

**SA13-1**

HB6599

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**H – 1151**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
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**VOL.56  
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357 – 685**

SPEAKER SHARKEY:

Will the House please come back to order. House please come back to order.

Will the Clerk please call Emergency Certified House Bill Number 6599.

THE CLERK:

The Emergency Certification Bill Number 6599, AN  
ACT ESTABLISHING THE SANDY HOOK WORKERS ASSISTANCE  
PROGRAM AND FUND, CLARIFYING THE CALCULATION OF  
SUPERVISOR BENEFITS, AND AUTHORIZING A WAIVER OF THE  
STATE-WIDE MASTERY EXAMINATION REQUIREMENT FOR CERTAIN  
NEWTOWN STUDENTS, LCO Number 4263, introduced by  
Representative Sharkey, Senator Williams,  
Representative Aresimowicz, Senator Looney,  
Representative Cafero and Senator McKinney.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Thank you very much, Mr. Speaker. I move passage of the bill.

SPEAKER SHARKEY:

Question is on passage of the bill.

Representative Dargan, will you -- you have the

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floor.

REP. DARGAN (115th):

Thank you very much, Mr. Speaker.

Today, we deal with one of the first of many bills that impacted Newtown, Sandy Hook, our state, our country and our world. And if it wasn't for the leadership, starting with Majority leader -- as I call him A to Z -- to you, Mr. Speaker, and to the minority leader, Representative Cafero, this shows that this body can, in a collective way, do what's best for the residents and people that are impacted in Newtown.

Mr. Speaker, last week I had a discussion with my ranking member, Jan Giegler, about the hours that this body has put in, members such as Representative Greg Miner, Representative Andy Fleischmann, Representative Terrie Wood, on some of these subcommittees of issues that impact Sandy Hook.

I also reach out to Representative Dan Carter, Representative Mitch Bolinsky, and Representative Hovey, for they represent the community that has been impacted by this tragedy.

Early in this legislative session I put together a bill that would deal with the impact of our first responders at this specific incident. Not realizing

at that time what the definition of "first responders" is, whether it be police or fire. And for -- ladies and gentlemen, for people that are not involved in the police or fire, let me explain to you that the two worst things that law enforcement and fire service personnel can see is the death of another firefighter or law enforcement personnel.

The next worst thing -- you could ask every first responder in this country that that issue is difficult for them to deal with -- but more than that, the death of children by far for our first responders is one of the most difficult thing that they have to deal with.

And that -- on that day, we had a new definition of first responders. They were our teachers, our teachers that are in the school system to nurture six- and seven- and eight-year-old children, not to have to protect them from violence within a school system. They are also our first responders that day, Mr. Speaker. They protected a number of other students that were involved within that school system.

It is by far the most difficult issue that I have dealt with in my years up here. And it was because of the leadership of you three, by bringing collectively a group of individuals together to see how we could

help, with the understanding that Workmen Compensation is a difficult thing to understand for a specific issue. And as Representative Cafero said to me, Jesus, Steve, I thought this might be easy. Well, it wasn't easy because we have to -- we needed to have the dialogue with a number of different components, whether it be the local police in Newtown, the state police, our EMS, the uniqueness of volunteerism in Newtown with their fire service and our teachers that were there when the issue happened.

And, Mr. Speaker, dealing with posttraumatic stress disorder is not an easy thing to understand. As a number of us aware of our military that come back in action, sometimes it doesn't show up right away, Mr. Speaker. We do not know today how many people will be impacted by this tragedy because everybody deals in a different way with stress.

A number of communities have what's called an EAP or Employee Assistance Program. The state has a critical infrastructure program but that goes away. And sometimes the issue of stress does not come out until much later.

And talking to a number of first responders and teachers, some of the horrific, horrific, not even to

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be talked about what they saw that day. We all owe them, Mr. Speaker. When our first responders and teachers are running to a tragedy and everyone's running away, we, as a General Assembly, have to be here for them. We cannot run away from them, whether they're policemen, firemen, medical dispatchers, our teachers and a number of other individuals that are in this bill. It's important that we, collectively, here today, Democrats and Republicans -- we might disagree with other bills dealing with this issue as we move forward this legislative year -- but we should talk in one voice today, Mr. Speaker. So with that, if I can, just to give a quick overview of the bill.

SPEAKER SHARKEY:

Please proceed, sir.

REP. DARGAN (115th):

Thank you, Mr. Speaker.

Basically, the section -- section 1 sets up what's called a Sandy Hook Workers Association Program. And program means the mechanism for providing monetary assistance to affected persons in accordance with the provisions of this section. Also, in section 1 through 2 through 7, it talks about how it will be set up -- how -- if monies that want to be

donated from other fire services around the country, from other police unions around the country, from other teachers unions around the country, it will show that -- how the monies will be given, how it will be taken.

And there are two ways, Mr. Speaker. One is from a good friend of ours right in that part of the state, the United Way. The other way would be through our State Treasurer's Office. The United Way has done yeoman's work so far, but now we have a specific dedication dealing with -- to help classification of our first responders, which is broad in nature, but covers everyone that was impacted that day at no cost to the state.

There are companies and individuals that want to help right now from our own state. So we thank the United Way, where they're not taking out a fee, and that is a good collaborative effort that we have, Mr. Speaker.

Also, it explains the administrator, which would mean the Office of Victims Services. It talks about how that fund will be established through our State Treasurer and our Comptroller. It also goes on and talks about who and what and who are the affected

persons. It talks about the findings of such mental or emotional impairment, which underneath Workman's Comp law right now we do not have. It basically talks about the time of that incident, the hours that individuals responded.

