.

I hope this will help you in moving this legislation to what I hope will be its logical conclusion, passage.

I thank you for your time.

**NASW**

National Association of Social Workers / Connecticut Chapter

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Karen Bullock, Ph.D., LCSW  
Stephen A Karp, MSW, Executive Director  
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**Testimony on S.B. 27:**

**An Act Transitioning the Regulations of Connecticut State Agencies to an Online Format**

The National Association of Social Workers, CT Chapter, representing over 3,200 members supports S.B. 27 as a way to make state government regulations more transparent and accessible to the public. This proposal to place state regulations online is long overdue and very much needed.

In 2007 NASW/CT had to hire an attorney to help us identify, print and analyze all of the state regulations that govern the practice of social work in Connecticut. We did this after spending numerous staff hours unsuccessfully trying to locate such state regulations. This guide is now used frequently by staff in answering inquiries from members and employers as to the rules regarding social work practice. For this the chapter spent \$1,200, which was an unfortunate but necessary cost because of the difficulty of locating current regulations.

To give you an example of the types of request we receive, a hospital recently contacted us to find out if they must hire a licensed clinical social worker (LCSW) for their hospice services. This hospital had an internal candidate with a MSW degree who was not yet licensed, and the hospital wanted to offer her the position. Because we now have the regulations for hospice care social work we were able to inform the hospital that the social worker must be a LCSW for hospice care. We receive similar questions on home care, dialysis social work, nursing home social work, medical records, recovery care centers and school social work positions, all which have regulations governing practice of which many employers and social workers are not aware of.

Another example of why this bill is needed is the hiring of social workers in nursing homes. A 2010 survey of nursing homes completed by NASW/CT with a 50% return rate found that one-third of the homes employed social workers who did not have at least a Baccalaureate degree in social work even though the state regulation requires at least a BSW degree as of January 1, 1989. We believe that if the state regulations were online this kind of wrongful hiring and violation of state regulations would be less common in our field.

The other significant benefit of this bill is that proposed regulations would be easily identified making it far more likely that public input on proposed regulations would be made by interested parties. Last year when DPH was working on changes to the hospice regulations we searched the DPH website to see if any changes were being proposed regarding social work services. However the proposed regulations were not on the DPH website and took considerable amount of inquiry to finally locate a copy of the proposed regulations. In 2012 there is simply no excuse for not having such information online.

As one of my members succinctly stated in response to this bill, "How will we now not know what we are supposed to be doing"? Compliance with state regulations is best accomplished when those regulations are easily found and publicized in an accessible format. S.B. 27 does this and we urge the committee to vote in favor of this important bill.

DANNEL P. MALLOY  
GOVERNOR  
STATE OF CONNECTICUT

Testimony of Christopher R. Drake

In support of Senate Bill 27

An Act Transitioning the Regulations of Connecticut State Agencies to an Online Format  
and House Bill 5027

An Act Implementing the Governor's Budget Recommendations Concerning the Elimination,  
Consolidation and Modification of Various Boards and Commissions

March 2, 2012

Good morning Sen. Slossberg, Rep. Morin, Sen. McLachlan, Rep. Hwang and other distinguished members of the Government Administration and Elections Committee. My name is Christopher Drake, and it is a pleasure to be here before you testifying for my first time as Deputy Legal Counsel to Governor Malloy. Governor Malloy has asked me to share with you the reasons for his submission of Senate Bill 27 and House Bill 5027 as Governor's Bills.

**Senate Bill 27 - An Act Transitioning the Regulations of Connecticut State Agencies to an Online Format**

Let me begin with Senate Bill 27. This bill concerns the way in which the regulations of the state's executive branch agencies are published. As you know, Governor Malloy is dedicated to making Connecticut a better place to do business. One of the ways that we think that we can accomplish this goal is to make sure that all of our state regulations – particularly those that regulate business in this state – are available in an easily accessible and updated online format. That is what this bill seeks to accomplish.

