

**PA13-164**

HB5514

House	3590-3597	8
Judiciary	670-671, 756	3
Senate	4409-4413	5
		<b>16</b>

**H - 1160**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2013**

**VOL.56  
PART 11  
3446 - 3814**

cjd/lgg/cd  
HOUSE OF REPRESENTATIVES

22  
May 14, 2013

voted? Members please check the board to make sure your vote is properly cast.

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

Clerk, please announce the tally.

THE CLERK:

Bill Number 6458

Total Number Voting 134

Necessary for passage 68

Those voting Yea 134

Those voting Nay 0

Those absent and not voting 16

SPEAKER SHARKEY:

The bill passes.

Will the Clerk please Calendar 412.

THE CLERK:

Yes, Mr. Speaker, on page 51, Calendar 412, favorable report of the joint standing committee on Government Administration and Elections, House Bill 5514, AN ACT CONCERNING THE ADMINISTRATION OF THE INTERSTATE COMPACT FOR ADULT OFFENDERS SUPERVISION.

SPEAKER SHARKEY:

Representative Ritter.

REP. RITTER (38th):

cjd/lgg/cd  
HOUSE OF REPRESENTATIVES

23  
May 14, 2013

Hello? Thank you, Mr. Speaker, and good morning.

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

SPEAKER SHARKEY:

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

Will you remark, sir?

REP. RITTER (38th):

Yes, thank you, Mr. Speaker.

This comes along with the Department of Corrections and, basically, what it does is removes the statutory requirement that the commissioner of Corrections serve automatically as the administrator of the Interstate Compact for Adult Supervision.

This compact, which is made up between the states, obviously, has supervision over offenders and things like that that move from jurisdiction to jurisdiction and the Department of Corrections, although some involvement in this, really felt that a couple of changes to be necessary.

One that to get someone more on the judicial side where a lot of this compact affects matters related to the judiciary as oppose to the correction. And I

cjd/lgg/cd  
HOUSE OF REPRESENTATIVES

24  
May 14, 2013

think second that it might allow for better expertise in this area, which the Department of Correction feels is necessary. This would switch it from the automatic serving of the department -- or the commissioner of the Department of Correction and put it to statutory site which would require either the governor to do it or the state council which oversees this impact -- this compact rather. That's the bill.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir.

Do you care to remark further on the bill that's before us?

Representative Rebimbas of the 70th District, you have the floor, madam.

REP. REBIMBAS (70th):

Thank you, Mr. Speaker, and good afternoon.

SPEAKER SHARKEY:

Good afternoon, madam.

REP. REBIMBAS (70th):

Through you, Mr. Speaker, a question to the proponent of the bill?

SPEAKER SHARKEY:

Please proceed, madam.

cjd/lgg/cd  
HOUSE OF REPRESENTATIVES

25  
May 14, 2013

REP. REBIMBAS (70th):

Thank you, Mr. Speaker.

Through you, just to confirm, is there any type of fiscal impact as a result of the bill that's before us?

Through you.

SPEAKER SHARKEY:

Representative Ritter.

REP. RITTER (38th):

Through you, Mr. Speaker, no.

SPEAKER SHARKEY:

Representative Rebimbias.

REP. REBIMBAS (70th):

Thank you, Mr. Speaker.

And through you, does this bill change any powers of appointment now that we change it from the commissioner of the Department of Correction to the Connecticut compact administrator?

Through you.

SPEAKER SHARKEY:

Representative Ritter.

REP. RITTER (38th):

Yes, through you, Mr. Speaker.

Yes, it does. I mean because the way that the

cjd/lgg/cd  
HOUSE OF REPRESENTATIVES

26  
May 14, 2013

current statutory scheme is, the commissioner of the Department of Correction automatically serves. This will now make it an appointment with confirmation from this General Assembly to become the administrator of this compact.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Mr. Speaker.

And just for clarification purposes, who would have the power for the appointment?

Through you.

SPEAKER SHARKEY:

Representative Ritter.

REP. RITTER (38th):

Through you, Mr. Speaker, it would be the governor or this council would have that ability through consultation with the Judiciary Department and the Legislature.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Mr. Speaker.