And I'm sure all of us, Mr. Speaker, if we could go into a time capsule, we would like to go back to that day and change what happened, but we can't. So we're here today to help those individuals that help us, that educate us, other state and local agencies.

It talks about how you put together a claim, the timeframe that you have to establish the claim before June 30th of 2014. It talks about the level of assistance offered to affected persons. It goes on to give some percentages through the Department of Labor to set some standards. It talks about the calculating -- the level of assistance.

It goes on to talk about the administrator, along with our Comptroller and State Treasurer, and how that will work. It also goes on to talk about the affected person and how that determination is made and how that individual would have a right to a hearing if -- or he or she is turn down. It also goes -- talk about the Victim Compensation commissioner and how they

compensate pursuant to that section.

It goes on to talk about -- in section I, it goes on to talk about the teachers retirement system.

In section 2 of the bill, it talks about the Sandy Hook Workers Assistant Fund and how that fund is set up. It also talks about how the State Treasurer is authorized to accept gifts and donations and grants from other federal or state or local governments. It talks about on or before April 1st of this year and monthly, thereafter, request from the administrator or State Treasurer, shall submit a report to the administrator. It also talks about how, on a quarterly basis, it will submit their findings to us, the General Assembly.

In section 3 of the bill, it talks about the liability to the -- the protection from liability to the State in section 3.

And in section 4 -- which is something new since last night -- it talks about the provisions that the State Board of Ed and the community of Newtown could waive the state-wide mastery examination in reading, writing and math for such schools, and for each student in grade 5 through 8 in any public school in Newtown School District that takes that state-wide

mastery.

Let me finish by saying, it's not done only by you, the leaders. It's done by hours of getting information. That's from your staff and that's from Representative Cafero, whether it be Debbie Hutton that represents the House Republicans, whether it our new young gun that represents you -- I will not forget, Mitzi. Our new young gun, yesterday, went over the bill with me and this morning it was a whole new bill.

He said, Oh, I forgot to tell you -- but that's okay because Ricky's learning, as someone that worked on my campaign many years ago when he was at high school at Hopkins.

So this is really a collaborative effort and at really difficult times, Mr. Speaker. Some people around the state say you're moving too slow; other people say we're moving too fast. But these issues are deeply complicated issues to come to some resolution.

And here we are in the first week of March, less than three months from this horrific tragedy. We have showed movement and showed leadership by the three of you here that we are voting on this first bill here

today. And there will be many other issues that impact of this legislative year because of that horrific tragedy, Mr. Speaker.

So I hope, as we move forward, that we do it in a collaborative way that we have open discussions with one another and that's when we, as a General Assembly, are at our best.

Thank you very much, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir. And thank you for your leadership, as well, in putting this together.

Representative Hovey of the 112th.

REP. HOVEY (112th):

Thank you, Mr. Speaker.

Mr. Speaker, on 12/14, the devastation to our community was beyond comprehension. Never can we thank those who were there in those little minutes protecting our children, assessing the situation, and moving ahead as a community. And the things that those individuals experienced and saw and, probably, will continue to remember their entire lives are things most of us find absolutely incomprehensible.

We cannot thank our teachers enough. We cannot thank our first responders enough. We cannot thank

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our clergy, all of the funeral staff, all of the individuals in the school and the surrounding areas. We cannot thank all of the first responders, actually from the total state. It was all hands on deck, and we thank all of those people for being there.

There is a circumstance that these individuals will never get over and the fact that we can provide this kind of support for them, I am so grateful to this body and to the leadership for truly showing the country and what leadership looks like.

Thank you all.

SPEAKER SHARKEY:

Thank you, Representative.

Representative Bolinsky from the 106th.

REP. BOLINSKY (106th):

Thank you, Mr. Speaker.

I, obviously, have to echo what Representative Hovey said about a debt that can't be repaid to our first responders and the heroes of Sandy Hook and Newtown, and the fact that this legislative body is taking the pains, the time, and paying homage to their sacrifice by making sure that they don't suffer financial hardship in taking care of themselves and restoring their own souls after the terrible events of

12/14.

But rather than go on and repeat what Representative Hovey said so well, what I -- what I really, really want to do is take a moment to -- to thank this body, urge all of my co-legislators to approve this legislation quickly and let's move on with -- with the fix.

But, to the leadership of the Legislature, especially you, Mr. Speaker, for the bipartisan way in which you showed the world the way we, Connecticut, can come together, work together and take care of those that take care of us. My utmost respect, my hat's off to you.

Thank you.

SPEAKER SHARKEY:

Thank you, sir.

Representative Carter of the 2nd District.

REP. CARTER (2nd):

Thank you very much, Mr. Speaker.

Ladies and gentlemen, I rise in the chamber today in strong support of House Bill 6599. You know, growing up as a -- as a kid of a first responder, my dad was a police officer, and I remember a lot of the effects on him of things that he witnessed during his

time of 20-some years as a police officer. My mother worked in the hospitals as a nurse. You know, they go through a lot to help their community and help people.

And one may think that -- and people are ready for that or they're trained or somehow that they're just stronger than everybody else. But I think what we've seen happen here, and certainly in my community and all over my district, is we found out that some things happen that are just so horrific that go well beyond anything you could have imagined being put in that role as a first responder. Something that devastates your community, yet, at the same time, everybody is there for each other, everybody steps forward and brings out the very best in all of us, whether they're volunteers -- many of them were people in the community who just stepped forward. And they all did everything they could to help get the Newtown community and Sandy Hook -- and for that matter, our whole state -- back on its feet.

