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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2012**

**VOL.55
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DEPUTY SPEAKER ARESIMOWICZ:

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

Is there objection? Is there objection?

Hearing none, this item is placed on consent.

Will the Clerk please call Calendar 505?

THE CLERK:

On page 30, Calendar 505, Substitute for Senate Bill Number 323, AN ACT CONCERNING CRANE OPERATIONS, favorable report by the Committee on Public Safety.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Dargan of the 115th, you have the floor, sir.

REP. DARGAN (115th):

Thank you very much Mr. Speaker.

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

Will you remark, sir?

REP. DARGAN (115th):

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Thank you very much Mr. Speaker.

The Clerk is in possession of LCO Number 4473.

May he please call, and I be allowed to summarize.

DEPUTY SPEAKER ARESIMOWICZ:

Will the Clerk please call LCO Number 4473, which will be designated Senate Amendment Schedule "A."

THE CLERK:

LCO 4473, Senate "A" offered by Representative Dargan and Senator Hartley.

DEPUTY SPEAKER ARESIMOWICZ:

Representative seeks leave of the Chamber to summarize the amendment.

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

Hearing none, Representative Dargan, you have the floor.

REP. DARGAN (115th):

Thank you very much Mr. Speaker.

This strike-all amendment just gives oversight to the crane industry but continues to meet and exceed the OSHA requirements.

I move for its adoption.

DEPUTY SPEAKER ARESIMOWICZ:

The question before the Chamber is on adoption of

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Senate Amendment Schedule "A."

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

REP. DARGAN (115th):

Mr. Speaker, I move the resolution to consent.

DEPUTY SPEAKER ARESIMOWICZ:

The motion before us is to place this item on
consent.

Is there objection? Is there objection?

Hearing none, this item is placed on consent.

Will the Clerk please call Calendar 525?

THE CLERK:

On page 34, Calendar 525, Senate Bill Number 376,

AN ACT CONCERNING THE COASTAL MANAGEMENT ACT AND

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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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When we looked at the statute, as it was presently written, it gives that authority to family members and conservators, and they can contact the state police directly. However, when we put this into practice, the state police actually requested that our agency police officers or the police officers in the area where the individual is deemed missing would be the individuals that would notify the state police. So the issue for us is the issue of confidentiality, the change in language, because it allows either the conservator, the family member or myself in limited circumstances to notify the local police officers. In most instances it will be our agency police officers, and they will then take the information that is required and notify the police and issue the Silver Alert.

So, I'm actually accompanied by Marcia Aleksunes, our chief of police, and we'll be glad to answer any questions if you have them.

REP. DARGAN: Thank you very much, commissioner. Questions from any committee members referencing the bill that's before us? Hearing none, I don't know if the chief has any words. No. Okay, well, thank you very much for your testimony.

COMMISSIONER PATRICIA REHMER: Thank you.

REP. DARGAN: The next presenter is deputy commissioner of the Department of Construction Services, Commissioner Pasquale Salemi.

DEPUTY COMMISSIONER PASQUALE SALEMI: Thank you Mr. Chairman. Good morning to Senator Hartley, Representative Dargan, Senator Guglielmo and Senator Geigler and distinguished members of the committee. For

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SB323
SB327

the record I am Pasquale Salemi, also known as Bud Salemi, deputy commissioner of construction services.

I want to thank you, the committee, for raising three DCS proposals, and out of respect for the committee's agenda, I will simply summarize the agency's submitted testimony which you should all have.

Senate Bill 320, AN ACT CONCERNING SUNSET STATUTE FOR FIRE PREVENTION CODE REGULATIONS. The extension of the effective date will allow the commissioner of the new agency together with the state fire marshal and in conjunction with the volunteer advisory committee for state fire prevention code to revise the state fire prevention code and present the revised code through the legislative regulatory approval process before the current statutory authority sunsets. This proposal provides an extension of time for our newly created agency to accomplish this task. From January first 2013 through January 1, 2015, or upon the adoption of the regulations, whichever is earlier.

Secondly, AN ACT CONCERNING CRANE OPERATIONS. Just to have a summary of that, due to the new OSHA crane standard 19-26, subpart CC, every operator of cranes involved in the construction, demolition or excavation must be certified or licensed and they must be retested for knowledge and skills at least every five years. Regardless of which option is chosen for the certification or license, every operator in the State of Connecticut will have to be tested or retested when certain OSHA standards take effect in November of 2014. DCS has assumed coordinating these efforts as a result of Public Act 11-51, the

SB323

merger bill, and the language requested represents the desired changes of the crane operators examining board as established by CGS 29-222. This language has been developed in consultation with the board and with the OSHA cranes and derricks final rule in mind.

And lastly, Senate Bill 327, AN ACT CONCERNING FIRE SAFETY ENFORCEMENT OFFICIAL CERTIFICATION. This proposal on behalf of the Office of Education and Data Management and the Office of the State Fire marshal intends to streamline the process for the certification of fire safety enforcement officials and remove administrative inconsistencies. This proposal intends to remove administrative inconsistencies which hinder communities in their hiring process for the various classes of fire safety enforcement officials.

Presently pursuant to statutory language, after completing a recognized training program, the Office of the State Fire marshal certifies as eligible to be certified and once hired we must then issue a second certificate as certified. The inconsistency is that the statute does not allow a community to hire an individual unless the person is certified. Eliminating eligible to be certified status eliminates the need to keep records of a particular area. It makes processing of credentials uniform and more efficient. The individuals who have passed the certification examinations but are not appointed or employed would be certified. Certification would be based on successful completion of credentialing exams, not on employment similar to the building officials.

I want to thank you for the opportunity to

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provide these comments. I have DCF staff with me, and we would be happy to answer any of the questions the committee may have. I have the state fire marshal and state building inspector with me along with other staff of the department.

REP. DARGAN: Thank you, Deputy Commissioner.

Questions?

Representative Greene.

REP. GREENE: Thank you, Mr. Chairman.

Thank you, Mr. Commissioner, for testifying here today. I have a few questions with regard to the crane operator's bill. You mentioned in your testimony here that the U.S. Department of Labor instituted new standards that involve basically the standards for people who operate cranes in construction, demolition or excavation. I guess my question is, you know, are these defined a little more specifically? I mean, does it allow for reasonable exemptions with regard to the definitions there?

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DEPUTY COMMISSIONER PASQUALE SALEMI: I'd have to say that the terms used in the language in the industry are pretty specific, but if there's something more specific you're asking about, I'd be happy to answer it, but I'm not sure what you mean by "exemptions" so --

REP. GREENE: I guess what I had in mind is specifically those who are involved in contracting and subcontracting for the electrical companies, you know, UI, CL&P, subcontractors who operate vehicles that, you know, electrical line trucks, vehicles of that

nature that are specific to that industry and how this bill would impact their ability to do business within the State of Connecticut.

DEPUTY COMMISSIONER PASQUALE SALEMI: The language in the actual bill actually describes the different types of equipment and it becomes very specific, but if you -- Kevin, would you like to -- we have chief legal staff for our department here, Kevin Kopetz, and Kevin has worked on crafting this legislation so --

KEVIN KOPETZ: Good morning, representative. The language does contain both in terms of the exclusions for specific equipment together with -- and that's found in Section 2 where it references electrical and telecommunication lines and poles together with in section -- where we kept the historic at Section 6 where we've kept subsection B where we've kept some of the exclusions or previous exemptions there for persons that are operating certain equipment in connection with electrical generation, electrical transmission, electrical distribution and so on or who hold an electrical line contractor or a journeyman's licenses issued pursuant to this chapter. So that's in there. Whether it encompasses all the things that you're looking for I'm not certain of. It's something that we've considered, but we tried to keep some of the exemptions that historically had had been in there available.

REP. GREENE: I appreciate that. I guess the one thing that pops into mind immediately is our ability to quickly react to something like a storm damage which I don't know if you heard about the -- or some concerns raised by the subcontractors out there and some of the electrical companies, but that was something

that was raised with one of my constituents, so I just wanted to clarify and obviously put it in your mind as well. Thank you very much.

REP. DARGAN: Thank you.

Further questions from committee members?

Just a couple, Deputy Commissioner. In relationship to the merger with construction services, and there is some thought process when it was called the Department of Public Safety some of the individuals that worked in the fire inspectors office that came over to construction services that -- and I'm sure that may be some of the local fire marshals might speak afterwards on that and we've had -- you and I have had some discussions in referencing that along. I've had discussions with the Office of Policy Management too on where the better place to put those individuals that deal with fire loss or construction codes, not on the state level but on the local level. And I appreciate you reaching out to try to facilitate of how we might be able to best come to a resolution on that. So I appreciate the time that you gave me to listen about that. And I don't know if you would want to comment about that at all.

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DEPUTY COMMISSIONER PASQUALE SALEMI: Well, certainly to the extent that we've made an effort, and I hope all the committee members will understand that I sort of had responsibility for making this happen, not for the, you know, original merger or the intent behind it, but I think I understood what we were trying to do, and that's basically we looked at the duties that were formerly assigned to the state fire marshal that were more I would say enforcement type duties and

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there questions from committee members?
Thanks very much for being with us. I
appreciate it, and thanks for bearing with me.

STEVE SPELLMAN: Thank you.

SENATOR HARTLEY: That will bring us to Craig Metz
on the public side.

