

PA13-241

SB0326

General Law	187	1
House	10744-10748, 10762-10763	7
Senate	2652-2669, 2715-2716	20
		28

H - 1180

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VETO
SESSION**

**VOL.56
PART 31
10451 - 10795**

law/gbr
HOUSE OF REPRESENTATIVES

554
June 5, 2013

Amendment A please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, nay. The ayes have it. The
amendment is adopted.

REP. GUERRERA (29th):

Thank you, Mr. I move to put it on the Consent
Calendar.

SPEAKER SHARKEY:

Is there objection to moving this item on the
Consent? Seeing none, so ordered. Will the Clerk
please call Calendar 623.

THE CLERK:

On page 25, Calendar 623, favorable report of the
joint Committee on Environment, Senate Bill 326, AN
ACT CONCERNING CONSUMER PROTECTION.

SPEAKER SHARKEY:

Representative Gentile.

REP. GENTILE (104th):

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

SPEAKER SHARKEY:

The question is acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate. Will you remark, Madam.

REP. GENTILE (104th):

Mr. Speaker, would the Clerk please call LCO 7420.

SPEAKER SHARKEY:

Would the Clerk please call 742 -- LCO 7420 which will be designated Senate Amendment A.

THE CLERK:

Senate Amendment A, LCO 7420 introduced by
Senator Williams et al.

SPEAKER SHARKEY:

The Gentlewoman seeks leave of the Chamber to summarize is there objection? Please proceed, Madam.

REP. GENTILE (104th):

Updates Connecticut's egg statutes. Move adoption.

SPEAKER SHARKEY:

The question is adoption of Senate Amendment A. Will you remark? If not, let me try your minds. All those in favor of Senate Amendment A please signify by saying aye.

law/gbr
HOUSE OF REPRESENTATIVES

556
June 5, 2013

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, nay. The ayes have it. The amendment is adopted. Representative Gentile.

REP. GENTILE (104th):

Mr. Clerk, will the -- Mr. Speaker, will the Clerk please call LCO number 7473.

SPEAKER SHARKEY:

Clerk, please call LCO 7473 which has been previously designated Senate Amendment B.

THE CLERK:

Senate Amendment B, LCO 7472 introduced by Representative Meyers et al -- Senate Meyers.

SPEAKER SHARKEY:

The Gentlewoman seeks leave of the Chamber to summarize. With no objection, please proceed with summarization, Madam.

REP. GENTILE (104th):

Check and conforming changes. . Move adoption.

SPEAKER SHARKEY:

The question is adoption of Senate Amendment B. Will you remark? If not, let me try your minds. All those in favor of Senate Amendment B please signify by

law/gbr
HOUSE OF REPRESENTATIVES

557
June 5, 2013

saying aye.

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, nay. The ayes have it. The
amendment is adopted. Representative Gentile.

REP. GENTILE (104th):

Mr. Speaker, will the Clerk please call LCO 7483.

SPEAKER SHARKEY:

Will the Clerk please call 7483 previously
designated Senate Amendment C.

THE CLERK:

Senate Amendment C, LCO 7483 introduced by
Senator Hartley.

SPEAKER SHARKEY:

The Gentlewoman seeks leave of the Chamber to
summarize. Is there no objections? Please proceed
with summarization.

REP. GENTILE (104th):

Adjusts the standards of care. Move adoption.

SPEAKER SHARKEY:

The question is adoption of Senate Amendment C.
There's a -- will you remark? If not, let me try your
minds. All those in favor of Senate Amendment C

law/gbr
HOUSE OF REPRESENTATIVES

558
June 5, 2013

please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, nay. The ayes have it. The amendment is adopted. Would you care to remark further on the bill as amended?

REP. GENTILE (104th):

Mr. Speaker, I move this bill be placed on Consent.

SPEAKER SHARKEY:

The question is to move this item on Consent.
Without objection so ordered. Will the Clerk please call Calendar 631.