Now I know even in this -- in this type of legislation, we -- we would think that we are going far to say thank you to these folks. But I tell you what, this is one of the times where I stand and I don't think I've ever been more proud to stand in this

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House and say that we're going to do something for the folks in our community who do for us.

So, with that, I urge everyone in the Chamber, please, please support this. I don't -- I don't have any doubt that we won't, but it's just a pleasure to be able to stand for something like this in my -- in my chamber.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir.

Representative Tercyak of the 26th.

REP. TERCYAK (26th):

Thank you very much, Mr. Speaker.

And I'd like to thank the proponent for the bill.

And as we discussed earlier, in the legislation in lines 36 it says, emergency services dispatcher, for the purposes of legislative intent because these employees often have different titles. This includes all public safety dispatchers, correct, sir?

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

Through you, Mr. Speaker.

Yes, that is correct. It could be either local

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9-1-1 dispatcher or the state police dispatcher and/or  
an EMS dispatcher.

Through you.

SPEAKER SHARKEY:

Representative Tercyak.

REP. TERCYAK (26th):

Through you, Mr. Speaker.

Thank you very much to the proponent and thank  
you for this opportunity.

REP. DARGAN (115th):

Thank you, sir.

SPEAKER SHARKEY:

Representative Nicastro of the 79th.

REP. NICASTRO (79th):

Thank you, Mr. Speaker.

Mr. Speaker, I stand in strong support of this  
bill.

I'd like to tell you a little story that took  
place -- and you'll understand why at the end of it.  
Back in 1992 I was a youth officer serving for the  
city of Bristol, and I was with a young man taking him  
to school when there was a call on the same street  
that there had been an accident, a signal 312, that  
meant an accident with injuries. Mr. Speaker, I had

the young boy stay in the car and I went to that call. I got there and all I saw was a bunch of people standing in front of a school bus and they were all shaking and nervous.

Mr. Speaker, what I saw when I got there I couldn't believe my eyes, a three-year-old had been run over by a school bus, a three-year-old. I won't go into the details of what -- how bad those injuries were, but he was gone. His life was lost. What I saw and what I had to try and cover up with my own body because nobody would give me a blanket at that time stayed with me.

I -- at the time that it happened, I thought I was okay, but a few weeks later I started having nightmares. My lady friend would wake me up, she'd say, Frank, Frank, Frank, Frank.

She said I'd be screaming, I can't help him, I can't help him.

Mr. Speaker, I went through that for over two years, two years, until I got some help. I didn't understand what was happening to me. I truly didn't.

The reason I'm telling you this that was one sad incident. Think about this, it's 26 times that, 26 times that incident. That's why we've got to pass

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this bill. That's why we have to support these men and women that have been through this. Because I know personally from first-hand -- just from what I saw, what it can do to your life, what it does to your people's lives that are involved with you, and what you see and what to live with for the rest of your life, because I'll never forget that, Mr. Speaker, that was over 20 years ago, and it still lives with me.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir.

Representative Miner of the 66th.

REP. MINER (66th):

Thank you, Mr. Speaker.

Mr. Speaker, I come to this issue having been a volunteer for a number of years, and I -- this year was participating in ice hockey, which I still do to the chagrin of some people here in the building, but have acquaintances that are also involved in emergency ambulance and fire departments, policemen, and probably about two months ago, one of them came in with a sticker -- well, it was a little less than two months ago -- he had a little sticker for our helmet,

and he said I'm taking up a collection for first responders in Newtown.

And I said, What's the sticker for?

And he said, Well, it's to try and help the Newtown responders get through this very difficult time.

And I thought is that how we're going to do this in the state of Connecticut, one sticker at a time. And while I believe the effort was genuine, it just seemed to me, as we began to talk about it as legislators that it was far more significant than that and that there were people all over the world that had contributed to people who live in Newtown, work in Newtown and, you know, maybe we could legislatively do something that made a lot of sense to a lot of people. We could connect the dots, so to speak. And so after having a conversation with many in this room, I went on to something else and so I think, as you've been credited and I know Representative Cafero and the staffs in both of your offices have been credited, that was no small undertaking.

But this past weekend, we had our end of the season dinner, and one of the individuals who I do play hockey with, I went up to him and I said, I think

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we're going to do that bill this Wednesday. And the guy almost broke down. It means that much to people that somehow we're going to be able to put the dollars in place at a time when it will mean something. All too often we end up trying to deal with things so far down the road that it just isn't going to have the effect that it needs to have.

So, obviously, I rise in support of the bill, but I do so also thanking, not only those that responded that day. They refer to these as incidents, not tragedies, they're incidents -- and in this way there's no way to disconnect yourself from that horrific incident.

So thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir.

Representative Cafero, the distinguished minority leader.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Before I conclude with my closing remarks in advance of the majority leader, for legislative intent, through you, Mr. Speaker, I'd like to pose a question to Representative Dargan.

SPEAKER SHARKEY:

Please proceed, sir.

Representative Dargan.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Through you, Representative Dargan, will this legislation cover the Disaster Behavioral Health Response Network, otherwise known as DBHRN, team members that were on the scene and assigned to the families on that day?

Through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Dargan.

REP. DARGAN (115th):

I thank you very much, Mr. Speaker.

And to the Minority Leader, we feel in the bill that we have encompassed everyone and they are incorporated within the overall bill with everyone that responded that day. So the answer, through you, Mr. Speaker, would be, yes.