Currently, approved regulations are published in the Law Journal monthly by the Commission on Official Legal Publications (otherwise known as COLP). COLP thereafter periodically publishes a supplement, which codifies those regulations that have been approved since the last supplement. In addition to these hard copy publications, some agencies do publish their regulations on their website, but others do not and there is no requirement that they do so. Other than using Westlaw or some other commercially available paid service, there is no way to search multiple agency regulations at one time. And those regulations that are available through Westlaw and other commercial sites do not include regulations that have been approved since publication of the last supplement. In sum, there is a real need for modernization.

Moreover, COLP's ability to publish the regulations in hard copy is becoming more tenuous with the passage of time. COLP's primary responsibility is the publication of court decisions, the Practice Book, the Code of Evidence and the many court forms that the judicial branch uses. These items take precedent over publication of the regulations and, as a result, the supplement is not published on a regular basis. COLP also uses a highly proprietary archaic typesetting system to print the Law Journal and the supplement and there are very few people left who are trained to use it. When these individuals eventually leave state service (which may happen in the near future), there is the very real possibility that there will simply be no one left who is trained to operate the typesetting system.

To address these issues, this bill mandates that all regulations be published online by July 1, 2013 and eliminates all requirements that COLP publish the regulations in the Law Journal and in the supplement. Under this bill, all state agencies will be required to transmit newly approved regulations to the Secretary of the State in electronic format and the Secretary of the State will be responsible for uploading the regulations into a database and publishing them online. The Secretary of the State will also publish online the notice of intent, the fiscal note, and the small business impact statement, which are all currently required prior to adoption of a regulation.

Finally, this bill creates a taskforce which we hope will not only be bipartisan, but non-partisan. The purpose of this taskforce is to develop the technical plan to achieve the goal of transitioning all regulations online by July 1, 2013. The Governor's General Counsel, Andrew McDonald and I met with relevant participants in the process over the summer – including members and staff from the Regulations Review Committee and representatives from the judicial branch, COLP, the Legislative Commissioner's Office, and the Office of the Secretary of the State. If one thing was made clear in those meetings it was that – although this seems like a simple thing to do – there are some difficult, although not insurmountable, technical hurdles that need to be overcome. We believe that the taskforce will be able to overcome these hurdles by the end of this year.

**House Bill 5027 - An Act Implementing the Governor's Budget Recommendations Concerning the Elimination, Consolidation and Modification of Various Boards and Commissions**

HB 5027 proposes the elimination or merger of various boards and commissions. A list of the boards and commissions that we propose to eliminate and a summary of the proposed mergers is attached to my written testimony. Rather than touch on individual boards and commissions, I would like to just explain to you the process that our office went through in coming up with this list. We began with a list of the more than 250 boards and commissions to which the Governor can make appointments. Therefore, those boards that are solely appointed by members of the General Assembly or by agency commissioners were not considered, with the exception of the small changes made to the Low-Income Energy Advisory Board, which are reflected in Section 46 of the draft bill. We then attempted to determine through publicly available information and our own records whether the board was still active, whether it continued to serve a valid purpose, and whether its functions could easily and appropriately be delegated to a state agency or another board. This list has been vetted internally, with the Office of Policy and Management and with other executive branch agencies. Until this time, however, we have not had the opportunity to



DENISE MERRILL

SECRETARY OF THE STATE  
CONNECTICUT

**GAE Committee**  
**Public Hearing Testimony**  
**March 2, 2012**

SB27

HB5022

HB5024

Good Morning Chairman Morin, Chairman Slossberg and members of the committee. For the record my name is Denise Merrill and I am Secretary of the State of Connecticut. I wish to thank Governor Malloy and Lt. Gov Wyman for their partnership in proposing and supporting the important reforms that are on your agenda this morning. I would like to briefly address four bills raised before the committee this morning, starting with the substitute language for House Joint Resolution 2:

- **House Joint Resolution 2, Substitute Language:**

This amendment has been proposed before by my office and this year Governor Malloy is proposing it with my enthusiastic support. The substitute language for House Joint Resolution 2 would amend the State Constitution to remove the current barriers in the Connecticut Constitution that allow voting by absentee ballot for only specified reasons. Removal of these barriers would enable the General Assembly to consider other ways to cast a ballot without appearing at your poll on Election Day.