CRAIG METZ: Good afternoon, Senator Hartley,
Chairman Dargan, honorable members of the
Public Safety and Security Committee. My name
is Craig Metz, and I'm the business manager of
the International Union of Operating Engineers
Local 478, as a labor organization that
represents over 3,500 heavy equipment and
crane operators throughout Connecticut. In
addition to representing most of the crane
operators, we also have a strong working
relationship with almost every crane company
in our state. For that reason I thank you for
the opportunity to speak to you today about
Senate Bill 323, AN ACT CONCERNING CRANE
OPERATIONS IN THE STATE OF CONNECTICUT.

Each year the Bureau of Labor Statistics
publishes data regarding the most dangerous
occupations in our nation's based on the
number of injuries and fatalities.
Statistically speaking, jobs in the
construction industry always rank among some
of the most dangerous. In the past few years
in the area of the heavy construction
industry, there has been an increase in
fatality accidents in the operation of cranes.
We have all read in the newspapers and seen on
nightly news reports about the cranes in New
York City that have crashed down onto workers
and pedestrians. At Local 478 one of our
brothers lost his leg when a steel wall
toppled a crane at the Milford Power Plant

while another union brother lost his life when a crane at the Sikorsky Bridge tumbled into the Housatonic River. We know firsthand how dangerous cranes can be.

For over three decades Local 478 has been a strong advocate for crane safety as well as a loud voice for increasing the regulations that ensure that all crane operators conform to the rules and obtain the highest level of training. Our efforts have not been limited to the legislative area as our apprenticeship and training schools have developed the most comprehensive crane operators training program in the state thereby ensuring that our operators have the capacity to not only pass the licensing test but also have the ability to deal with the actual problems that can arise when they are picking tons of steel in shifting winds. Furthermore, unlike many other entities who assist people in obtaining their licenses, Local 478 crane operators participate in an ongoing training that allows them to consistently refresh their skills on the various types of cranes.

After the past few years of economic stress, it is easy to look at eliminating regulations and reducing laws that are thought to be counterproductive to growing business. However, we believe that by passing Senate Bill 323, the committee will support a statute that recognizes that you cannot put a price on everything, especially human life.

As our economy recovers and many capital projects that were on hold are started, it's imperative that the crane operators who are working on these projects are highly skilled and fully prepared to deal with the challenges that come with picking steel beams and heavy

materials. After all, just like you want to be safe walking past a construction site, and so do the construction workers who are inside. Thank you for your time.

SENATOR HARTLEY: Thank you very much, Craig. Questions from committee members?

I just have one question. So this proposal is to bring us in compliance with OSHA, the new OSHA regulations?

CRAIG MEITZ: Yes.

SENATOR HARTLEY: So that means that every other state would have a similar piece of legislation?

CRAIG MEITZ: Everyone has to be in compliance by 2014, November of 2014.

SENATOR HARTLEY: Thank you very much. I appreciate you being with us this afternoon and also for your wait. If there are no further questions, thank you.

We're going to go back to our list of public officials, Bill Hackett. Good afternoon, Bill.

WILLIAM HACKETT: Good afternoon, Senator Hartley, members of the Public Safety and Security Committee. My name is Bill Hackett, and I am the state director of emergency management. Thank you for the opportunity to speak to you today regarding House Bill 5392, AN ACT CONCERNING THE STATE RESPONSE TO A DECLARED STATE OF EMERGENCY.

The Department of Emergency Services and public protection, also known as DESPP,

actually a boxing fan, but it's more regulated than boxing and we already deal with the casinos and really it's a revenue for the state and it's an entertainment, so I think it's time for it.

REP. LESSER: Terrific. Thank you. Thank you, Representative.

SENATOR HARTLEY: Thank you. If there are no other questions, thanks for being here again, Representative Lesser, and for your patience in waiting. We'd like to now invite Bill Ethier.

BILL ETHIER: Thank you, Senator Hartley and members of the Public Safety and Security Committee. My name is Bill Ethier. I'm with the Home Builders Association of Connecticut. Our 1,000 small business members build about between 70 and 80 percent of all the new housing in the state.

I've submitted written testimony on two bills. I'm going to try to quickly summarize both. The first one is Senate Bill 323. You heard one person testify on this earlier dealing with licensing crane operators. As you heard, this is a response to new Federal OSHA regulations that came out I believe last year. The bill that you have before you closely tracks the federal regulations but not exactly, and there are some minor exceptions and one major exception which is the reason that we're here today. The major exception is under the Federal OSHA regs, the Federal OSHA regs allow four different ways to comply with those regs. Your bill here 323 would require operator licensing. That's only one of the four ways of compliance. And what we're suggesting, and we've offered some language in

HB5394

our testimony, is to allow operators and employers of the covered cranes to comply with the Federal OSHA regs in one of the other three ways in addition to licensing. So that's what we've offered, and that's what we urge you to consider.

The other bill is we've heard a lot today about. I've submitted written testimony on the smoke and CO detector bill 5394. And I want to say at the outset that we as an organization strongly support the mandate in all homes, including one and two-family homes, for CO and smoke detectors. The reason we're here is just not in the way that the bill is drafted. We urge you to look at, and we've outlined in our written testimony, how the language of the current bill before you would create huge conflicts in construction codes and how one and two-family homes are possibly built. Right now we have to comply with the state building code and specifically for one and two-family International Residential Code. The state fire safety code that the statute amends does not apply to one and two-family homes because the state building code in the IRC contains all the equivalent fire safety features. By exempting one and two-family from the state fire safety code, you're now creating a system where we have two books that conflict with how to build a home or remodel a home. So we just urge you to look at that. What we have offered and attached to our testimony is a substitute bill, substitute language, that we believe tracks the Massachusetts model that you heard about that's just a simple straightforward mandate that all existing dwelling units, including one and two-family, have CO and smoke detectors. My proposal also looks at -- sort of outlines where they should be placed. For

type detectors. There's all kinds of testing going on right now. And I'm afraid if we restrict ourselves to a specific type, then we'll kind of paint ourselves in a corner and create an issue. So if we want to put into it that it will be in accordance with NFPA standards or ANSI standards we could do that, but I think if we just leave it the way it is and it's up to the state fire marshal's standard, which we can adopt anything that's out there, the newest, the greatest, whatever we need, based on a directive.

REP. JUTILA: Okay, thanks.

SENATOR HARTLEY: Thank you. Further questions? If not, thanks so much for being with us.

KEVIN KOWALSKI: Thanks very much.

SENATOR HARTLEY: Dave -- Ted, are you signed up? No. So we're going to move on to you, David.

DAVID D'OSTILIO: Good afternoon, Senator Hartley, Representative Dargan and the honorable members of the committee on public safety and security. My name is David D'Ostilio. I'm am the instructor supervisor with the International Union of Operating Engineers. I am here to testify today in favor of Raised Bill Number 323, AN ACT CONCERNING CRANE OPERATIONS.

Passing this bill that enables the State of Connecticut to comply with the federal regulations set forth by OSHA has many benefits to the holders of the Connecticut State Crane License, the companies that employ these men and women, the workers in the state, the general public and the State of Connecticut. The Connecticut State Crane

License Option is the most logical, cost effective and safest way of meeting OSHA's new standard. The other options for certification approved by OSHA would degrade the high level of competency for which the State of Connecticut's license testing is known. Many of the other certifications options have no experience criteria. This would be a detriment to the state because all the OSHA operations would have to be accepted if the Connecticut State License doesn't meet a few of OSHA's new changes. Imagine a man or woman from rural America that received their certification without experience operating a crane with 200 feet of boom in downtown Hartford. Currently Connecticut requires two years of experience. Making these changes to Connecticut's state statute will save the holders of a state license and new applicants hundreds of dollars. The application fee in the State of Connecticut for an apprentice crane permit is \$25, new and renewal licenses are \$50, and the crane test is \$50. Currently on line CCC mobile crane training, charges for mobile crane certification, approximately \$1,800 and recertification is \$1,000. Not opting for the Connecticut State Crane License would cause an exorbitant unnecessary expense for all operators since OSHA requires retesting at least every five years. By the way, CCC guarantees you pass, no experience necessary. These changes to the statute would also save the employer's money. OSHA's final rule says, qualification or certification must be provided at no cost to the operators who are employed by the employer on November 8, 2010.

The language in the raised bill as to who must comply, who is exempt and when it taken from OSHA's final rule. The reason these new rules

were put into the standard are based on statistics gathered by OSHA as to when and where most injuries and deaths are occurring. In the preamble to the final rule OSHA estimates that 21 fatalities would be avoided by compliance with the final standard. In addition, OSHA estimates that the final standard would prevent 175 nonfatal injuries each year.

In summary, this bill is the most sound, cost effective and safest solution to our current situation. Your decision in favor of Raised Bill Number 323 would be an easy one if you want to maintain our state's ranking as one of the best in the nation. Thank you very much. I'll gladly answer any questions you have on the other options. I do have a copy of the regs and I also have Elliot Henowitz who administers the state crane test and also is the state crane inspector. He will gladly answer any questions you might have.

SENATOR HARTLEY: Thank you, Dave, for being with us and also for your patience, and Elliot, welcome, and thanks for being here as well. Are there questions from committee members?

Dave, I will ask you to respond to the testimony we heard this afternoon from the Home Builders Association about the four ways to comply because in the bill clearly we're talking about one?

DAVID D'OSTILIO: Correct. The one is the state license option, all right. If the state does not adopt the changes, they're not in compliance. So if OSHA comes out, all right, the state license will not meet OSHA's criteria for certification or licensing.

SENATOR HARTLEY: Right. However, they were talking about three other ways to comply. One was by a certified license -- a crane organization and by a certified -- or an audited employer program.