Is there any type of procedure put into place seeing that there is an "or" factor there of who actually would make that determination. Would it be the council or would it be a sitting governor?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Ritter.

REP. RITTER (38th):

Through you, Mr. Speaker, again, I think that that would still have to be fleshed out. By looking quickly at 54-133, I think that it is an "or" on purpose, but I think we would have to work that out as we go forward.

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Mr. Speaker.

And I do rise in support of the bill. I do know that several of our members had some concern regarding the lack of clarity when it came to exactly who would have the ultimate appointment powers in that regard. I certainly hope because of the lack of clarity with

cjd/lgg/cd  
HOUSE OF REPRESENTATIVES

28  
May 14, 2013

the "or," certainly, I would hope that any sitting governor in consultation with the council could potentially reach a unanimous decision as to who the appointment would be.

I do know that we heard testimony from the former commissioner of the Department of Corrections, Leo Arnone, who was in support of this legislation and rightfully so he had indicated and support of his testimony that he felt that the job would be better suited to someone else with the actual hands-on experience and the everyday knowledge of the operation would also allow for the smooth transition so I will be supporting the bill that's here before us.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you very much, madam.

Do you care to remark further on the bill that's before us? Do you care to remark further?

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

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will

cjd/lgg/cd  
HOUSE OF REPRESENTATIVES

29  
May 14, 2013

members please return to the chamber immediately?

SPEAKER SHARKEY:

Have all of the members voted? Have all of the members voted? Members please check the machine to makes sure your vote is properly cast.

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

Clerk, please announce the tally.

THE CLERK:

Bill Number	5514
Total Number Voting	140
Necessary for Passage	71
Those voting Yea	103
Those voting Nay	37
Those absent and not voting	10

SPEAKER SHARKEY:

The bill is passed.

Will the Clerk please call Calendar 509.

THE CLERK:

Yes, Mr. Speaker, on page 31 on today's Calendar.

Calendar Number 509, favorable report of joint standing committee on Judiciary, Substitute House Bill 6674, AN ACT CONCERNING THE PENALTY FOR INTERFERING WITH AN OFFICER.

**S - 665**

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2013**

**VOL. 56  
PART 14  
4130 - 4472**

gdm/cah/meb/gbr  
SENATE

154  
June 1, 2013

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, if all members have voted, the  
machine will be closed. Mr. Clerk, will you call the  
tally.

THE CLERK:

House Bill 5515,

Total Number Voting	35
Necessary for Adoption	18
Those Voting Yea	33
Those Voting Nay	2
Those Absent and Not Voting	1

THE CHAIR:

Okay the bill is passed. Sorry.

Mr. Clerk.

THE CLERK:

On Page 16, Calendar 603, House Bill Number 5514, AN ACT  
CONCERNING THE ADMINISTRATOR OF THE INTERSTATE COMPACT FOR  
ADULT OFFENDER SUPERVISION, Favorable Report of the  
Committee on Judiciary.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE:

Yes. Hello again, Madam President.

I move acceptance of the Committee's Joint Favorable  
Report and passage of the bill in concurrence with the  
House.

THE CHAIR:

Motion is on acceptance and passage in concurrence.

Will you remark, sir?

SENATOR DOYLE:

Yes. Thank you, Madam President.

This bill is another proposal by the Department of Corrections and it deals with the interstate compact for adult offender supervision. What it is is to try to make it clear for the -- the Chamber, basically, the -- many states come together to negotiate. There's -- there's a signed agreement between the states to deal with transferring supervision.

You may -- you may have some people on probation but also more -- more importantly some -- the states do different transfers of prisoners from state to state, and you may do that for disciplinary reasons. You could have a gang member in Connecticut that's a particular problem, you'll do a trade and give him to another state and bring a person back.

This document is a mechanism between the states to be able to communicate and effectively transfer certain prisoners. What the bill really does before us is, under the current law, the commissioner is designated as the state's administrator of -- of the interstate compact for adults -- adult offender supervision.