SPEAKER SHARKEY:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Ladies and gentlemen of the Chamber, the genesis of this bill was six words, what can we do to help, what can we do to help. So often we -- sincere as we might offer those words, we offer those words to friends and loved ones when they're in time of trouble. It's the polite thing to ask. Many times, we don't even expect a response or a request from us, but we feel as a friend or a neighbor, it's appropriate to say, hey, what can we do to help?

This time was different. Representative Miner referenced his hockey game, which, for him, was his first introduction to this issue, by a first responder from the town of Newtown.

Representative Miner the next day had a conversation with me saying, Larry, what do you think we could do to help?

That very afternoon I placed a phone call to Speaker Sharkey, and without hesitation, he said, Let's do it.

We brought in Majority Leader Aresimowicz within a matter of, I'd say, 72 hours, we had assembled before us representatives of all those people that were affected by this tragedy as it pertains to first responders and teachers, et cetera, and that are now

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covered under this bill. And really not knowing the exact answer or the magnitude of the job ahead of us, we said, what can we do to help. And that's how it all started.

From there we learned a lot, something we thought, as Representative Dargan indicated might be simple thing, turned on to be not so simple, but it never deterred us. I've been in this chamber for 20-plus years and as -- some said this is one of the proudest moments that I've had here. Proud as to how we did this together, proud for our sincere effort to offer and give that help, proud of our staffs. If you saw, and many of you did, but it was a sight to behold as the four caucus leaders would get together with our staffs there who would then after hearing what our desires were would go in the back room, work together, dividing up tasks, finding out information, et cetera.

Oh, the state is in pretty tough financial shape so we felt we'd go outside and asked for the goodness of people out there, the private citizens, corporations, to help, and, boy, did they respond. So my hat's off to them, as well.

This morning we had a press conference where several of those people, who in some cases as the

Majority Leader indicated at the time, without even having to be asked said we want to give, we want to donate. As many of us had, I've had occasion to comment on the goings on in Newtown, and I said in this Chamber a few months back that there are certain events that take place in our individual lives, whether they're personal or historic that are etched in our mind that we can never forget, not only where we were about what we saw. Some of those visions are happy ones; some are sad; some are tragic.

I cannot fathom -- I cannot fathom what is etched in the mind of the people who we hope to cover in this bill. I pray for them every day. And, though, this will never erase what is etched in their minds, if it could provide some level of help, if it could make one day go better for them with less worry, then we did a good thing.

Mr. Speaker, I want to thank you personally for your responsiveness.

Majority Leader Aresimowicz, Joe, thank you so much for all you've done. It was a pleasure working with you and all -- both your staffs.

Representative Dargan, the representatives on the other side of the aisle from our perspective,

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Representative Miner and Representatives Hovey and Carter and Bolinsky, Representative Giegler, all those who helped make this become a reality today.

Today, we did a good thing, and hopefully we'll help a few people.

Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir.

Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Thank you very much, Mr. Speaker.

And thank you to my good friend and the Minority Leader Representative Cafero.

I say a lot of times and I've said it for many years that regardless of political parties every single person that's in this chamber just truly wants to help people. We may sometimes have different ways of going about it, different ideas, different core values, but we came here for a purpose because we knew we want to help people.

The process started exactly as Representative Cafero said, with Speaker Sharkey making the initial call over to Larry.

Larry responding, Absolutely, whatever we can do

to help.

That first meeting I sat very quietly in the meeting as it started. The first responders were in there, some teachers were there, state police, talking about their coworkers and what they were dealing with after the tragedy. The Speaker, the Minority Leader occasionally would ask a question. And each question started with that little crack in their voice, not really knowing how to put it, wanting to be understanding of their feelings, but we worked through that process. We had great staff help on all sides of the aisle.

I had the fortunate responsibility of staying here late last night. As the bill was wrapping up, the language was getting solidified, I was sitting with the attorneys, both from this Speaker's office and my office, and the text messages are going back and forth, talking, Is the bill ready, is it not ready -- Deb Hutton from Representative Cafero's office, everybody doing whatever they had to do knowing today that we had to stand up here and do what was right, fulfill that promise of that very first question, what can we do to help. This bill does that.

I spoke this morning of meeting with officers

down in Newtown police station last week. They were talking about one of their coworkers who is currently working. They're not so sure if he should be or not, but he's working. He's working because the money that he would get even being out on sick time would not cover his other household expenses, and his family has dealt with so much already. How could he look at his daughter and say, You just can't play on that soccer team this year, we just don't have the money?

Those are the real world things that's happening down there, whether it was the teachers, whether it was the school nurse, whether it's the dispatcher, the police officers, the EMTs. I can go through all the titles, those who swooped into action after the event.

I think, by definition, some of the people in this chamber and the Governor's office could probably qualify for benefits. They were there. Senator McKinney was there; the Governor was there; Representative Hovey -- at that time it was Representative Lyddy -- doing things that none of them had ever imagined in their mind that they would be doing at that particular day.

So this is our effort. It was a team effort, it was a bipartisan effort, it was an effort to do the

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right thing to ensure that the folks aren't making those difficult decisions. They're making the decisions what's best for their mental care and how they can take care of their family.

This is absolutely one of my proudest moments up here. It was the process that succeeded. It was all of us succeeding in that very first promise when we decided to run for office is I want to do something that can help. Today we have this opportunity.

Mr. Speaker, I urge adoption. I don't even think I need to urge adoption. I just want to speak so strongly on how I feel about this chamber and what we're about to do. We're taking the right first step, and thank all my colleagues.