THE CLERK:

Calendar 631, favorable report of the joint standing Committee of Energy and Technology, substitute Senate Bill 803, AN ACT CONCERNING ENTREPRENEURIAL PROGRAMS FOR THE NEXT GENERATION OF OYSTER HARVESTERS.

SPEAKER SHARKEY:

Representative Gentile.

REP. ALBIS (99th):

Thank you, Mr. Speaker. I move for joint

1040, 326, 803, 886, 1065, 983, 190 and 158 on the
Consent Calendar.

SPEAKER SHARKEY:

Representative -- Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Mr. Speaker, I move adoption of the Consent
Calendar.

SPEAKER SHARKEY:

Staff and guests to the well of the House.

Members take your seats. The machine will be opened.
Open the board, Mr. Clerk. Open the board for the
Consent Calendar. Staff and guests to the well of the
House. Members take your seats. The machine will be
opened for the Consent Calendar.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will
members please come to the well of the Chamber please.
The House is voting immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members
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. Will the Clerk please announce the tally.

THE CLERK:

On the Consent Calendar, Mr. Speaker.

Total Number Voting	146
Necessary for Adoption	74
Those voting aye	146
Those voting nay	0
Absent and not voting	4

SPEAKER SHARKEY:

The bill -- or the Consent Calendar passes.

Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Mr. Speaker.

SPEAKER SHARKEY:

Mr. Majority Leader.

REP. ARESIMOWICZ (30th):

Mr. Speaker, I move we adjourn sine die.

SPEAKER SHARKEY:

The motion is to adjourn sine die. Seeing no objection, so ordered.

(On motion of Representative Aresimowicz of the 30th District, the House adjourned at 12:02 o'clock a. m.,

S - 660

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2013**

**VOL. 56
PART 9
2501 - 2836**

On Senate Bill 802, as amended.

Total Voting	36
Those voting Yea	35
Those voting Nay	1
Absent, not voting	0

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if the Clerk would call as the next item, from Calendar -- under Matters Returned from Committee, Calendar Page 39, Calendar 164, Senate Bill Number 326.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Calendar Page 39, Number 164, Senate Bill Number 326, AN ACT CONCERNING CONSUMER PROTECTION, Favorable Report of the Committee on General Law.

THE CHAIR:

Good evening. Senator Doyle.

SENATOR DOYLE:

Good evening, Madam President.

I move acceptance of the joint committee's Favorable Report and passage of the bill.

THE CHAIR:

Motion is on acceptance -- acceptance and passage.
Will you remark, sir?

SENATOR DOYLE:

Yes; thank you, Madam President.

With the matter moved, I understand there may be a strike-all amendment. At this point in time, I would like to yield the floor to Senator Meyer.

THE CHAIR:

Senator Meyer, will you accept the yield, sir?

SENATOR MEYER:

I certainly do and thank Senator Doyle for the yield.

Madam President, I believe the bill has been moved. And there is a strike-all amendment, which is LCO 7420, and I respectfully request that it be called by the Clerk and I be permitted to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 7420, Senator Amendment "A," offered by Senator Williams, Looney, et al.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Yes, I move the amendment.

THE CHAIR:

The motion is on adoption. Will you remark, sir?

SENATOR MEYER:

Thank you, Madam President.

Colleagues, this bill is a, is a regulation of eggs, and it does several things in that regard. The first is it puts Connecticut in compliance with federal -- federal standards. There are very explicit federal standards; we, our -- our laws and regulations have not been in accordance, and if we pass this bill, we'll be labelling, storing, handling, and grading eggs in accordance with federal law.

The bill also prohibits the sale of adulterated eggs. The bill goes on then to split egg facilities into two categories; the first is eggs grading plants and the second is egg distributors. The first is, under the bill will be regulated by the Department of Agriculture, our department, and the second, the egg distributors, will be regulated by the Department of Consumer Protection.