DAVID D'OSTILIO: Right. So right now OSHA has approved about a half a dozen certification programs, okay. And then across the country people -- there are testing facilities, one being that CCC. The largest certifier of crane operators is called NCCCO, all right, and the NCCCO has no experience criteria. You can get the answers to the questions on line or a friend can give you them. I have the answers to the test. They do -- for the load chart portion you request which load charts you want to be tested on. And so it's just a -- and so the other -- that's one of the under that it's one of the third parties which you can go to under that. The other one having the employers do it, in my opinion it's the Fox watching the hen house situation. And then the military option is not available unless you're employed by the military. And as far as the testing, that type of thing, if you want to ask Elliot any questions as to verify or the high level of competency which our state has compared to the rest of the country, I'm sure he'd be glad to answer those.

SENATOR HARTLEY: Elliot, can you state for the record your name and position?

ELIOT HENOWITZ: My name is Elliot Henowitz, State of Connecticut crane inspector with the Department of Construction Services.

SENATOR HARTLEY: So Elliot, I'll ask you the same question. OSHA apparently is giving four

means to comply. We're obviously not talking about the military option, but the other two because the subject of the bill is one, so what's your --

ELLIOT HENOWITZ: We're looking to maintain our high superior program that we've had. It's been very successful. We've been recognized even in Washington as maintaining an excellent program. We fear that the program gets diluted. Already we're seeing things on line, you know, take this four-hour course and we'll teach you the test and you're good to go. We've sought initially with the criteria -- they have one criteria for hand signal training that had to be accomplished back as of last year. And we see that you can do a 15-minute version of this or, you know, some took it on such as the operating engineers and took it to a superior extreme the teaching. We question or, you know, we greatly question maintaining our status of a superior program.

SENATOR HARTLEY: The status is determined by OSHA, is it not?

ELLIOT HENOWITZ: No, no. They outline what criteria they want to regulate and so forth, but they don't actually make up the test. We do our own testing with the crane board, you know, what items we want to test on. And they have some outline of what will be tested on, what there is they want knowledge set forth that's going to be tested, but they don't actually give the test. They don't actually make up any test.

SENATOR HARTLEY: Okay, thank you. Further questions from the committee members? If not, thanks so much for being here and for your patience.

you have with the local and state police officials in our state, and I got a great close-up view of that when you were so gracious as to invite me to tag along with you the day the president was here coming to the Coast Guard Academy and I really could see, you know, from that perspective how important that coordination is in your protection function, and I know it's got to be just as important in your investigating financial crimes function. So thank you once again and, you know, we'll take it from here and hopefully bring it to the finish line this year.

SENATOR HARTLEY: Thank you, Representative Jutila, and thanks for your work on this. Yes, we have seen it this year, and hopefully we can have a successful conclusion.

Yes, Representative Yaccarino.

REP. YACCARINO: Thank you, Madam Chair. I'd just like to say thank you for your service, and I feel we all support this, and everything you do, and you should have the authority to protect the president and other politicians and other people of importance. So just thank you.

ROBERT BARRETT: Thank you.

SENATOR HARTLEY: Thank you, Representative Yaccarino. And if there are no further questions, thanks for being with us. Lori Pelletier, AFL-CIO. Yes, she's still here. Good afternoon still, yes.

LORI PELLETIER: Good afternoon, Senator Hartley and members of the Public Safety Committee. For the record, I'm Lori Pelletier, and I

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serve as the secretary-treasurer of the Connecticut AFL-CIO, and we represent 900 affiliated local unions who in turn represent over 200,000 union members from all across the state.

I'm here to testify on a couple of bills. First Senate Bill 323, AN ACT CONCERNING CRANE OPERATIONS, we support this bill. We just want to make sure that we don't negatively impact those that carry an R1 and R2 license, which are elevator constructors, just to make sure that there isn't a problem between those two jurisdictions, but we support crane operations and the bill to protect workers on the job.

The second bill is Senate Bill 326, AN ACT CONCERNING MIXED MARTIAL ARTS. We oppose this legislation. We appreciate the potential for events for our affiliates and the members who work in the venues where these take place, however, the people involved in MMA would have created many problems for -- have created many problems for members of the Nevada AFL-CIO, and we cannot in good conscious condone their actions by supporting this bill. With over 80 unfair labor practices and most of these targeted towards Latinos and women, these owners are not responsible partners.

But even if the situation resolved itself, we would object to this bill unless some changes in structure can be made. The world of MMA, which may be exciting and entertaining to some, is demeaning to many. Women and those in the LGBT community are often the brunt of slurs and comments used to further the competition of these events. We've seen that the culinary workers who are battling the station casino out in Nevada have proposed an

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lw/mb/gbr PUBLIC SAFETY AND SECURITY 11:00 A.M.
COMMITTEE

REP. CLEMONS: Thank you, Madam Chair. Good afternoon, Mr. Dowd. I asked the question to Mr. Ratner earlier and he mentioned that in terms of how many venues or matches can occur at the Webster Bank and the XL Center. And just again for clarification purposes, I guess he answered in regards to the UFC, but Webster and XL Center, you can host other venues there from other promoters, is that correct, so it doesn't have to --

CHARLES DOWD: That is correct. We are not locked into any particular promoter. MMA is the global sport. UFC happens to be one of the promoters of the sport.

REP. CLEMONS: Okay. And as a follow-up I know you mentioned how much of an economic impact it would create for downtown Bridgeport and the surrounding towns as well and attracting patrons. In terms of capacity at the Webster Bank Arena, what would you predict would be an attendance at one of these events?

CHARLES DOWD: Based upon the setup of the arena, I don't have a diagram, however, we would anticipate approximately 10,000 paid admissions per event.

REP. CLEMONS: Okay. That's a significant crowd there. Thank you. Thank you, Madam Chair. Thank you.

SENATOR HARTLEY: Thank you, Representative Clemons. Further questions? Seeing none, thanks for being with us.

CHARLES DOWD: Thank you.

SENATOR HARTLEY: Mike Morrissey, propane industry.

MICHAEL MORRISSEY: Good afternoon, Senator

SB323

Hartley, and other distinguished members of your committee. I'm Mike Morrissey. I reside in Glastonbury. I'm also the state director to the National Propane Gas Association. Today I represent our local trade association members.

I'm here to comment on Senate Bill 323, AN ACT CONCERNING CRANE OPERATIONS. On a daily basis our industry installs and removes propane gas tanks at consumer locations. The majority of the larger tanks we handle are of a 500 or 1,000 gallon capacity weighing 950 pounds to 1,760 pounds respectively. In less frequent instances our industry may install or remove 2,000 gallon tanks or less involving a weight of 3,600 pounds. In many instances the handling of these tanks is done with a knuckle boom crane affixed to the delivery vehicle itself. The crane activity our service technicians engage in is very much like the crane activity of the building supply industry which this bill proposes to exempt. Our industry does not affix things to buildings. We simply deliver goods to a job site which in our case is the consumer location. The tank is either dropped off or picked up here. This is an identical activity to delivering building materials to a job site. Because of this, we ask our industry be similarly exempt from the requirements of this bill.

Our industry has had an exemplary safety record when it comes to handling propane tanks with cranes. We handle propane tanks with cranes every day and we do it safely. The service technicians who operate these cranes are well trained in this aspect of the job as well as many aspects of their daily duties. In fact, the propane industry has had one of the best occupational training programs in the

country called Certified Employee Training Program, more commonly known as CETP. This national training program is award winning and has standardized the training of employees nationwide. Service technicians in our industry are also subject to OSHA, DOT and EPA training which covers cranes. We would strongly support Senate Bill 323 if it was modified to exempt our industry when handling propane tanks of 2,000 gallons or less. That concludes my testimony. I'd be happy to answer any questions. Thank you.

SENATOR HARTLEY: Thank you for being with us. Since these are supposedly nationwide updates to the federal code, is your industry in other states requesting the same exemption?

MICHAEL MORRISSEY: I can't speak for the other states, Senator. And we are aware of the new OSHA regulations. In fact, our training now incorporates that updated OSHA requirement, but frankly this industry for years has handled propane tanks on a daily basis and we've done it safely. And we believe because of our training, our rigid training, and the consequence of not handling the propane tank properly, okay, we should be exempt. And we rely or rest or look back to our record. This is a daily activity. These knuckle cranes are really handling loads 95 percent of the time of less than 2,000 pounds. There is that occasion where we might have to install a 1,450 or a 2,000 gallon tank, that would be in a commercial application, but that is really seldomly done. The majority of the lifting that we do is less than 2,000 pounds. And we would ask for an exemption similar to the building supply industry or even the tow truck operators.

SENATOR HARTLEY: So then on a crane over 2,000 pounds you're not asking for the exemption -- on a tank over 2,000 pounds?

MICHAEL MORRISSEY: That's correct. The next size up standard in our industry is a 5500, 6500, 5,650 gallon tank. We typically would be hiring a crane operator to handle that weight. The next size up from that is an 18,000, then a 30,000, a 60,000 and there are some 90,000s, but typically we would turn to Walker Crane or anybody like Walker Crane to handle those picks. Our knuckle booms don't handle that kind of weight and we're not geared up or set up to do it. What we are set up to do is handle the smaller tanks, the 500s, the 1,000 gallon tanks and that occasional tank that may weigh 3,600 pounds such as a 2,000 gallon propane tank. So the answer is yes, 2,000 gallons or less. Anything above that, we would turn to the big guys.

SENATOR HARTLEY: Okay, thank you. Are there questions from committee members? Yes, Representative Yaccarino.

REP. YACCARINO: Thank you, Madam Chair. Thanks for your testimony. Currently under 2,000 pounds you have listed criteria for your company in the propane industry. Do you have to meet the OSHA standards now, is that what you said?