Thank you.

SPEAKER SHARKEY:

Thank you, sir.

Will you remark further? Will you remark further on this bill?

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

THE CLERK:

The House of Representatives is voting by roll.

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The House of Representatives is voting by roll.

SPEAKER SHARKEY:

Have all the members voted? Have all the members voted? Will the members please check the board to make sure that 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:

Mr. Speaker, on Emergency Certified House Bill 6599.

Total number voting	143
Necessary for passage	72
Those voting Yea	143
Those voting <sup>1</sup> Nay	0
Those absent, and not voting	8

SPEAKER SHARKEY:

The Emergency Certified Bill has passed.

Representative Holder-Winfield.

REP. HOLDER-WINFIELD (94th):

Yes, thank you, Mr. Speaker. Mr. Speaker, I move for immediate transmittal of House Bill 6599 to the Senate.

SPEAKER SHARKEY:

Is there any objection to immediate transmittal  
of the Emergency Certified Bill to the Senate?

Seeing none, it is so ordered.

The Chamber will stand at ease.

(Chamber at ease.)

(Deputy Speaker Godfrey in the Chair.)

DEPUTY SPEAKER GODFREY:

The House will come back to order.

Are there any introductions?

Representative Kokoruda.

REP. KOKORUDA (101st):

Thank you, sir.

I'd like to take this opportunity to introduce to my colleagues the varsity football captains from Madison, Connecticut. I'd like to have them all stand up, they're up here in front. You know, they've been here all day waiting to be introduced and, you know, I couldn't think -- now that I look at the day, it was the perfect day for them to be here. And I think they kind of have an idea of what we do up here, but I think they just witnessed what we do best, maybe one

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SENATOR LOONEY:

Yes, thank you, Mr. President. Mr. President, would ask that the Clerk call the single item appearing on Senate Agenda Number 3, which is Emergency Certified House Bill Number 6599.

THE CHAIR:

Mr. Clerk, please call the Emergency Certified bill.

THE CLERK:

~~House Bill Number 6599~~ AN ACT ESTABLISHING THE SANDY HOOK WORKERS ASSISTANCE PROGRAM AND FUND, CLARIFYING THE CALCULATION OF SURVIVOR BENEFITS, AND AUTHORIZING A WAIVER OF THE STATEWIDE MASTERY EXAMINATION REQUIREMENT FOR CERTAIN NEWTOWN STUDENTS, LCO Number 4263, introduced by Representatives Sharkey, Aresimowicz and Cafero and Senators Williams, Looney and McKinney.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Good afternoon, Mr. President.

THE CHAIR:

Good afternoon.

SENATOR HARTLEY:

I move passage of the Emergency Certified bill, sir.

THE CHAIR:

On acceptance and passage of the Emergency Certified bill, will you remark?

SENATOR HARTLEY:

Yes, indeed, I will, Mr. President. Today, we have before us a bill, which is the diligent work of the leadership of this Chamber and of the House, of President Williams, of our Majority Leader, Martin Looney and of course Senator McKinney of the 28th District who had a very, very special and you might say, personal role in the workings of the proposal that we have before us today.

Mr. President, this proposal is this Chamber's humble response to an unthinkable event. The day, ladies and gentlemen, that evil descended upon one of the communities in the State of Connecticut, the community of Sandy Hook in Newtown, December 12, 2012, which I think perhaps we all will best describe as a day of horror.

Madam President, today, through this bill, we attempt to have a reverse role, if you will. We attempt to be there for our first responders. They, of course, their job, their commitment is always to be there for us.

This is our way, our effort to be there for those first responders on that fateful day at Sandy Hook. Our police, our firefighters, EMTs, whether they were paid, volunteer or auxiliary and the new category of first responders, which we heretofore have never really had to include as first responders, our teachers, our administrators who stood in harm's way and paid the ultimate price.

And of course the staff, all those who made Sandy Hook School what it was, so special a community.

And then there were those who were on site in various ways and there were those who were not on site but whose duties connected them to this event, who brought them into this universe of first responders to the Sandy Hook tragedy.

This, ladies and gentlemen, Madam President, is our very humble bipartisan effort to help assist our first responders, who that day encountered

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the carnage of innocence and the violent slaughter of those educational caretakers who could never have imagined in going into their career that this day would ever come.

And for all of those first responders, whatever category they may have been in, their life, no question about it, is totally and completely and unalterably changed.

They will, from that day forward, have to deal with the darkness, that indelible memory, that indelible memory that they encountered of the personification of evil and the violence.

Madam President, the scars of that day have resulted in lost time, unpaid medical leave, uncovered counseling sessions and therapy and this, Madam President, is this Assembly's way of being there for our first responders, having their backs. Who would have ever thought it, that we were to have their backs.

This is our humble way to help them heal, to help them put their lives back together as best can ever be.

Madam President, and so we have this act, which establishes the Sandy Hook Workers Assistance Program and Fund. Its purpose is to create an assistance fund for the purpose of receiving charitable donations to provide financial assistance for those unpaid missed work days, out-of-pocket medical expenses for workers who experienced medically documented mental impairment as a result of their actual presence or their response to the Sandy Hook Elementary School crisis.

There is an eligibility universe. It is very definitive as are the timeframes for who fits in those in this universe. It is for those two days, December 14th and December 15th, for those whose presence was at the school. They could be paid, volunteer or auxiliary members, police and the fire, licensed medical professionals, which would include doctors, nurses, paramedics, EMTs,

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teachers or paraprofessionals who are employed by Newtown, those employed at the Sandy Hook School in an administrative capacity or a service capacity as well as trained therapists and counselors.