There's an annual registration fee that's established under there, and there's, there is finally a provision in the bill that anyone aggrieved by an order of either the Department of Consumer Protection or Department of Agriculture is permitted to appeal to our Superior Court in Hartford.

So that, in essence, is the, is the bill before us. It's a sound bill. It'll -- it'll ensure that we have healthy eggs, and I urge its adoption.

THE CHAIR:

Will you remark? Will you remark?

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President.

Madam President, some questions through you to the proponent.

THE CHAIR:

Please proceed, sir.

SENATOR CHAPIN:

Thank you, Madam President

As I recall, the bill that we heard before the Environment Committee and voted out of the Environment Committee contained a section that dealt with those producers that sold directly to consumers. Can the gentleman tell me whether that provision is still in this bill?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Madam President.

That -- that part was deleted in the, in the amendment.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President.

And again, through you.

So the universe of producers or distributors that the amendment before us encompasses deals, is it fair to say it deals with some of the larger producers and distributors and not the little guys that many of us have in our districts?

Through you, Madam President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Madam President

Yes, that is the intent of this bill is to deal with the large distributors, egg distributors, and there are several in Connecticut.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Madam President, I thank the gentleman for his answers.

When this bill did come out of the Environment Committee, there was some objection, but it was, I think it was objections that were specific to those smaller producers.

I'm glad that this amendment has taken care of those, and I -- I would certainly encourage my colleagues to support the amendment before us.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Chapin.

Will you remark further? Will you remark further?

Let me try your minds. All those in favor of Amendment "A," Senate Amendment "A," please say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed?

Amendment Senate "A" is adopted.

Will you remark further?

Senator Meyer.

SENATOR MEYER:

Yes.

Madam President, there is a further amendment, and I would respectfully ask the Clerk to call LCO 7473 and I be permitted to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 7473, Senate "B," offered by Senator Meyer, Chapin, et al.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Yes; thank you, Madam Chairman.

I -- I move the amendment.

THE CHAIR:

The motion is on adoption of the amendment. Will you remark, sir?

SENATOR MEYER:

Just briefly. This is a technical amendment which makes some grammatical changes and wording changes. It's an amendment that -- that is sponsored by Senator Chapin and me. It was an amendment that was picked up because of -- of some technical mistakes by the Department of Agriculture, and I urge its approval.

THE CHAIR:

Will you remark? Will you remark?

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President.

Madam President, I also rise in support of the amendment before us. I'd like to thank the Chairman of the Environment Committee for helping clean up this bill with the language before us, and again, I encourage my colleagues to support it.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

Senator Hartley -- no.

Seeing not, I'll try your minds. All -- oops; I won't try your minds. I will ask Senator Frantz if you have any questions or --

SENATOR FRANTZ:

Yes.

THE CHAIR:

-- comments, sir.

SENATOR FRANTZ:

Yes; thank you, Madam President.

Through you, a very quick question, and I'm sorry I misheard you a second ago.

Through you, Madam President, for Senator Meyer.

What --

THE CHAIR:

Please proceed, sir.

SENATOR FRANTZ:

Thank you.

Through you.

It -- it's amazing to me how the legislative process can take all these 90 degree and sometimes 180 degree turns very quickly, and what I want to do is make sure that the integrity of the legislative process is still here.

We've taken a bill. We have had a, essentially a strike-all amendment, and then we have a second amendment here, and it's a bipartisan, friendly amendment which I am sure I will be in favor of -- I haven't had a chance to review the entire thing -- but has this amendment and the first amendment that you offered received what you would consider to be a fair public hearing?

Senator Meyer.

SENATOR MEYER:

Through you, Madam President, to Senator Frantz.

The -- the first amendment was very much subject to a public hearing and had considerable support from people interested in the legislation.

The second amendment, as I said, I -- I classify as -- as a technical amendment because it just clarified some wording, some wording changes that are in technical nature. That, these wording changes, I don't recall were at the time of the public hearing; I think they were made by the Department of Agriculture, thereafter.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you, and through you, Madam President.