MICHAEL MORRISSEY: No, right now the OSHA standard would call for 2,000 pounds or greater.

REP. YACCARINO: So you don't have any standards to meet except for your own industry standards?

MICHAEL MORRISSEY: Right. The new OSHA standard it used to be 2,000 tons or 10,000 pounds.

The new OSHA standard has reduced it to 2,000 pounds or greater. Ninety percent of the weights that we handle involving the 1,000 gallon or the 500 gallon tank are less than that. It's that one occasion 5 percent of the time where it might involve a larger tank.

REP. YACCARINO: And you have a record? You have to have a journal, I would think, of every application or every installation you install so if there's a record of injury or damage --

MICHAEL MORRISSEY: Well, yes, our industry complies with the OSHA log, the injury log, and that's why I have entered into my testimony the exemplary safety record we've had. When we've had problems in the propane industry with these 100 gallon tanks, ones that don't generally require the use of a crane, and those tanks are short and fat and sometimes our technicians go out and wrestle with those things without the benefit of a crane, and that is the single tank that causes us the greatest amount of injuries in our industry, not the picks involved in the hoisting equipment.

REP. YACCARINO: Thank you.

MICHAEL MORRISSEY: You're welcome.

SENATOR HARTLEY: Thank you very much for being with us. If there are no further questions, thank you. I'd like to invite Jeff Tang.

JEFFREY TANG: Senator Hartley, Representative Dargan, members of the honorable public safety committee, thank you for hearing me. I am Jeff Tang, a self-employed carpenter from Fairfield. I'm here to oppose Raised Bill 323, AN ACT CONCERNING THE FAILURE TO COMPLY

(SB 325)

without dollars. And I know our local system isn't up-to-date, it's a new building and so forth, but they still couldn't put in the latest technology to keep things functioning with the small amount they have. And I agree with you a hundred percent. And if it takes 99 cents, I think it's time that we give you the 99 cents so you can fulfill all the great work you've done in the past. Thank you very much for coming and testifying.

JEFFREY VANNAIS: Thank you.

REP. ROVERO: Thank you, Mad Chairman.

SENATOR HARTLEY: Thank you, Representative Rovero. Questions, comments from other members? Thank you very much. You have given us written testimony?

JEFFREY VANNAIS: I have.

SENATOR HARTLEY: Okay, thanks. That brings us to our last individual, John Butts.

JOHN BUTTS: Senator Hartley, Representative Dargan, somebody has to be last, so it might as well be me, so thank you for your indulgence. My name is John Butts. I am the executive director of the Associated General Contractors of Connecticut. We are a division of the Connecticut Construction Industries Association. You have my written testimony. I am here to represent CCIA's safety committee. Our safety committee is comprised of more than 40 construction companies safety directors, consultants and other professionals with a wealth of knowledge and experience. We're here to support Senate Bill 323, AN ACT CONCERNING CRANE OPERATIONS.

Senate Bill 323 would revise the license and certification requirements for crane and hoisting equipment operators. Most of the changes, according to the Crane Operators Examining Board, will allow the state to meet the federal OSHA crane certification requirements.

Connecticut has a comprehensive licensing program that has been in effect for since the 1980s which has helped the state to maintain one of the best safety records in the country. Under the new OSHA crane standard every operator of cranes involved in the construction, demolition or excavation must be certified or licensed and retested for knowledge and skills at least every five years. Under Senate Bill 323, the state's license renewal requirements of every four years will be more frequent than the OSHA federal requirement. Regardless of which option is chosen for certification or license every operator in the State of Connecticut will have to be tested and retested when certain OSHA crane standards take effect in November of 2014.

The safety committee of CCIA supports the crane board's efforts to maintain a robust licensing program. We believe Senate Bill 323 effectively coordinates the state crane law with the new OSHA crane certification requirements, and we urge the committee to approve the bill.

Thank you, and I'd be glad to take any questions that you have.

SENATOR HARTLEY: Thanks, John. Let me ask you really quick. So did I understand right now our licensure is a three-year cycle and the

feds are saying -- they're proposing a four year?

JOHN BUTTS: We're a two year. We're a two-year cycle. We're proposing to go to four years. The feds are right now saying five years. So that would --

SENATOR HARTLEY: So right now we're two years?

JOHN BUTTS: Right.

SENATOR HARTLEY: And under this change we're saying four years?

JOHN BUTTS: No. You have to be retested every two years.

SENATOR HARTLEY: Currently?

JOHN BUTTS: Currently, yes.

SENATOR HARTLEY: Under what exists now. And then enter the OSHA updates, what is OSHA saying.

JOHN BUTTS: If we maintain what we are doing now, we would be within the OSHA requirements which say every five years.

SENATOR HARTLEY: And the OSHA requirement is for how many years?

JOHN BUTTS: I'm sorry?

SENATOR HARTLEY: The OSHA requirement is for how many years?

JOHN BUTTS: Five. It says retested, certified or whatever. Not every state has a licensing requirement for cranes. We are one of 12 states that have it. So OSHA builds in their

standards the ability for other states to have certification programs unless they had a licensing program. Since we do have a licensing program, we have a built-in certification, licensing, whatever you want to call it, to meet OSHA standards.

SENATOR HARTLEY: That exist now, right. Okay. Well, we're well under what the standard is that you're proposing.

JOHN BUTTS: Yes.

SENATOR HARTLEY: And what would you say to the testimony that was offered earlier today which said that OSHA offers four means of compliance, one of which, of course, pertains to the army, so basically three?

JOHN BUTTS: My understanding is that OSHA allowed -- as I said, not every state has its licensing program. So they allowed those states that don't have licensing programs the ability of crane operators in other states to go to a third-party certification and get certified if they don't have a licensing program to get licensed under. So they built those alternatives and options into the regulation so that those crane operators in other states have that option.

SENATOR HARTLEY: Okay. But back to my original question. So we have a licensing program.

JOHN BUTTS: Right.

SENATOR HARTLEY: OSHA is now putting standards out nation wide, and those standards say you could use your licensing program or two other options, one of which is the employer certified, one of which is an audited

certified group can come in and do it. Are you saying that we ought not to avail ourselves to the other two options?

JOHN BUTTS: I'm saying that we should stick to our licensing program that we have now as the option for certifying qualifying operators in the State of Connecticut.

SENATOR HARTLEY: So you're saying, no, we should not use those other two options that OSHA has put out there --

JOHN BUTTS: Let's be clear. Any crane operator can go to the NCCO, which was mentioned earlier down in Florida, and get his crane certification. But if you leave the licensing law the way it is, they'll still have to be licensed in the State of Connecticut.

SENATOR HARTLEY: That's correct, but back to where we were in the beginning of this conversation, OSHA says there are four ways, one of which is the army, which we're not going to use --

JOHN BUTTS: Right.

SENATOR HARTLEY: -- so OSHA says that and you're saying that in Connecticut we ought to say, no, we are only going to use option one which is the existing program?

JOHN BUTTS: Our safety committee believes that the testing program for the State of Connecticut adequately meets and coordinates with the OSHA regulation, the crane rule right now.

SENATOR HARTLEY: Well that's true, it does adequately, but the question is it goes beyond that. This is an instance where, for example, we're always dealing with regulations and

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we're promulgating regulations based on statute.

JOHN BUTTS: Right.

SENATOR HARTLEY: And many times we have situations where the regulation we're proposing goes beyond what the FERC federal threshold is. That's what's happening here.

JOHN BUTTS: That's already been in place for a long time.

SENATOR HARTLEY: But it is going -- and this is new that OSHA is putting in so we are going beyond what the federal threshold or requirement is. And my question to you again, and I think you've answered it, is that you think we ought not to avail ourselves to those other two options which the feds now are saying we have?

JOHN BUTTS: Well, if we do go to those two other options, they are still -- any crane operator is still going to have to meet all of those standards.

SENATOR HARTLEY: That's correct, we're not saying --

JOHN BUTTS: So we don't see the reason for going to those other two standards.

SENATOR HARTLEY: It's just an -- it's an option.

JOHN BUTTS: It is an option, yes.

SENATOR HARTLEY: It's an option.

JOHN BUTTS: Yes.

SENATOR HARTLEY: And so that's what I'm trying to determine, are we not going to avail ourselves to an option that the feds have put out there?

JOHN BUTTS: That's what this committee has to decide, yes.

SENATOR HARTLEY: And you are saying no.

JOHN BUTTS: We agree with the current testing system.

SENATOR HARTLEY: Right, I understand. Okay, I just wanted to be clear. Yes, Representative Yaccarino.

REP. YACCARINO: Thank you, Madam Chair. Thanks for your testimony. How do you feel about the propane industry wanting the exemption for the 2,000 pounds or under?

JOHN BUTTS: I had not -- I think the crane board should weigh in on that before I make a statement on that. I do know that there is an exemption for articulating knuckle boom cranes. OSHA standards basically say that you can't hoist. You can take it up and you can lay it down, but you can't hoist with an articulating knuckle boom crane. I don't know enough about the 2,000 pound standard to make a statement about that.

REP. YACCARINO: One last question. I know construction when you have shingles delivered to a home many times they boom them up.

JOHN BUTTS: Right.

REP. YACCARINO: Would that be -- that would fall under this legislation?

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11:00 A.M.

JOHN BUTTS: I'm not sure. I couldn't say.

REP. YACCARINO: Thank you.

SENATOR HARTLEY: Thank you, Representative Yaccarino. And thanks very much for your testimony and also hanging in there. Appreciate it.

JOHN BUTTS: Thank you.