In addition also, response, it could include coordinators who were employed by the Department of Public Health or also the Department of Emergency Services and Public Protection.

It encompasses those who were also scheduled to be at the school but through some fate were not there, as well as individuals whose duties related to the crisis but did not bring them in person to the school on that day or the following day, and that would include individuals such as licensed medical examiners, forensic technicians, lab assistants, principal physician or forensic science examiners and categories of other workers who also may be in the medical examiner's office as well as counselors from DMHAS and dispatch and emergency service dispatchers.

Madam President, with your approval, I would like to yield to our Senate Chair of the Labor Committee, Senator Osten.

THE CHAIR:

Senator Osten, will you accept the yield, ma'am.

SENATOR OSTEN:

Yes, Madam President. Thank you very much and thank you, Senator. I would like to talk briefly on what Sandy Hook Workers Assistance Program does. It provides for the Office of Victim Services to be the program administrator, establishes a claims process and documentation requirements for the Office of Victim Services to determine benefit eligibility in amounts for individual claimants.

It provides parity for workers who have mental or emotional impairment in, along with physical impairment as a result of the perception and

proximity to the scene of the crisis that happened on December 14th and lasted through the 15th.

It also provides for mental and emotional, for coverage for mental and emotional impairment for those who suffer from survivor's guilt as a result of not being at work that day. This covers workers traditionally recognized as first responders and workers who were on scene who as the Senator has said, are not traditionally considered first responders but performed heroically on that day, protecting children in the community of Newtown.

It requires that a medical professional document the impairment that happened as a result of the crisis.

It also requires that, for unpaid leave, 75 percent of the average weekly earnings will be compensable and reimbursement for unreimbursed medical expenses.

It limits the assistance for one full year, for 52 weeks and the Office of Victims Advocacy will begin accepting applications on April 1, 2013.

It is my great honor to stand in support of this bill to provide a mechanism for those who provided us with so much assistance here in Connecticut and for Newtown in particular, and I would like with your permission, to yield to Senator Stillman.

THE CHAIR:

Senator Stillman, will you accept the yield?

SENATOR STILLMAN:

Thank you, Madam President, yes, I accept the yield. This is a very important bill that's before us today. I thank Senator Osten and Senator Hartley for their explanations of the bill. There are two more very important aspects of this bill that we must address today, sadly.

Being here today and speaking about this bill brings back so many memories for people, but these are some of the sort of things that we need to untangle as we move forward so we can make sure that we cover all aspects of the outfall of this tragic event.

The bill, two sections of the bill that I would like to remark upon have to do, the first one has to do with the teachers retirement rules. There is a school psychologist, Mary Sherlock, would have completed 20 years in the school system and sadly, she is no longer with us and with her family.

The section of the bill specifically is written to effect a teacher within a school in the 2012-13 school year, if the teacher died between December 1, 2012 and December 31, 2012 due to injuries received while acting within the scope of his or her employment and not an illness or natural causes and was not already receiving retirement benefits. As I said, she would have at the end of the school year completed her 20 years for her pension.

The second section I'd like to remark upon is the CMT test that we know our children take in the schools every year. The Newtown Board of Education requested of the State Board of Education that children in grades three through eight be exempt from taking the mastery test this year and only this year.

They reached out, obviously the State Board of Education had to reach out to the Department of Education in Washington so they could receive the waiver due to these tragic circumstances.

The federal government is in agreement and what this bill does is, it allows the State Board to amend or suspend any policies or guidelines as necessary to implement this exemption and with that, I would like to yield back to Senator Hartley. Thank you, Madam President.

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THE CHAIR:

Thank you. Senator Hartley, will you accept the yield, ma'am.

SENATOR HARTLEY:

Yes, Madam President. I'm not sure if there are other Members who choose to comment.

THE CHAIR:

Would anybody like to? Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President, and I'd like to thank the three prior speakers for their explanation of the bill. It was very comprehensive, but I do have one question for the Chair of the Public Safety Committee, through you, Madam President.

THE CHAIR:

Please proceed, sir. Senator Hartley.

SENATOR CHAPIN:

Thank you, Madam President. It was my understanding that there may have been a conservation officer, an employee of the Department of Energy and Environmental Protection who may have been on scene.

Is it contemplated that they would be covered under this provided they met the eligibility requirements? Through you, Madam President.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you. Through you, Madam President, yes, indeed, it was intended that those officers from DEEP would also be part of this universe, sir.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President, and I thank the Chairwoman for her answer.

THE CHAIR:

Thank you very much. Will you remark? Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Madam President. I stand for purposes of a question, please.

THE CHAIR:

To Senator Hartley, sir?

SENATOR MCLACHLAN:

Yes, thank you. To the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR MCLACHLAN:

Thank you, Madam President. Senator Hartley, just for further clarification if we may. As I understand it, there were a number of private organizational staff present in Newtown providing services to family members and students of the school, and this bill seeks to assist a number of professionals, but it does specifically reference employees of state government.

Does this also cover mental health professionals, for instance, who are employees of a private, nonprofit organization? Through you, Madam President.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY:

Thank you. Through you, Madam President, yes, indeed it does. The intention is that it would be a complete universe of those first responders, auxiliary, volunteer, not for profit, state entities. I think they perhaps all equally experienced the gravity and severity of that day. Thank you.