You know, we all, we all know the differences, the subtle differences between the words "shall" and "may," for example. And, you know, without having reviewed every single technical change in -- in the bill here, you feel comfortable that there's nothing so significant, that it doesn't deserve to have a public hearing?

Through you, Madam President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Madam President.

I -- I think that's a great question, and we all do really believe in public hearings. I've been over this amendment. I do believe it's technical. I do believe that probably nobody would testify at a public hearing. It's -- it's of no moment. So I think we're, I think the public interest is safeguarded.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you, Madam President, and through you.

With that I'm totally satisfied. I completely trust you on -- on these two amendments here.

And on the amended bill, on this particular amendment, itself, another book for your book reading -- a homework assignment -- Poisoned, a Jeff Benedict, a great Connecticut citizen. All you have to do is read that book to understand how important this concept is, both in the amended form and in the underlying bill, how important food safety is; absolutely frightening and eye-opening book.

With that, thank you, Madam President.

THE CHAIR:

Thank you.

Senator Meyer.

SENATOR MEYER:

And I thank Senator Frantz for that contribution, as well as Senator Chapin for his support.

Madam President, there's a final amendment --

THE CHAIR:

Excuse me, sir. We haven't voted on --

SENATOR MEYER:

Oh, I'm sorry.

THE CHAIR:

-- Senate "B."

So I will at this point ask to try your minds. All in favor of Senate "B," please say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed?

Senator "A" -- Senate "B" is adopted.

Senator Meyer.

SENATOR MEYER:

Madam President, there is a final amendment, and I'd ask the Clerk kindly to call LCO 7483.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 7483, Senate "C," offered by Senator Hartley.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Madam President, I move the amendment.

THE CHAIR:

The motion is on adoption. Will you remark, sir?

SENATOR MEYER:

I would like to yield to Senator Hartley who is intimately familiar with this particular amendment.

THE CHAIR:

Senator Hartley, will you accept the yield, ma'am?

SENATOR HARTLEY:

Yes; thank you, very much, Madam President.

THE CHAIR:

Please proceed.

SENATOR HARTLEY:

And thank you to our Chairman of Environment Committee and also to the Chairman of General Law, with regards to the concept contained in LCO 7483.

Madam President, and essentially what this does is have the Commissioner of Agriculture develop guidelines to ensure that animal importers adhere to humane conditions regarding the availability of food,

water, and shelter when, with regard to the animals they have in their care, madam.

This actually --

THE CHAIR:

Ma'am, would you move the adoption?

SENATOR HARTLEY:

I -- I move adoption, Madam President.

THE CHAIR:

The motion is on adoption. Will you remark further?

SENATOR HARTLEY:

Yes, indeed. Thank you.

And this came to light, actually this past fall, where there was a number of animals that were under the care of an importer who was housing them in very questionable circumstances, hovering, freezing conditions, no light, being housed in cages that were of such a size that they, a number of the animals could not even stand in them or turn around. And it was very questionable whether they had water in those cages and how long they had been there without having any ability to -- to move around.

It resulted in a court case where the judge actually took from the care of such individual the larger animals because, in fact, they were restricted to these cages where they had no mobility at all. And so, hence, we just ask that the standards that exist now in pet shops and the like be applied in these kinds of situations.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President.

Madam President, some questions through you to the proponent.

THE CHAIR:

Please proceed, sir.

SENATOR CHAPIN:

Thank you, Madam President.

I think one of the last things I heard you say is we have, already have standards in pet shops which are regulated. Is it fair to say that animals that are imported into the state are unregulated?

Through you, Madam President.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you, Madam President.

It seems that the Commissioner has the ability right now to require such guidelines, but it is not mandatory. And so this simply says that the Commissioner shall adopt those regulations.

And, yes, it is true that we have a standard of care principle with regard to animals and pet shops, that they have the ability to move around in a cage, that they have water and light and it be heated at a, you know, adequate temperature.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President.