SENATOR HARTLEY: Any other questions? Well, I think you're off the hook now, John. And are there any other individuals who would like to testify? How about get out of here? So I'll entertain a motion to adjourn.

REP. NICASTRO: So moved.

REP. ROVERO: Second.

SENATOR HARTLEY: Thank you. Representative Rovero, thanks for the second. Thank you all for hanging in there and of course our trusted staff.

Connecticut Heating & Cooling Contractors Association

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Established 1972



TESTIMONY OF JENNIFER JENNINGS EXECUTIVE DIRECTOR BEFORE THE PUBLIC SAFETY COMMITTEE MARCH 6, 2012

2012

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The Connecticut Heating & Cooling Contractors Association (CHCC), a trade association whose objectives are to strengthen and further trade relations, attract, educate and train necessary manpower, represent members at all levels of government and review and establish quality standards and procedures, and which represents over 125 Heating & Cooling Companies in Connecticut, submits comments regarding the following bills:

Concerning SB-320, AAC Fire Prevention Code Regulations – CHCC is concerned that this legislation further confuses the timeline for adoption and implementation of fire codes. CHCC is concerned that the code adoption process is becoming cumbersome and often does not include industry input from the skilled tradespersons in the field who are actually responsible for constructing and renovating to the various codes and standards. Specific to the fire prevention code, CHCC feels that NFPA31 and NFPA54 need to be updated in a timelier manner.

Opposing SB-323, AAC Crane Operators – CHCC opposes this bill because our contractors are concerned that this legislation could have broad implications for our industry. CHCC is concerned that problems could arise surrounding certain truck mounted hoists that lift equipment on and off of flatbed trucks used by our contractors. While we understand this legislation may be an attempt to conform with new federal OSHA regulations, CHCC is concerned that there will be some significant additional regulatory burdens on HVAC contractors as the state attempts to implement the changes. Specifically, the effective date, the type of hoisting equipment covered, operators in training requirements, and compliance with certifications, all have the potential to burden contractors and cause confusion across the licensed trades.

Opposing HB-5383, AA Requiring Carbon Monoxide and Oxygen Sensors on Portable Electric Generators – CHCC is concerned that this legislation may appear to possibly condone the practice of indoor usage of such generators if in fact they contain the required oxygen and carbon monoxide detectors. This would be contrary to public safety, as the use of such sensors could give a false impression that is acceptable to run a generator in a basement or living room. Furthermore, CHCC is unsure about the availability of this type of equipment in the marketplace. As such, public policy considerations must examine any potential price premium such a requirement would carry on the equipment, and what that means for the workplace where many contractors routinely and safely utilize existing portable generating equipment on a regular basis.

Thank you for your consideration of our comments.



STATE OF CONNECTICUT
DEPARTMENT OF CONSTRUCTION SERVICES



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Testimony of Pasquale Salemi
Deputy Commissioner of the Department of Construction Services
Public Safety & Security Committee
March 6, 2012

Good morning Senator Hartley, Representative Dargan, Senator Guglielmo, Representative Geigler and distinguished members of the Committee. For the record my name is Pasquale Salemi, Deputy Commissioner of the Department of Construction Services. On behalf of Commissioner Defronzo and the DCS staff we would like to thank the leadership of the Committee for the drafting of (3) proposals on behalf of the Department of Construction Services.

By way of background, in 2011 Governor Malloy proposed, and the General Assembly enacted, a comprehensive reorganization of State government in order to restructure administrative operations, achieve higher levels of efficiency, eliminate duplication of effort and consolidate operations.

As part of this overall effort, Public Act 11-51 provided for the creation of a new agency, the Department of Constructive Services (DCS) comprised of the following components:

- The Design and Construction Unit of the former Department of Public Works (DPW)
- The Bureau of School Facilities and Grants of the state Department of Education (SDE)
- The building and life safety code and code enforcement components of the former Department of Public Safety (DPS)

SB320

SB327

SB323

The purpose of consolidating the major construction and construction-related services from these three agencies into one agency was to optimize the use of staff, more efficiently manage the state's school construction program and more uniformly apply and better coordinate code enforcement.

The proposals before the Committee today are offered on behalf of the building and life safety code and code enforcement divisions of the department. The Department of Construction Services (DCS) offers the following testimony regarding the three bills on the Committee's agenda.

This proposal is offered on behalf of the Office of Education & Data Management and the Office of State Fire Marshal. The proposal intends to streamline the process for the certification of fire safety enforcement officials and to remove administrative inconsistencies.

Presently pursuant to the statutory language C.G.S. 29-298, after completing a recognized training program, the Office of State Fire Marshal (OSFM) certifies as "eligible to be certified" and once hired, we must then issue a second certificate as "certified". The inconsistency is that the statute does not allow a community to hire an individual unless the person is "certified".

Eliminating "eligible to be certified" status eliminates the need to keep records of a particular area. It makes processing of credentials uniform and more efficient. The individuals who have passed the certification examinations, but are not appointed (employed), would be certified. Certification would be based on successful completion of credentialing exams, which is similar to Building Officials. This would make the processing of credentials uniform and more efficient as well as eliminating additional record keeping. Regardless, our continuing education requirements apply so they can remain 'eligible to be certified', thus resulting in a high level of candidates.

This proposal will allow a community to readily appoint a person to the role of fire safety official without the need for 'state' paperwork intervention."

Senate Bill 323 "An Act Concerning Crane Operations"

The United States Department of Labor's Occupational Safety and Health Administration recently approved a historic crane standard, "1926 subpart CC", in which every operator of cranes involved in construction, demolition, or excavation must be certified or licensed and they must be retested for knowledge and skills at least every five years. These new standards were developed in response to outdated rules last updated in 1971, and in response to the number of crane and derrick operator fatalities in recent years. These revised standards are the product of over 12 years of industry experts developing recommended changes and receiving public comment and consensus on crane and derrick operations

My staff was approached by the Crane Operators Board as established by C.G.S. 29-222 shortly after the agency consolidations. The Board, while still part of the Department of Public Safety, had begun the process of making the changes to the Connecticut statutes in recognition of the new OSHA rule. It requested that DCS assist in the drafting and

proposing of these changes that are before the Committee today. This language represents the requested changes of the Board and was developed with the new OSHA cranes and derricks "Final Rule" in mind. This is the department's effort to increase the safety of Connecticut crane operations.

There have been concerns expressed by some in regards to the potential impact of this proposal. My staff and I are happy to discuss this proposal with any interested parties.

I thank the Committee again for the opportunity to testify. My staff and I are happy to answer any questions Committee members may have on these proposals.



Connecticut Chapter

March 6, 2012

Committee on Public Safety and Security
Legislative Office Building
Hartford, CT 06106

Connecticut Associated Builders and Contractors (CT ABC) is an Association that represents Merit Contractors (non-union) in CT, which is approximately 85% of the Construction Workforce.

Associated Builders and Contractors (ABC) is a national association with 74 chapters representing 22,000 merit shop construction and construction-related firms with nearly two million employees. ABC's membership represents all specialties within the U.S. construction industry and is comprised primarily of firms that perform work in the industrial and commercial sectors of the industry.

CT ABC is the Connecticut Chapter of ABC

CT ABC supports **SB-323, An Act Concerning Crane Operations** as a means of continuing Connecticut's long term commitment to crane operator safety and the safety of the citizens of Connecticut.

Sincerely,

Lelah Campo
CT ABC President

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March 6, 2012

Committee on Public Safety and Security
 Legislative Office Building
 Hartford, CT 06106

UCAC represents the utility contractors and excavators who specialize in water, drainage, sewer, sitework, and underground public utility construction work. UCAC members also include material and specialty equipment suppliers, utility companies, municipalities and professionals allied with the utility and sitework construction industry. UCAC is the Connecticut chapter of the National Utility Contractors Association.

UCAC supports SB-323, An Act Concerning Crane Operations as a means of continuing Connecticut's long term commitment to crane operator safety and the safety of the citizens of Connecticut.

Sincerely,

Faith Gavin Kuhn
 UCAC Executive Director



**TESTIMONY OF THE
LUMBER DEALERS' ASSOCIATION OF CONNECTICUT**

RE: SB 323 AN ACT CONCERNING CRANE OPERATIONS

**Before the Legislature's Public Safety and Security Committee
Tuesday, March 6, 2012**

Good Morning. My name is Marshall Collins. I am appearing in my capacity as Counsel for Government Relations for the Lumber Dealers' Association of Connecticut ("LDAC"). For more than 100 years LDAC has represented independent lumber and building material dealers, manufacturers, wholesalers, distributors and other associated businesses. LDAC members currently employ nearly 2,500 men and women in Connecticut.

LDAC respectfully requests that you amend SB 323 AAC Crane Operations to allow both licensing and certification of crane and hoisting equipment operators consistent with the new OSHA regulations.

SB 323 attempts to bring Connecticut into conformity with new OSHA regulations regarding the operation of cranes and hoisting equipment: OSHA regulations 1926.1400 OSHA Safety and Health Regulations for Construction and Section 29-221a of the Ct. General Statutes.

However, as drafted SB 323 does not conform to the OSHA requirements.

More specifically, Section 1927.1427(a) states that the equipment operator must ***either*** be licensed or qualified. OSHA provides four options for such equipment operators to qualify:

- (1) Certification by an accredited crane operator testing organization.
- (2) Qualification by an audited employer program.
- (3) Qualification by the U.S. military.
- (4) Licensing by a government entity." (Sections 1926.1427(c) through (d).

For some reason, SB 323 eliminates the "either" portion of the OSHA regulation. Thus, SB 323 exceeds the OSHA requirements because it eliminates Options 1-3 under the OSHA regulations.