SENATOR MCLACHLAN:

Thank you, Senator Hartley and thank you for your work on this. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President. First, I wasn't going to speak on the bill but I was at a forum the other day and I had the opportunity to speak to a Legislator, not in the upper Chamber, and the Legislator asked me if I was going to support the bill. I said, I am. The Legislator said, well, I'm not. That's what they get paid to do. That's why they get out in 20 years.

And I want to share experiences I had with the Chamber and I think I can speak with some expertise as a first responder, having served five years in a volunteer ambulance, ten years in a volunteer fire service and twenty-eight years in law enforcement.

And this incident occurred September 2nd. It was 2:32 in the afternoon at 101 Albany Turnpike in the Town of Canton, and I was on my way into work. I was scheduled for duty at 3:00 o'clock and I used to wear my uniform and carry my gun to

and from work, and I was in my own vehicle. I had a police radio in the car and I heard the guy dispatch to this resident, a lot of (inaudible) on the radio and I couldn't make out everything that was being said.

But they said there's a staging area and the ambulance is on standby and I just happened to be going almost right by the house and so I pulled and I notified dispatch.

I said I'm here and I got out of my car and parked in front of the house in a (inaudible) position and there was a woman, it was a two-story house, on the front porch and she was outside of her front window dressed in a rose-colored day coat and curlers in her hair and she's yelling help me, help me, help me.

I didn't know what was going on, so I took a position behind my car and I had my weapon pointed at the house and I said, what's going on? And she said, he's shot, he's shot, I need help.

So I reached in my car and I grabbed my radio and I told the dispatcher. I said I'm going into the house. The woman's at the window yelling for help. Someone's been shot.

So I ran into the house and she met me by the front door and motioned me to go to the room on the right, and so I went in there and the room was fairly well kept and there was a set of bunk beds on the side of the bed, on the side of the room. The first bed was mused like it had been slept in. The top bed was not slept in. It was perfectly made.

And there was a body on the floor in the center of the room and there was a shotgun next to the body, so I ran over and I grabbed the shotgun and kicked it over to the side and I felt for a pulse and I could feel a pulse.

Not having a portable radio with me, I yelled to the mother, (inaudible) woman, and said give me a phone. I need a phone. And she handed me the

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phone and I dialed 9-1-1 and the dispatcher answered and I said, I'm inside the house. The person is still alive. Get me Life Star helicopter because it was across the street from the Canton public golf course.

So as I said, it's safe to come into the house. The house is secure. So I figured good, the calvary is on its way. I could hear sirens coming. The first officer came in the door and had his med bag with him and took the oxygen out and I rolled the body toward me with the oxygen and there was no place to put the mask. There was no face.

So the other officer said, I'll be right back. I'm going to go outside and get sick. And I'm yelling after him, well tell the ambulance to bring in their suction unit when they get in here.

So it all seemed like it was going on for an hour. I was in there by myself, and we're holding on, I was holding on to the person and mask, the best I could (inaudible) oxygen. The ambulance company gets there and they scoop him up and out they go and I stayed behind to take care of the family members the best I could. Tried to take statements as we do in police work, take photographs.

I tell you, to this day, I could remember everything about the things that I saw, the smell, the sounds. I could write to you on a piece of paper the suicide note. I cannot take it any longer and the longer was written diagonally across the paper.

I didn't tell you two facts. It happened in 1991. That was 21 years ago, but to me it seems like it happened last week, and the person on the floor was nine years old.

So I can only imagine these first responders that had to deal with 20 times what I saw in a single incident.

So to that Legislator if you're listening downstairs, you might get paid to do your job, but sometimes there's things that go beyond what you can expect and it takes a certain caliber of person that signs up to do this type of job and it's difficult because it's not anything I ever expected.

I was trained to use my firearm in deadly force if I had to, if it was justified, and knock on wood today that I never had to use it. But I saw things in my job that I hope nobody in this Chamber ever has to see or bear witness to.

And it's something that, while sometimes it fades, sometimes it comes back, people handle stress and things in different manners. And I think that we in the state should do everything we can.

I think we are moving forward in that direction with this bill to help those individuals that their main goal in life is to help others.

So with that, Madam President, I wholeheartedly stand in strong support of the bill. Thank you.

THE CHAIR:

Thank you, Senator and thank you for your service. Will you remark further? Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President. Madam President, let me first thank the leadership in the House, Speaker Sharkey, Majority Leader Aresimowicz and Minority Leader Larry Cafero as well as our leadership here in the Senate, Senator Williams and Senator Looney.

More importantly, we stand, I guess to get some credit, but the staffs of all of our caucuses, especially legal counsel, did extraordinary work for hours and hours for several weeks, and so thank you to all of them for their extraordinary

dedication.

I also want to thank all of those who, from the private sector who offered to donate to this cause, many of whom who have already offered without even being asked, which is extraordinary.

I talked earlier today about how this is personal to so many of us and it's hard for me. I was going to follow up with a story but Senator Witkos' story is even more on point.

A couple of weeks ago, Senator Boucher and I were at a local town meeting and an individual wanted to speak to me alone after the meeting and went over to a corner of the room and he introduced himself. He was very respectful and he called me sir, and as soon as he called me sir I knew he was either a military officer, a former military officer, or current police officer. They just know.

And as it turned out, he was a policeman who had responded to Sandy Hook Elementary School and he sort of broke down and I did, and Lieutenant Governor, you were there that day and have been there every day since as has the Governor, so I know you're experienced at meeting first responders around as well.

And he just talked about the emotional impact it's had on him and my guess is that it's very difficult to admit, especially those of us of the male gender, but even harder for those who wake up every day with a job to defend us. And they need help.