And as written, it appears that the commissioner personally has to do the tasks of the administering the compact for the State of Connecticut. This bill simply takes out that specific designation that the commissioner has to be administrator and it means the commissioner can designate this -- the responsibilities as the administrator for Connecticut to another employee.

It doesn't allocate more money, so we're not talking about another position or a cost. It's just basically kind of reassigning a task. And I guess it's not as heavy duty in terms of massive hours, but the commissioner just wants the discretion to allocate this to another employee but

gdm/cah/meb/gbr  
SENATE

156  
June 1, 2013

at no -- no additional cost to the State of Connecticut.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark?

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Madam President.

I stand in support of this bill. Again, I harken back to the Department of Corrections Commissioner Leo Arnone testifying on this before the Judiciary Committee. And I actually had opportunities, because I would meet with him probably about every two months at his office, as well, to discuss issues that were occurring in the Department of Corrections.

And what he said was that there's not an inordinate amount of hours spent doing this particular job but the interstate compact rules, it's like a giant thick book and it's cumbersome, so it was just -- in the great scheme of things as commissioner, it just wasn't one of his favorite things to have to do. And the way it was set up in Connecticut was that it was his job to do and nobody else could do it.

And he said he had the staff attorneys look at it and they said, commissioner, by statute you have to do this. If you want to get out from under this obligation and assign it to someone, you -- you need a statutory fix, and so he's come before us again. I -- I want to say that I think this is the second year, at least, that this has been before us.

This particular bill may have got caught up in the crossfire of the end of session last year but, again, there were some good questions posed by some of my colleagues in our Caucus, but there's not a new position being established. There's not a new part-time position being established. There's no dollars associated with this. It just means that someone else in the Department of

gdm/cah/meb/gbr  
SENATE

157  
June 1, 2013

Corrections is going to be handed this giant book of rules and regulations regarding interstate transfers of inmates. And when these issues come up and it has to be dealt with between our state and some other state that this individual be -- would be in charge of that.

And the commissioner did indicate to me that I -- he thought that he was the only commissioner that actually had this statutory obligation. Nearly every other state had other folks working on these particular things. It's a very nuanced area and it's just not anything that comes up all that often.

So fairly simple, straight-forward bill and I urge my colleagues to support it.

Thank you, Madam President.

THE CHAIR:

Will you remark? Will you remark?

Seeing none, Senator Doyle.

SENATOR DOYLE:

It's my understanding we need a roll call, Madam President.

THE CHAIR:

Okay, a roll call will be had.

Mr. Clerk, will you call for the roll call.

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:

Senator Boucher.

Mr. Clerk, would you mind doing another roll call vote

gdm/cah/meb/gbr  
SENATE

158  
June 1, 2013

please.

THE CLERK:

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

THE CHAIR:

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

Mr. Clerk, will you please call the tally.

THE CLERK:

House Bill 5514,

Total Number Voting	35
Necessary for Adoption	18
Those Voting Yea	31
Those Voting Nay	4
Absent Not Voting	1

THE CHAIR:

The bill passes.

Mr. Clerk, do you have any more on your agenda?

Okay, the -- the Senate will stand at ease for a moment  
please.

(Chamber at ease.)

SENATOR LOONEY:

Madam President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**JUDICIARY  
PART 2  
365 - 727**

**2013**

10  
jmf/gbr JUDICIARY COMMITTEE

February 13, 2013  
2:30 P.M.

Thank you, Kevin.

KEVIN KANE: Thank you.

REP. FOX: Is Representative Bacchiochi here? Well, if she comes in, we'll come back to her.

Senator Looney? If he comes in, we'll go to him.

I do see COMMISSIONER LEO C. ARNONE. Welcome, Commissioner. I think this is the first time I've seen you since you announced that you will be leaving the Department of Correction, so let me just say you were definitely a pleasure to work with, and we wish you the best.

COMMISSIONER LEO C. ARNONE: Thank you. Thank you very much.