LDAC is affected by the licensing requirement in that its members deliver building materials to construction sites. LDAC trucks offload a wide range of construction materials to job sites. They do not hold such material in place. They are merely making the delivery. They use various boom, or hoisting, equipment from their trucks. Even though OSHA specifically excludes much "material delivery" from regulation, some building material is likely to be covered.

For example, an LDAC member delivery of 2,000 lbs. of lumber to a site would not be covered if a knuckle boom was used to swing the load off of the truck and deposited to the site. However, if the same LDAC member delivered a prefabricated truss, made of 2,000 lbs of lumber, it would be covered.

Therefore, LDAC members should be able to take advantage of the four OSHA options to qualify its employees making deliveries. Again, an example would be if an LDAC member hired a military veteran, who has qualified pursuant to 1926.1427(d), why should they have to go through State of Connecticut licensing programs as set forth in SB 323?

LDAC members are struggling in this difficult economy just as their customers in the home building industry have struggled. LDAC members should have the option of finding the most cost effective way to qualify their delivery people where necessary. There should be no monopoly on how to qualify.

OSHA does not require that the states only allow crane operators to qualify through licensing.

Therefore, SB 323 should be amended to comply with both the letter and the intent of the new OSHA regulations.

This completes my testimony. Thank you for your consideration.

Senate Bill 323, An Act Concerning Crane Operations
Public Safety and Security Committee
March 6, 2012

CCIA Position: Support

Connecticut Construction Industries Association, Inc. (CCIA) represents various sectors of the commercial construction industry in Connecticut and is comprised of members who have a long history of providing quality work for the public benefit. CCIA seeks to advance and promote a better quality of life for all citizens in the state. Formed over 40 years ago, CCIA is an organization of associations, where all sectors of the commercial construction industry work together to advance and promote their shared interests. CCIA is comprised of more than 300 members, including contractors, subcontractors, suppliers and affiliated organizations representing many sectors of the construction industry.

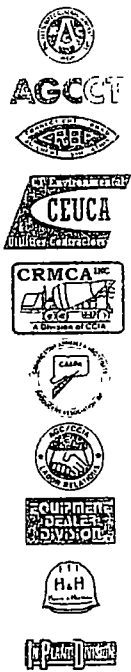
CCIA's Safety Committee is comprised of more than 40 construction company safety directors, consultants and other professionals with a wealth of knowledge and experience in workplace safety. CCIA, on behalf of the Safety Committee, supports Senate Bill 323, An Act Concerning Crane Operations.

Senate Bill 323 would revise the license and certification requirements for crane and hoisting equipment operators. Most of the changes, according to the Crane Operators Examining Board, will allow the state to meet the federal OSHA crane certification requirements. Connecticut has a comprehensive licensing program, which has helped the state to attain one of the best safety records in the country.

Under the new OSHA crane standard, CFR 1926 subpart CC, every operator of cranes involved in construction, demolition, or excavation must be certified or licensed and retested for knowledge and skills at least every five years. Under Senate Bill 323, the state's license renewal requirement of every four years will be more frequent than the federal OSHA requirement. Regardless of which option is chosen for certification or license every operator in the state of Connecticut will have to be tested or retested when certain OSHA standards take effect in November 2014.

CCIA Safety Committee members support the crane board's efforts to maintain a robust licensing program. We believe Senate Bill 323 effectively coordinates our state crane law with the new federal OSHA crane certification requirements and we urge the committee to approve the bill.

Please contact John Butts, staff liaison to the CCIA Safety Committee or Matthew Hallisey, Director of Government Relations and Legislative Counsel for CCIA, at 860-529-6855, if you have any questions or if you need additional information.





Independent Electrical Contractors of New England, Inc.



Testimony
Lisa Stevens
Executive Director
IEC-NE
Public Safety & Security Committee
March 6, 2012

The Independent Electrical Contractors of New England (IEC-NE) respectfully submits the following comments relative to SB-323, AN ACT CONCERNING CRANE OPERATIONS.

It is our understanding that the language in the proposal is intended to be consistent with the new federal OSHA regulations governing crane and derrick operations. These new requirements are designed to ensure that crane operators have the knowledge and skills they need to operate equipment safely.

However, in comparing the proposal with the new federal OSHA rule, we have identified some significant differences which will impose additional regulatory burdens on electrical contractors, as follows:

- **Effective date:** The requirements of the new OSHA rule are effective November 10, 2014. SB-323 imposes the new requirements on crane operators effective October 1, 2012.
- **Covered Equipment:** The federal OSHA rule is not applicable to derricks or sideboom cranes, however, SB-323 is applicable to derricks and sideboom cranes.
- **Operators in Training:** The federal rule provides an exception to the requirement that operators of most equipment covered by the standard must be qualified or certified by, or under the scrutiny of, a third party other than the operator's employer. An exception is provided for operators-in-training, who may operate equipment with certain limitations until they can become qualified or certified. This exception is only applicable to apprentices under SB-323.
- **Compliance with Certification/Qualification:** The federal rule allows operators to comply with the new requirements by obtaining "certification" - a process whereby an operator passes both written and practical tests administered by an accredited testing organization or "qualification" - which provides three other options to compliance. These options are: (1) qualification by an audited employer program; (2) qualification by the U.S. Military (limited to employees of the Department of Defense or members of the Armed Forces); and (3) licensing by a government entity. Unfortunately, as drafted, SB-323 only provides one option for compliance - licensure. We therefore urge revisions to the bill that would authorize other, non-licensing methods of compliance, consistent with the federal OSHA rule.

We therefore urge the committee to carefully review the language of the bill to ensure that it is fully consistent with the federal rule and revise it to address any inconsistencies, particularly with respect to the licensure requirement. Differences in state and federal law will only invoice confusion and impose unnecessary compliance burdens on electrical contractors.

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 P10
L20

March 6, 2012

To: Senator Joan Hartley, Co-Chairman
 Representative Steve Dargan, Co-Chairman
 Members of the Public Safety & Security Committee

From: Bill Ethier, Chief Executive Officer

Re: Senate Bill 323, AAC Crane Operations

The HBA of Connecticut is a professional trade association with almost 1,000 member firms statewide, employing tens of thousands of Connecticut citizens. Our members, all small businesses, are residential and commercial builders, land developers, home improvement contractors, trade contractors, suppliers and those businesses and professionals that provide services to our diverse industry. Our members build 70% to 80% of all new homes and apartments in the state each year.

We strongly support safe construction practices. But we oppose SB 323's mandatory licensing of all crane operators as the only option to comply with new federal OSHA regulations governing the operation of cranes and derricks.¹

SB 323 closely tracks the new OSHA regulations with some minor exceptions and one major exception. **The major exception is that federal OSHA provides four compliance paths to meet crane operator safety requirements. But, SB 323 allows for only the state licensing compliance path. Employers and crane operators should be able to opt for any of the four compliance paths approved by federal OSHA.**

In addition, federal OSHA's licensing compliance path states that such license is "valid for the period of time stipulated by the licensing department/office, but no longer than 5 years." See 1926.1427(e)(3)(i). Operator licenses under SB 323, however, are valid for only two years with a requirement to be retested every four years (see lines 140-146). If that makes sense for licensees, the licensing authority and organizations providing training to licensees, so be it. But, the two non-military compliance path options for crane operators approved by federal OSHA are both valid for five years without caveats. See 1926.1427(b)(4) and 1926.1427(c)(6)(ii). SB 323 should make it clear that if the non-licensing compliance paths are chosen by an employer or operator, such compliance means are valid for five years.

We strongly urge you to amend SB 323 by adding an additional exemption to the mandatory licensing provisions that allows the alternative compliance paths that are approved by federal OSHA. We offer the following language, to be added at the end of line 225: "... or (6) persons who, pursuant to federal Occupational Safety and Health Administration, Standard 1926.1427, are (i) certified by an accredited crane operator testing organization, (ii) qualified by an audited employer program, or (iii) qualified by the United States military, to operate the equipment covered by such federal OSHA standard" Thank you for considering our views on this legislation.

¹ see OSHA regulations, Standard 1926 1427, which we can provide to committee members on request

Testimony

T. Michael Morrissey, Morrissey Consulting, LLC
332 Strickland ST, Glastonbury, CT 06033
860-280-8027
Morrissey consulting@cox.net

Public Safety and Security Committee

PUBLIC HEARING 11 00 AM in Room 2D of the LOB

Tuesday, March 6, 2012

S.B. No. 323 (RAISED) AN ACT CONCERNING CRANE OPERATIONS.

Good morning Senator Hartley and Representative Dargan and other distinguished members of your committee. I am Mike Morrissey, from Glastonbury. I am also the Connecticut State Director to the National Propane Gas Association. Today, I represent our local trade association members who provide propane gas service to our state. I am here to comment on **S.B. No. 323 (RAISED) AN ACT CONCERNING CRANE OPERATIONS.**

On a daily basis, our industry installs and removes propane gas tanks at consumer locations. The majority of the larger tanks we handle are of a 500 or 1000 gallon capacity weighing 950 pounds to 1760 pounds respectively. In less frequent instances, our industry may install or remove tanks of 2000 gallons or less involving a weight of 3600 pounds or less. In many instances, the handling of these tanks is done with knuckle boom cranes affixed to the delivery service vehicle. The crane activity our service technicians engage in is very much like the crane activity of the building supply industry which the bill exempts.

Our industry does not affix things to buildings. We simply deliver goods to a job site which in our case is a consumer location. The tank is either dropped off or picked up here. This is an almost identical activity to delivering building materials to a job site. Because of this, we ask our industry be similarly exempt from the requirements of this bill.