And again, through you.

So we have standards of care for those animals in pet shops; I'm assuming they're not included in this language before us. So would it be your understanding that the Commissioner's standards that he would prescribe if this legislation were to pass would be similar to what presently exists for pet shops?

Through you, Madam President.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you.

Through -- through you, Madam President.

Yes, indeed; I think that that is the intention.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President; and again, through you.

I -- I know our cruelty statutes talk about that it is cruel to withhold water, proper food, proper shelter. Can the proponent tell me why those were not satisfactory, at least in this one case that you referenced earlier?

Through you, Madam President.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Madam President, through you.

It so happened that the, in this court case, the judge felt that there was not clear delineation of standards for this particular subset of those who are housing animals. They were not viewed to be part of a pet shop enterprise, that they were somewhat of a different universe.

Through you, Madam President.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President.

And I thank the gentle lady for her answers.

Madam President, I -- I think the amendment before us is a good amendment. I think traditionally I would have preferred to have seen something like this done through regulation, but I understand and I'm somewhat familiar with the court case that was the impetus for the language before us today. And I -- I think based on knowing how the agency does treat those entities that are already regulated, I'm confident that these standards that will be prescribed will be appropriate.

And, again, I encourage my colleagues to support it.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark further? Will you remark further?

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I appreciate Senator Hartley and bringing forth this amendment. This is a topic that I think is near and dear to the hearts of many of ours. Two, three years ago now, my wife and I adopted a -- a rescue dog from the streets of Houston, and he has certainly touched our lives in many, many ways.

I guess the -- the one concern that reading the language here causes me to -- to just pause, and hopefully Senator Hartley will be able -- be able to put my mind at ease is that sometimes when our agencies come up with standards, they might be standards that would -- would deter rescue, the rescue entity from actually bringing pets into the state. I -- I don't foresee that happening here and I've got confidence that the people are going to put these standards together and are going to do so to protect the animals that are imported but also to continue allowing these not-for-profits to do the good work that they do.

But if I may, through you, Madam President, just a quick question to the proponent of the amendment.

THE CHAIR:

Please proceed, sir.

SENATOR WELCH:

Thank you, Madam President.

And -- and that is this: I understand that the Commissioner of Agriculture will prescribe the conditions for humane treatment of animals with respect to animal importers. Is there a mechanism by which these conditions are enforced, if -- is there or are we just talking about a prescription and then it's up to us to figure out what to do with that afterwards?

Through you, Madam President.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you, Madam President.

And through you.

Thank you for your question, Senator Welch.

You know, it's really all about our budget, and so to have any enforcement mechanisms would probably not be able to be underwritten. And -- and so to have these on the books when an incident arises would give the department at least a standard by which to measure the conditions as opposed to where it exists now and it is silence.

And, yes, indeed, with regard to your comment about the ability to rescue animals and to have them placed in homes, it is so, so very important that we continue to support those groups that do that. And, in fact, the genesis of this was indeed the case which Senator Chapin referred to that he was familiar with but also was brought forward by a group of rescue individuals and veterinarians who witnessed the deplorable situation and felt helpless about removing those animals because, in fact, we were silent about this particular population.

Thank you, Madam President.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President

I thank Senator Hartley for her answer, and I appreciate her passion to just make sure that bad situations are -- are rectified and that they don't happen again in the future.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark? Will you remark?

If not, I'll try your minds. All in favor of Senate
"C," please say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed?

Senate "C" is adopted.

Senator Meyer.

SENATOR MEYER:

So, Madam President and colleagues, that is the bill,
three amendments, and if there's no objection, may it
kindly go on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if the Clerk would call as the next
item, from Calendar Page 5, Calendar 225, Substitute
for Senate Bill Number 1031.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Thank you, Madam President.