REP. FOX: Now, you're here on some bills, so you might as well --

COMMISSIONER LEO C. ARNONE: Yeah. So, good afternoon, Senator Coleman, Representative Fox, and members of the Judiciary Committee. I'm Leo Arnone, the Commissioner of the Connecticut Department of Correction. I'm here to speak on three bills today. I'll be brief. They're -- also these bills were up last year. They -- they cleared committee last year; two of them died in the final hours of -- of the Legislature last year.

First one is one that has been near and dear to my heart even though, if it passes, it won't help me because I won't be here anymore, but it's AN ACT CONCERNING THE ADMINISTRATOR OF THE INTERSTATE COMPACT FOR ADULT OFFENDERS. Basically what this -- actually what this bill does is allows the state a Council for the Interstate Compact. The Interstate Compact is

HB5515  
SB 238

HB5514

the compact we have where parolees and probationers and some inmates can be held in other states through this -- this national agreement.

By statute, I am the administrator. The administrator really should be elected by the council. The council are -- are -- is made up as you'll see in the -- in the write up by several different organizations and people in the Legislature. And -- and the Department of Correction really has the smallest group of people involved in Interstate Compact.

We move some inmates around; they are subject to the Interstate Compact. However, parole and probation, by far have the largest percentage, and really the administrator should be, I believe, democratically elected by the policy board that's -- that is set forth to do that. And we all voted and they all agreed, so I think it's a -- it's a good bill. It simply changes some language and makes a technical change in the bill.

The next one is AN ACT CONCERNING RESIDENTIAL STAYS AT CORRECTIONAL FACILITIES, another one that passed. Simply what this does is allows the Department of Correction to hold an inmate an extra 30 days voluntarily so that they can be -- a bridge so that that holding can be a bridge to a program. So easiest one to explain is a person needs an -- an inpatient drug treatment program after his incarceration, but he can't get that bed for two weeks.

HB5515

So what do we do with him? His sentence is ended so we have to release him. Usually release him to a -- if he has no other means, no friends or relatives to take him in, that person ends up in a shelter. So they sit around in a shelter for two and a half weeks

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**JUDICIARY  
PART 3  
728 - 1039**

**2013**

Department of Correction  
Testimony of Leo C. Arnone, Commissioner

PAGE 2  
LINE 3

Judiciary Committee  
February 13, 2013

SB 238

Good afternoon Senator Coleman, Representative Fox and members of the Judiciary Committee. I am Leo Arnone, Commissioner of the Department of Correction (DOC). I am here to speak in strong support of three Agency bills before you this afternoon.

**Raised Bill No. 5514, An Act Concerning the Administrator of the Interstate Compact for Adult Offender Supervision**

Raised Bill No. 5514, An Act Concerning the Administrator of the Interstate Compact for Adult Offender Supervision (ICAOS) would remove the statutory requirement that the Commissioner of Correction serve as the administrator of the interstate Compact for Adult Supervision (ICAOS) and allow for the appointment of Connecticut's compact administrator in accordance with section 54-133 of the general statutes.

Section 54-133 of the general statutes requires that either the State Council or the Governor, in consultation with the legislature and the judiciary, appoint a State Compact Administrator. The State Council by statute must include at least one representative of the legislative, judicial and executive branches, victims groups and compact administrators.

While I, as the Commissioner of Correction, have responsibility for the community supervision of all parolees, that are part of the compact population, the Judicial Branch has the greater number of ICAOS cases. Currently, the most that I do as the Compact Administrator is to chair the meetings. I do not have the working knowledge of ICAOS rules and the day-to-day operations that the Deputy Compact Administrators and their staff do, but I am by statutes responsible for voting on rules that supersede federal law. Making Compact Administrator subject to vote by the State Council would allow for the flexibility needed to adapt to changes as they are made by the legislature or by changes in the offender population.

Members of the State Council unanimously voted to support this proposed change when we raised this Bill last session. I urge your favorable report on Raised Bill No. 5514.

**Raised Bill No. 5515, An Act Concerning Residential Stays at Correctional Facilities**

As you know, I must discharge an inmate by the effective maximum term date of the inmate's sentence, regardless of the inmate needs. Raised Bill No. 5515, An Act