Additional types of non-precinct place voting could include voting by mail, early voting, regional voting, or what we call no excuse absentee balloting, where you would not need a specific reason to use an absentee ballot. This takes the first step towards moving CT into the 21<sup>st</sup> century by make voting

one of the reasons in the Constitution or our statutes for someone to vote by absentee.

In fact, a spouse who is a caregiver to their husband or wife who does not want to leave their ailing spouse's bedside is not even allowed to vote by absentee ballot. This is wrong and needs to change. The only way to do it is to open up our state constitution through this amendment and enact some sort of non-precinct place voting. That would really help bring Connecticut elections into the 21<sup>st</sup> century and would serve our voters much better by giving them multiple options to cast ballots.

- **Raised Bill 27 "AN ACT TRANSITIONING THE REGULATIONS OF CONNECTICUT STATE AGENCIES TO AN ONLINE FORMAT"**

This is a major government modernization initiative and I strongly support Governor Malloy's efforts to make all agency regulations available to the public online. This is something that will help not only our citizens, but our businesses, the news media, and members of the bar.

As I hope you are aware, the Secretary of the State's office is committed to increasing public access to all public records by providing online access to all records stored in our office. As you can imagine, this service would be a major state undertaking, as many of the regulations not only in our agency but in many state agencies are on paper and amendments to regulations are not necessarily stored in the same file with the original. To successfully accomplish a project of this scale, we are going to need some resources. I am talking about an investment of money, and we would need to hire professional staff to accomplish the goal as the bill is currently written. And this is going to take time.

There would be a major cost at the beginning to establish this online database, with the maintenance and personnel costs to continue over time. This project will also require the collaboration of other offices, such as LCO, the Judicial Branch, and other executive branch agencies. So in general, I strongly support this concept, and look forward to collaborating with this committee and Governor Malloy on how we achieve this milestone and move regulation record keeping into the 21<sup>st</sup> century.

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**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

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Thank you, Mr. Speaker.

I move that the item be moved to the consent calendar.

DEPUTY SPEAKER ARESIMOWICZ:

The motion before us is to place the item on the consent calendar.

Is there objection? Is there objection?

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

Will the Clerk please call Calendar 470?

THE CLERK:

On page 25, Calendar 470, Substitute for Senate Bill 27, AN ACT TRANSITIONING THE REGULATIONS OF CONNECTICUT STATE AGENCIES TO AN ONLINE FORMAT, favorable report by the Committee on Judiciary.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Morin of the 28th, you have the floor, sir.

REP. MORIN (28th):

Mr. Speaker, I move for acceptance of the joint committees' favorable report and passage of the bill in concurrence of the Senate.

DEPUTY SPEAKER ARESIMOWICZ:

The question before the Chamber is on acceptance

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of the joint committees' favorable report and passage of the bill in concurrence with the Senate.

Will you remark, sir?

REP. MORIN (28th):

Yes, Mr. Speaker. The bill requires the state agency regulations be posted online rather than published in the Connecticut Law Journal. It makes a few other changes.

Mr. Speaker, the Clerk has an amendment, LCO 3970. I would ask that the Clerk please call the amendment, and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER ARESIMOWICZ:

Will the Clerk please call LCO Number 3970, which will be designated Senate -- Senate Amendment Schedule "A."

THE CLERK:

LCO 3970, Senate "A" offered by Representative Morin and Senator Slossberg.

DEPUTY SPEAKER ARESIMOWICZ:

Representative seeks leave of the Chamber to summarize the amendment.

Is there objection to summarization? Is there objection to summarization?

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Representative Morin, you have the floor, sir.

REP. MORIN (28th):

Thank you very much Mr. Speaker.

Senate Amendment "A" exempts certain agency manuals and documents from online posting. It adds consultation requirements for the task force, and it makes -- makes the requirement to seek licensing agreements effective upon passage.