And the teachers and administrators in that school, who have all gone back, who have done it because they love their kids, who have done it because their kids need them, who have sort of borne that extra burden of being a crutch for all of the kids left at Sandy Hook Elementary School. They need someone to lean on.

And it's only right that we give them that help without having it cost them vacation days or sick

days or extra money out of their pocket for an extra co-pays that aren't covered by their contract. It's only right that we do that.

Senator Hartley, I believe used the term humble response. That's exactly what it is. Senator, you said it so eloquently. We are here humbly to say thank you to all those people. This is the least we can do to try to give them some help and we will have a debate about whether we should look at this system-wide.

When Senator Witkos was talking, I'm reminded of an incident. I think it was as far back as 1999 where a young family and the mother was killed walking along the Metro North train tracks walking from Bridgeport into Fairfield and our fire department in Fairfield were first on the scene, and to this day there are fireman in Fairfield who will tell you every single detail of that scene and seeing things that they have not been able to take out of their dreams or nightmares is a better way of saying it. So this is a bigger issue, which we can reach at another day.

But for all of the people of Newtown, for all those teachers, administrators, policemen from across the state who responded, firemen, both professional and volunteer, we're doing something good today that we could be proud of.

We're even more proud of the work they do and I want to thank all my colleagues for their support. Thank you.

THE CHAIR:

Thank you, Senator McKinney. Will you remark?  
Will you remark? Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. Madam President, speaking in support of the Emergency Certified bill. This is something, as the prior speakers have said, that we really must do to recognize

what happened on that terrible day and the day after in Newtown, the courageous educators and first responders who acted above and beyond the call, despite their own personal shock at what they were seeing and experiencing at that time as something that we recognize in this bill.

And it's important also, the other point that it does recognize, I think is that we now know that it is possible to have a very significant injury, a mental and emotional injury that may not be connected to a physical injury but is all the same as real, as painful, and in many cases as disabling as a physical injury is.

And that's why it's important for us to do this bill today in recognition of the suffering in Newtown but also to think about it in the larger context going forward from here. Thank you, Madam President.

THE CHAIR:

Thank you. Senator Williams.

SENATOR WILLIAMS:

Thank you, Madam President. I rise to support this important bill, to thank as others have, our colleagues in the House, especially Speaker Sharkey and Minority Leader Cafero. Also, my colleague, Marty Looney, our Majority Leader who participated in the negotiations, and especially my friend and colleague, Senator John McKinney, who has been so dedicated to this issue, has reached out personally to the first responders, to the teachers, to the families, those who have been so deeply and tragically affected.

This bill is critically important. You know, Senator Witkos' comments, I think were especially illuminating and appropriate here. Even our first responders who deal with tragedy on a regular basis are not prepared for the unspeakable horror that occurred in Newtown.

And when we think of the teachers and the

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administrators who survived, who lived through those unimaginable moments when we lost so many of those young, innocent children. These men and women will never forget what they endured. They are hurting and they are grieving.

We can only imagine from what we watched and learned, along with the rest of the world, what that scene was truly like. But those teachers, those administrators and those first responders, they lived it. They saw it.

It's up to us to help them as they grieve and they get through this incredibly difficult period for them. Thank you, Madam President.

THE CHAIR:

Thank you. Senator Hartley.

SENATOR HARTLEY:

Thank you, Madam President. Without a doubt, our first responders are very, very special people. And it is true, Senator Witkos, that when you sign up for that job it's a big step and you never know what it would result in and it does take a very special person to do that.

I would like to, once again, commend our leadership for the incredible job, such a great feeling to have such unanimity and coming together on of course, such an important issue to our Senate President and Majority Leader, to the leadership in the House, and of course to Senator McKinney again, who lived through this event in those days and continues to do so as the time unfolds.

And of course to you, Madam President, we talked earlier about the fact that the category of first responders was changed in our understanding and something that we had never imagined it would be, to teachers and administrators, but also to the Governor and to the Lieutenant Governor who were there, on the ground, very shortly afterwards, and through the whole process of the formal

grieving and as we go on.

And you probably aren't thinking of yourself as a first responder, but you are, indeed, Madam President, and I cannot imagine the toll it has taken, knowing you for all these years and all of your dedication to education and to teachers and to children, and your own. I'm sure those thoughts go through your head, your own grandchildren and children.

So it is incredibly traumatizing and emotional. So as we in this Chamber recognize that we will never be able to change the events and how they unfolded that day, but in our small and humble way, this is this Assembly's message to those first responders of putting our arms around them and saying, we are here with you and for you. We are here to help you through the healing and we hope for the best for all.

Thank you, Madam President, and I urge passage, Madam President.

THE CHAIR:

Thank you all. Will you respond? Will you respond? If not, I guess at this time, Mr. Clerk, will you please call for a Roll Call Vote and I will open the machine.

THE CLERK:

There is an immediate Roll Call Vote in the Senate.

Immediate Roll Call Vote 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:

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Total Number Voting	35
Necessary for Passage	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

Thank you all. The Emergency Certification has been passed. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. Madam President, I move for suspension for immediate transmittal to the Governor of Emergency Certified House Bill 6599.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, Madam President, we might move back to the Calendar. It is anticipated we will take an additional recess, but in the meantime we'd like to move to Executive and Legislative Nominations on Calendar Page 4.

THE CHAIR:

Mr. Clerk.

SENATOR LOONEY:

And if the Clerk would call Calendar 18, Senate Joint Resolution Number 19.