Madam President, if we might now move to a vote on today's Consent Calendar; if the Clerk would read the items and then call for a vote on the Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On today's Consent Calendar, Page 1, Calendar Number 595, House Joint Resolution Number 103.

On Page 2, Calendar Number 596, House Joint Resolution Number 104; also on Page 2, Calendar Number 597, House Joint Resolution Number 105.

On Calendar Page 4, Number 160, Senate Bill 232.

On Page 7, Calendar Number 273, Senate Bill 1093.

On Page 12, Calendar Number 379, Senate Bill 1139.

On Page 13, Calendar Number 411, Senate Bill 960.

And on Page 39, Calendar Number 164, Senate Bill 326.

THE CHAIR:

Thank you.

At this time the machine will be open. Please call for a roll call vote on the Consent Calendar.

Thank you.

THE CLERK:

An immediate roll call has been ordered in the Senate. Senators please return to the Chamber. Immediate roll call has been ordered in the Senate on the Consent Calendar.

THE CHAIR:

Senator Crisco. Senator Crisco.

Thank you.

If all members voted; all members have voted? The machine will be closed.

Mr. Clerk, will you please call the -- the tally.

THE CLERK:

On the Consent Calendar.

Total Voting	36
Those voting Yea	36
Those voting Nay	0
Absent, not voting	0

THE CHAIR: .

Consent Calendar passes.

At this point, I'd ask for a -- any points of personal privilege. Any points of personal privilege at this time?

Senator Looney.

SENATOR LOONEY:

Yes; thank you, Madam President.

For one point of a personal privilege.

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY:

Yes; thank you, Madam President.

Madam President, I wanted to offer congratulations to our -- our chief caucus counsel, Joe Quinn, whose son Conor was married over the weekend, his -- his new

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GENERAL
LAW
PART 1
1 – 269**

**2013
INDEX**



State of Connecticut

SENATE

STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

SENATOR CLARK CHAPIN
THIRTIETH DISTRICT

LEGISLATIVE OFFICE BUILDING
SUITE 3400
HARTFORD, CONNECTICUT 06106-1591
Capitol (800) 842-1421
E-mail Clark.Chapin@cga.ct.gov
Website www.SenatorChapin.com

DEPUTY MINORITY LEADER

RANKING MEMBER
ENERGY & TECHNOLOGY COMMITTEE
ENVIRONMENT COMMITTEE

MEMBER
APPROPRIATIONS COMMITTEE
REGULATIONS REVIEW COMMITTEE

February 7, 2012

Chairmen Doyle and Baram, Ranking Members Witkos and Carter, and members of the General Law Committee, thank you for the opportunity to testify in support of SB 326, AN ACT INCREASING PENALTIES FOR "DO NOT CALL" VIOLATIONS.

Connecticut's Do Not Call list has undoubtedly cut down on many unsolicited calls, and yet some still persist. Despite tens of thousands of Connecticut residents applying for protection, it seems some solicitors have made the cost/benefit analysis to ignore the law, willfully violating its provisions on the chance that a sale could be made from an unsolicited cold call. We need to make their decisions to violate our laws more difficult by significantly increasing the penalty for violations.

Enacted in 2000, Connecticut's own Do Not Call law, called the "No Sales Solicitation Calls" list, prohibits unsolicited calls to those consumers that have enrolled with the Department of Consumer Protection. Connecticut law applies to both landline and cell phones. Any violation of the law shall be deemed an unfair or deceptive trade practice, subject to a civil penalty of \$5000. Recognizing that the potential for a civil \$5000 penalty did not exactly dissuade unscrupulous solicitors, the law was amended in 2010 to include an additional penalty of up to \$11,000 for each violation. Judging from the amount of complaints I receive from constituents who have added their phone numbers to the list, and yet still receive unwanted solicitation, I do not believe that \$11,000 is enough. If enacted, SB 326 would double these fines to \$22,000, however, any significant increase would help

Thank you again for the opportunity, I urge you to vote in favor of SB 326.