Our industry has an exemplary safety record when it comes to handling propane tanks with cranes. We handle propane tanks with cranes every day and we do it safely. The service technicians who operate these cranes are well trained in this aspect of the job as well as many other aspects of their daily duties. In fact the propane industry has one of the best occupational training programs in the country called Certified Employee Training Program or more commonly known as CETP. This national training program is award winning and has standardized the training of employees nation wide. Service Technicians in our industry are also subject to OSHA, DOT and EPA training which covers cranes.

We would strongly support S.B. No. 323 if it was modified to exempt our industry when handling propane tanks of 2000 gallon water capacity or less.



INTERNATIONAL UNION OF OPERATING ENGINEERS

Local 478, 1965 Dixwell Avenue, Hamden, Connecticut 06514

Craig Metz
Business Manager

Phone (203) 288-9261
Fax (203) 281-3749

David M. D'Ostilio March 3, 2012

Testimony in favor of Raised Bill No.323 **An act Concerning Crane Operations**

Good Afternoon, Representative Hartly, Representative Dargan and the honorable members of the Committee on Public Safety and Security. My name is David D'Ostilio. I am the Instructor Supervisor with the International Union of Operating Engineers, a CT Labor Organization that represents over 3,500 Heavy Equipment Operators in CT. I am here today to testify in favor of Raised Bill No.323, An Act Concerning Crane Operations.

Passing this bill will enable the State of Connecticut to comply with the federal regulations set forth by OSHA has many benefits: to holders of the Connecticut State Crane License, the companies that employ these men and women, the workers in the state, the general public and the state of Connecticut.

The Connecticut State Crane License option is the most logical, cost effective and safest for the public, way of meeting OSHA's new standard. The other options for certification approved by OSHA would degrade the high level of competency for which the state of Connecticut's License testing is known. Many of the other certification options have no experience criteria. This would be a detriment to the state because all of the OSHA approved options would have to be accepted if the Connecticut state License doesn't meet a few of OSHA's new changes. Imagine a man or woman from rural America that received their certification without experience, operating a crane with 200 feet of boom in downtown Hartford? The operator of any crane is responsible for the safety of all nearby pedestrians, construction co-workers and property in the area, at all times. Currently Connecticut requires two years of experience.

Making the changes to Connecticut's State statute will save the holders of a state license and new applicants hundreds of dollars. The application fee in the state Connecticut for an apprentice crane permit is \$25.00, new and renewal licenses are \$50.00, and the crane test is \$50.00. Currently on-line, CCC Mobile Crane Training charges for mobile crane certification is \$1795.00 and recertification is \$995.00. Not opting for the Connecticut

State crane license would cause an exorbitant unnecessary expense for all Operators, since OSHA requires retesting at least every 5 years. (By the way, CCC guarantees you to pass – no experience necessary!)

These changes to the statute would also save the employers money. OSHA's final rule on cranes CFR 1926.1427(a)(4) states; "Whenever operator qualification or certification is required under 1926.1427, the employer must provide the qualification or certification at no cost to operators who are employed by the employer on November 8, 2010".

Connecticut not making these small changes would require operators and employers to comply with two standards. Making these changes to meet OSHA's requirement for certification, qualification or license would keep everyone complying within one entity. This would also mean that the state requirements in existence now that exceed OSHA's standard would be in place under one entity.

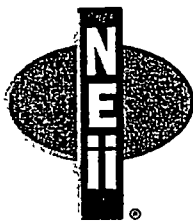
The language in the Raised Bill as to who must comply, who is exempt and when, is taken from OSHA's final rule. The reason these new rules were put into the standard are based on statistics gathered by OSHA as to when and where most injuries and deaths are occurring. In the preamble to the final rule it states

"OSHA finds that construction workers suffer 89 fatal injuries per year from the types of equipment covered by this final standard. Of that number, OSHA estimates that 21 fatalities would be avoided by compliance with The final standard. In addition, OSHA estimates that the final standard would prevent 175 non-fatal injuries each year. "

This bill is the most sound, practical, logical, cost effective, and safest (for the operators and the public) solution to our current situation.

In summary, your decision in favor of Raised Bill No.323 should be an easy one if you want to maintain our states ranking as one of the safest in Crane Operation in the country.

Thank you very much. I will gladly answer any questions you may have.



National Elevator Industry, Inc.

GOVERNMENT AFFAIRS OFFICE

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March 5, 2012

State of Connecticut
Committee on Public Safety and Security

Re: Raised Bill No. 323 "An Act Concerning Crane Operators"

Ladies and Gentlemen.

I am writing on behalf of the National Elevator Industry, Inc (NEII[®]), the trade association representing firms that install, maintain and/or manufacture elevators, escalators, and moving walkways and other building transportation products. NEII[®] membership includes the top elevator companies in the U S , if not the world and reports more than 80 percent of the work hours for the industry. Safety for the riding public and industry personnel is one of NEII[®]'s top priorities.

NEII[®] is concerned about aspects of the Bill No. 323 that, if passed into law, would limit the operation of hoisting equipment located on trucks, such as lulls, forklifts, manitous, crane trailers and ceiling lifts, to persons holding a crane operators license. NEII believes that with respect to the elevator industry, this would result in inefficiencies, possible damage to elevator parts and unnecessary expense to building owners. We submit the following concerns and comments on Bill No. 323 as it relates to the elevator industry.

- 1) The operation of the hoisting equipment located on crane trailers and similar vehicles has always been within the province of tradespeople holding the elevator constructors license. Elevator tradespeople are skilled in the operation of this equipment and there is no need to change this practice.
- 2) Many of the parts to be hoisted at the jobsite are fragile and must be handled by a knowledgeable elevator tradesperson to avoid damage. Each elevator company has standard material handling work practices delineating procedures to protect the equipment being handled and all personnel involved in the process. The skilled elevator tradesperson is trained in these standard practices.
- 3) The operation of the mobile hoisting equipment is not complicated, comparable to the equipment one sees lifting product at a home renovation retail store. Elevator parts are packaged and marked for easy hoisting. There is no reason that an elevator tradesperson cannot operate this equipment (as they have been doing for decades).
- 4) The labor agreement between industry and the International Union of Elevator Constructors (IUEC) provides in Article 4, Section 2 that elevator constructors are responsible for unloading equipment once it arrives at or near the jobsite. Any jurisdictional disputes that the crane operators may have with another trade are properly addressed by the National Labor Relations Board (NLRB), rather than through state legislation.
- 5) The IUEC member's safety track record operating this equipment is excellent. We believe there have been very few accidents as a direct result of operating equipment or directing the lifting of material with a crane or other similar equipment.

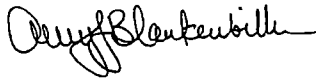
NEII ASSOCIATION HEADQUARTERS

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NEII and NEII logo - Registered U S Patent and Trademark Office

NEII® appreciates the Committee's focus on efficiency and safety in the elevator/escalator industry, and we are committed to working with the legislature, agency officials and building owners to improve safety and efficiency where possible

Thank you for consideration of the industry's concerns about the implications of Bill No. 323. Please feel free to contact me if you need additional information at the NEII® Government Affairs Office (785-286-7599) or via e-mail at ajblankenbiller@neii.org

Sincerely,



Amy J Blankenbiller

**INTERNATIONAL UNION OF OPERATING ENGINEERS**

Local 478, 1965 Dixwell Avenue, Hamden, Connecticut 06514

Craig Metz
Business ManagerPhone (203) 288-9261
Fax (203) 281-3749**Testimony in Support of Raised Bill No.323****An Act Concerning Crane Operations**

Good Afternoon Senator Hartley and Representative Dargan and Honorable members of the Public Safety and Security Committee. My name is Craig Metz and I am the Business Manager of the International Union of Operating Engineers, Local 478, a Labor organization that represents over 3500 heavy equipment and crane operators throughout Connecticut. In addition to representing most of Connecticut's crane operators, we also have a strong working relationship with almost every crane company in our State. For that reason, I thank you for the opportunity to speak to you today about Senate Bill 323, an act concerning crane operations in the State of Connecticut.

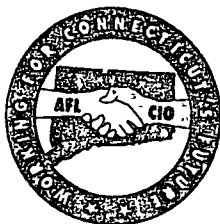
Each year the Bureau of Labor Statistics publishes data regarding the most dangerous occupations in our nation based on the number of injuries and fatalities. Statistically speaking, jobs in the construction industry always

rank among some of the most dangerous. In the past few years, in the area of the heavy construction industry there has been an increase in fatal accidents in the operation of cranes. We have all read in the newspapers and seen on the nightly news reports about the cranes in New York City that have crashed down onto workers and pedestrians. At Local 478, one of our brothers lost his leg when a steel wall toppled a crane at the Milford Power Plant while another union brother lost his life when a crane at the Sikorsky Bridge Site tumbled into the Housatonic River. We know first-hand how dangerous cranes can be.

For over three decades, Local 478 has been a strong advocate for crane safety as well as a loud voice for increasing the regulations that insure that all crane operators conform to the rules and obtain a high level of training. Our efforts have not been limited to the legislative arena as our apprenticeship and training school have developed the most comprehensive crane operator training program in the State thereby ensuring that our operators have the capacity to not only pass the licensing test but also have the ability to deal with the actual problems that can arise when they are picking tons of steel in the shifting winds. Furthermore, unlike many other entities who assist people in obtaining their licenses, Local 478 crane operators participate in on-going training that allows them to constantly refresh their skills on various types of cranes.