I move for adoption.

DEPUTY SPEAKER ARESIMOWICZ:

The question before the Chamber is on adoption of Senate Amendment Schedule "A."

Will you remark further on the amendment? Will you remark further on the amendment?

If not, let me try your minds.

All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ARESIMOWICZ:

Those opposed, nay.

The ayes have it.

The amendment is adopted.

Will you remark further on the bill as amended?

Representative Morin, you have the floor, sir.

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REP. MORIN (28th):

Mr. Speaker, I move that this resolution be placed on the consent calendar.

DEPUTY SPEAKER ARESIMOWICZ:

The motion before us is this item be placed on the consent calendar.

Is there objection? Is there objection?

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

Will the Clerk please call Calendar 475?

THE CLERK:

On page 25, calendar 475, Substitute for Senate Bill 218, AN ACT CONCERNING POLLING PLACES FOR PRIMARIES, favorable by the Committee on Planning and Development.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Morin, you have the floor again, sir.

REP. MORIN (28th):

Mr. Speaker, I move for acceptance of the joint committees' favorable report and passage of the bill in concurrence with Senate.

DEPUTY SPEAKER ARESIMOWICZ:

The question is on acceptance of the joint

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On page 7, Calendar 219, House Bill Number 5148,  
AN ACT CONCERNING AN ACT CONCERNING COMMUNICATIONS TO  
VICTIMS OF THE CURRENT OPERATION OF A MOTOR VEHICLE  
THAT RESULTS IN DEATH OR SERIOUS PHYSICAL INJURY.  
DEPUTY SPEAKER ARESIMOWICZ:

The distinguished Majority Leader, Representative  
Sharkey.

REP. SHARKEY (88th):

Thank you, Mr. Speaker.

Good to see you up there.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you, sir.

REP. SHARKEY (88th):

Mr. Speaker, this represents the consent calendar  
and for everyone's edification, I will be listing off  
the calendar numbers in numerical order so that  
everyone can follow. I'll try keep it -- and make  
sure that I do it in numerical order. Thank you.

These will be: Calendar Number 90, Number 155,  
Number 219, Number 223, Number 290, Number 320, Number  
338, Number 345, Number 389, Number 430, Number 444,  
Number 455, Number 467, Number 470, Number 475, Number  
481, Number 485, Number 488, Number 489, Number 494,

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Number 496, Number 497, Number 505, Number 510, Number 513, Number 525, and Number 531.

I move adoption, I move adoption.

And with that, Mr. Speaker, I move adoption of the consent calendar. I move the consent calendar.

(Speaker Donovan in the Chair.)

SPEAKER DONOVAN:

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

Will you remark?

If not, staff and guests please come to the well 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 today's consent calendar by roll call. Members to the chamber please.

SPEAKER DONOVAN:

Have all members voted? Have all members voted?

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

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

The Clerk please announce the tally.

THE CLERK:

On today's consent calendar

Total number voting	144
Necessary for passage	73
Those voting Yea	144
Those voting Nay	0
Those absent and not voting	7

SPEAKER DONOVAN:

The consent calendar passes.

Any announcements or introductions? Any announcements or introductions?

Is there any business on the Clerk's desk?

THE CLERK:

A list of Senate bills, Mr. Speaker.

SPEAKER DONOVAN:

Representative Brendan Sharkey.

REP. SHARKEY (88th):

Thank you, Mr. Speaker.

I move that we waive -- waive the reading of the bills and have these items placed immediately on the House calendar.

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**CONNECTICUT  
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SENATE**

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SENATE

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It's a timely moment for us to be bringing it forward. Our registrars of voters have come to us on multiple occasions to outline the issues and problems, and I know that this last primary just recently held for the Republican presidential race, certainly pointed out that there, because of a lack of a real contest as perceived by many, produced a much smaller response to the polls on that day, and we had a number of poll workers that were there spending a great deal of time just chatting with each other rather than really servicing the various voters that would come through the door, and it pointed out the cost and expense and time that it entails.