After the past few years of economic stress, it is easy to look at eliminating regulations and reducing laws that are thought to be counterproductive to growing business; however, we believe that by passing Senate Bill 323, the committee will be supporting a statute that recognizes that you cannot put a price on everything, especially human life. As our

economy recovers and many capital projects that were on hold are started, it imperative that the crane operators who are working on these projects are highly skilled and fully prepared to deal with the challenges that come with picking steel beams and heavy materials. After all, just like you want to be safe walking past a construction site and so too do the construction workers who are inside the site. Thanks you for your time.



CONNECTICUT AFL-CIO

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P28
L6

Testimony of Lori Pelletier
Secretary-Treasurer, Connecticut AFL-CIO
Tuesday, March 6, 2012

Good afternoon Senator Hartley and Representative Dargan, and members of the Public Safety committee. My name is Lori Pelletier and I serve as the Secretary -Treasurer of the Connecticut AFL-CIO, and I am here to testify on behalf of our 900 affiliated local unions who represent over 200,000 union members from all 169 cities and towns.

S.B. No. 323 (RAISED) AN ACT CONCERNING CRANE OPERATIONS

We support this bill as a good work in progress. We understand that advocates on all sides of this are working together and we applaud that effort. Safety on the job must be priority one. Last year the Department of Labor released it's workplace injury and death on the job report and we still face the fact that every 16 hours a worker in America dies on the job. Insisting that those who operate machinery have the proper skill and training level are key tom those numbers declining.

S.B.325

S.B. No. 326 (RAISED) AN ACT CONCERNING MIXED MARTIAL ARTS

We oppose this legislation. We appreciate the potential for events because our affiliates' members work in the venues where these take place. However, the people involved with the MMA world have created many problems for members of the Nevada AFLCIO and we cannot in good conscience condone their actions by supporting this bill. With nearly 80 Unfair Labor Practices, clearly these owners are not responsible partners.

But even if that situation resolves itself we would object to this bill unless some changes in structure can be maintain. The world of MMA which may be exciting and entertaining to some, is demeaning to many. Women, and those in the LGBT community are often the brunt of slurs and comments used to further the competitive neater of these events.

In today's world, violence, hate crimes and bullying are playing a huge role in the life of our youth and young adults. As a State we should not be condoning this type of entertainment. Let's stand up to both corporate bullying and bullying as a form of entertainment and tell those who push this to change their ways before we amend our statutes.

Thank you for holding this public hearing and if you have any questions I would be happy to address them for you.

PRESIDENT John W Olsen	1st VICE PRESIDENT Sharon M Palmer	VICE PRESIDENTS John Ahern John A Altieri Linda Armstrong Tammie Botelho Beverley Brakeman Calvin Bunnell Wayne J Burgess Michael Calderon Peter S Carozza, Jr Peter Carroll Carol Censki	Frank Cirillo Everett C Corey Kenneth Delacruz John H Dirzius Alvin Douglas Steven R Ferrucci III Betty Gadson John Gentile Bill Henderson Keri Hoehne Kathleen S Jackson Clarke King	Thomas Ledoux Glenn Marshall John McCarthy Ronald McLellan Jean Morningstar James Parent Warren Pepicelli Melodie Peters Michael Petosa Ronald Petronella Roberta Price Robert Proto	Peter Reilly Carmen Reyes David Roche Edward Sasso Valerie Stewart William Shortell Ray Soucy James R Wallace, Jr Paul Wallace Kurt Westby Anthony Zona
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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2012**

**VOL. 55
PART 8
2276 - 2638**

cah/meb/gdm/rgd/tmj
SENATE

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May 2, 2012

SENATOR LOONEY:

Yes, thank you, Madam President.

Madam President, would move that the bill as amended be referred to the Judiciary Committee.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Madam President.

THE CHAIR:

Oops, sorry. That was just the amendment. Yes, as amended, will be referred to judiciary. Thank you.

Mr. Clerk.

THE CLERK:

On page 3, Calendar 189, Substitute for Senate Bill Number 323, AN ACT CONCERNING CRANE OPERATIONS, favorable report of the Committee on Public Safety.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you, Madam President.

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

THE CHAIR:

The motion is on acceptance and passage. Will you remark, sir -- ma'am?

SENATOR HARTLEY:

Yes. Thank you. Thank you, Madam President.

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May 2, 2012

The Clerk is in possession of LCO 4473. I ask the Clerk, please call and that I be granted leave to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 4473, Senate "A," offered by Senator Hartley and Representative Dargan.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you, Madam President.

I move adoption.

THE CHAIR:

Motion is on adoption. Will you remark?

SENATOR HARTLEY:

Yes. Thank you, Madam President.

So I should probably start by saying a last -- this strike all amendment is Connecticut's implementation of the OSHA's final ruling on the governance of cranes.

We here in the state of Connecticut have always enjoyed a very professional and rigorous, I might say, set of guidelines on the operation of cranes.

However with the OSHA final note we do need to make some adjustments to our crane operations and legislation and that is what is before us. So very simply, if I might say, after very extensive conversations with all of those parties who may be affected or potentially affected, we have arrived at a total consensus position.

And so beginning in October of '014 the legislation will

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SENATE

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May 2, 2012

adopt OSHA's definition of cranes and it will extend the state regulations including operator licensing and training requirements to lifting capacities in a new category of between 2,000 and 10,000 pounds. However it will exempt those crane operators who are operating in that new category, 2,000 to 10,000 if they qualify under one of three circumstances.

The first being by -- if they are certified or accredited by an audited employer program, or if they are certified under the U.S. military, or if they have satisfied an accredited crane operating testing process through such an organization, or then of course if they are -- they have a license under state law.

The bill will require that such operators be retested in a cycle of every four years and it also adopts the OSHA's governance for hoisting equipment on the apprenticeship level. It also increases, in accordance with OSHA, from 1,000 to 3,000, the civil fine for any violations.

And then there are many technical changes in the strike-all amendment which also help us to conform and bring us into conformity with OSHA's new regulation.

Thank you, Madam President.

THE CHAIR:

Thank you.

Senator Suzio.

SENATOR SUZIO:

Thank you, Madam President.

I rise to support the amendment and to thank Senator Hartley for her leadership and willingness to work with the small-business operators in Connecticut.

Also I'll compliment that the Department of Administrative Services for their working with the various folks affected by this. And I think we have a much more workable bill and want to extend my thanks to the good Senator and express my strong support for the amendment.

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May 2, 2012

Thank you, Madam President.

THE CHAIR:

Thank you.

Senator Guglielmo.

SENATOR GUGLIELMO:

Thank you, Madam Chair.

I also want to thank our chair lady of the Public Safety Committee for the good work on this. There were quite a few questions both from the industry and from members of the circle.

And she had a lot of patience, worked with us and put it together and. I think it's a good bill and I hope that it will gain full support of this body.

Thank you.

THE CHAIR:

Thank you.

Will you remark? Will you remark? If not, all in favor of the amendment please say aye.

]
SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment passes.

Senator Hartley.

SENATOR HARTLEY:

Thank you, Madam President.

And if there's no objection I would ask that this be put on the consent calendar, madam.

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THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk.

THE CLERK:

On page 21, Calendar 72, Senate Bill Number 63, AN ACT CONCERNING THE TIMING OF TESTS FOR BLOOD ALCOHOL LEVELS IN OPERATING UNDER THE INFLUENCE CASES, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you, Madam President.

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

THE CHAIR:

The motion is on acceptance and passage.

Will you remark?

SENATOR HARTLEY:

Yes. Thank you, Madam President.

The Clerk is in possession of LCO 3943. I ask that the Clerk please call and that I be granted leave to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 3943, Senate "A," offered by Senator Williams, et al.

THE CHAIR:

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Thank you, madam.

And if there's no objection, I'd ask that this be put on
the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

Mr. Clerk --

Oh, sorry. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President. Madam President.

THE CHAIR:

Yes. Yes, Senator Looney.

SENATOR LOONEY:

Yes, Thank you, Madam President.

Madam President, if the Clerk would now read the items on the consent calendar so that we might proceed to a vote on that consent calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Let's see. On today's consent calendar we have on page 1, Calendar 85, Senate Bill Number 43; page 3, Calendar 189, Senate Bill 323; page 4, Calendar 205, Senate Bill Number 237; on page 5, Calendar 237, House Bill Number 5057; on page 6, Calendar 294, Senate Bill 111.

Also on page 6, Calendar 298, House Bill 5225; on page 11, Calendar 365, House Bill Number 5094; on page 11, Calendar 370, House Bill 5287; on page 13, Calendar 385,

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House Bill 5123; on page 15, Calendar 401, House Bill 5516; on page 19, Calendar 421, House Bill 5107.

On page 21, Calendar 59, Senate Bill Number 97; also on page 21, Calendar 90, Senate Bill 188; on page 21, again, Calendar 72, Senate Bill 63; page 21, Calendar 73, Senate Bill 195; on page 22, Calendar 104, Senate Bill 207; on page 24, Calendar 197, Senate Bill Number 315; also on page 24, Calendar 183, Senate Bill 234.

Page 25, Calendar 208, Senate Bill 347; on page 25, Calendar 233, Senate Bill 371; on page 26, Calendar 275, Senate Bill 391; on page 27, Calendar 288, Senate Bill 299; on page 27, Calendar 292, Senate Bill 156; and on page 28, Calendar 333, Senate Bill Number 426.

THE CHAIR:

Okay. Mr. Clerk, would you please call for a roll call vote and the machine will be open.

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:

If all members have voted -- all members voted. The machine will be closed. And Mr. Clerk, will you call this great 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 passed.