So it really does address the issue of efficiency but also addresses other issues that were brought forward as a concern, so I'm very grateful that we finally have addressed this issue and I know that our registrars will be very happy when we conclude this business and hopefully it will also be passed by the House.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further on the bill as amended? Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President. If there's no objection, I'd ask that this item be placed on the Consent Calendar.

THE CHAIR:

Hearing and seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

On Page 29, Calendar 138, Substitute for Senate Bill Number 27 AN ACT TRANSITIONING THE REGULATIONS OF CONNECTICUT STATE AGENCIES TO AN ONLINE FORMAT. Favorable Report of the Committees on Government Administration and Elections and Judiciary.

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THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President. I move the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

On acceptance and passage. Will you remark?

SENATOR SLOSSBERG:

Thank you, Mr. President. The Clerk has in his possession, LCO Number 3970. I would ask that it be called and I be granted leave to summarize.

THE CHAIR:

Mr. Clerk, please call LCO 3970.

THE CLERK:

LCO Number 3970, Senate "A", offered by Senator Slossberg and Representative Morin.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President. I move adoption.

THE CHAIR:

On adoption. Will you remark?

SENATOR SLOSSBERG:

Yes. Thank you, Mr. President. This bill very simply moves our regulations to an online format for the State of Connecticut.

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We are, as I understand, one of two states left that do not put our regulations on line. It's time for us to do so and this is the bill that does it. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment? Will you remark further on the amendment? If not, I'll try your minds. All those in favor please signify by saying Aye.

SENATORS:

Aye.

THE CHAIR:

All those opposed, Nay? The Ayes have it. Senate "A" is adopted. Will you remark further on the bill as amended? Will you remark further on the bill as amended? Senator Slossberg.

SENATOR SLOSSBERG:

Thank you, Mr. President. If there's no objection, I'd ask that this item be placed on the Consent Calendar, .

THE CHAIR:

Seeing and hearing no objection, so ordered. Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President, If we might stand at ease for a few more moments to prepare some additional items.

THE CHAIR:

The Senate will stand at ease.

(CHAMBER AT EASE.)

The Senate will come back to order. Senator Looney.

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On Page 29, Calendar 138, Senate Bill Number 27.

Page 26, Calendar 88, Senate Bill 55.

On Page 34, Calendar 311, Senate Bill 101.

On Page 9, Calendar 321, Senate Bill 414.

On Page 1, Calendar Number 63, Senate Bill 227.

On Page 5, Calendar 225, Senate Bill 410.

And on Page 11, Calendar 332, Senate Bill 341.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, Madam President, if we might wait just a moment.  
We needed to verify a couple of items before the  
Consent Calendar is voted.

THE CHAIR:

Absolutely, sir.

THE CLERK:

And there is one more item. On Page 33, Calendar 295,  
Senate Bill Number 248.

THE CHAIR:

Are any other additions or corrections that we can  
see? If not, then Mr. Clerk, will you please call for  
a roll call vote and the machine will be opened on the  
Consent Calendar.

THE CLERK:

An 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:

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SENATE

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Have all members voted? If all members voted the machine will be locked. Mr. Clerk, will you please call the tally on the Consent Calendar.

THE CLERK:

On today's Consent Calendar.

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.

Right now I ask for points of personal privilege.  
Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President. I rise for a point of personal privilege.

THE CHAIR:

Please proceed, sir.

SENATOR MCKINNEY:

Madam President, on my way up to the Capitol this morning I learned the sad news of the passing of a good friend, Jo McKenzie, who many of us in the circle, especially those of us who belong to the Republican Party, affectionately knew Joe McKenzie as Momma Jo.

I first met Momma Jo in the early 1970s as a young boy. She was always active in the Republican Party. In 1979 she was the first woman ever elected Chairman of the Connecticut Republican Party and for probably 15 years plus, served as Republican National Committee Woman from the State of Connecticut.

She was a wonderful woman, always with a laugh and fun, had an incredible sense of style as you may know.