

Legislative History for Connecticut Act

**PA 14-121**

SB463

House	6731-6736	6
Senate	1119, 1211-1212	3
<u>Judiciary</u>	<u>2573-2574, 2822</u>	<u>3</u>
		<b>12</b>

**H – 1200**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2014**

**VOL.57  
PART 20  
6540 – 6911**

mhr/md/ch/cd/gm  
HOUSE OF REPRESENTATIVES

220  
May 7, 2014

CONNECTICUT CODE OF EVIDENCE BY THE SUPREME COURT.

DEPUTY SPEAKER GODFREY:

Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Mr. Speaker, I'd also like to move this -- this item to the Consent Calendar.

DEPUTY SPEAKER GODFREY:

The question is on putting this on the Consent Calendar. Is there any objection?

Hearing none, so ordered.

Four-six-seven, Mr. Clerk.

THE CLERK:

House Calendar 467, Favorable Report of the joint standing Committee on Judiciary, Substitute Senate Bill 463, AN ACT CONCERNING THE APPOINTMENT OF A CONSERVATOR FOR A PERSON WITH INTELLECTUAL DISABILITIES.

DEPUTY SPEAKER GODFREY:

Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Mr. Speaker, I'd like to move this item to the Consent Calendar.

DEPUTY SPEAKER GODFREY:

The question is on moving this to Consent

Calendar. Is there any objection?

Hearing none, so ordered.

Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Thank you very much, Mr. Speaker.

Mr. Speaker, I move we have Calendar 468 on the  
Consent Calendar, sir.

SB493

I further move House Calendar 535 to the Consent  
Calendar.

SB114

I'd like to move Calendar Number 537 as amended  
by Senate "A" to the Consent Calendar.

SB417

I'd like to move Calendar Number 498 to the  
Consent Calendar.

SB269

Item 499, as amended by Senate "A" to the Consent  
Calendar.

SB309

Calendar Number 508, House Bill 5312, as amended  
by Senate "A" and Senate "B" to the Consent Calendar.

Those would be the bills in their entirety, Mr.  
Speaker.

DEPUTY SPEAKER GODFREY:

And -- and Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Yes, Mr. Speaker. Mr. Speaker, I'd like to --  
no. Mr. Speaker, I'd like to remove Calendar Number

SB55

506 from the Consent Calendar, please.

DEPUTY SPEAKER GODFREY:

506 is removed from the Consent Calendar.

Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Mr. Speaker, I'd like to remove Calendar 508 from the Consent Calendar, please.

DEPUTY SPEAKER GODFREY:

Calendar 508 is removed from the Consent Calendar.

SB72

Mr. Clerk, would you kindly call the Consent Calendar.

THE CLERK:

Mr. Speaker, Consent Calendar Number 1, consisting of Calendar Numbers 548; 512, as amended by Senate "A"; 450, as amended by Senate "C"; 236, as amended by Senate "A"; Calendar 425; Calendar 518, as amended by Senate "A"; Calendar 452; Calendar 511; Calendar 5 -- excuse me -- 458; Calendar 491; Calendar 467; Calendar 468; item under suspension, 535; Senate Bill 00114, as considered under suspension; Senate Bill 417, suspension; Calendar Number 537, as amended by Senate "A"; Calendar 498; Calendar 499, as amended by Senate "A"; Calendar 508; and, House Bill -- what

SB176  
SB179  
SB70  
SB247  
SB271  
SB426  
SB154  
SB155  
SB262  
SB456  
SB463  
SB493  
SB114  
SB417  
SB269  
SB309  
HB5312

is it? Is off -- excuse me -- and House Bill 5312,  
which was done under suspension with Senate "A" and  
"B."

DEPUTY SPEAKER GODFREY:

Thank you, Mr. Clerk.

Just -- just for my own clarification, was --  
that was 326 not 236?

THE CLERK:

Three-two-six.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

Representative Aresimowicz, what's your pleasure  
on today's Consent Calendar?

REP. ARESIMOWICZ (30th):

Thank you very much, Mr. Speaker.

Mr. Speaker, I move passage of the bills on  
today's Consent.

DEPUTY SPEAKER GODFREY:

Question is on passage of the bills on the  
Consent Calendar.

Staff and guests please come to the well of the  
House. Members take their seat. The machine will be  
open.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll, by --  
on today's first Consent Calendar. Will members  
please report to the Chamber immediately.

DEPUTY SPEAKER GODFREY:

Have all the members voted?

Ladies and gentlemen, before I call for the  
machine being locked, I need to note that the board is  
not completely in line with the motion. Calendar 520  
"A," which unfortunately is up on the board, was --  
there was no motion to put that on the Consent  
Calendar. Unless there's objection, we'll just fix it  
ministerially and proceed on. Is there any objection  
to that solution?

Thank you all.

If all the -- if everyone has voted, the machine  
will be locked. Clerk will take a tally.

And the Clerk will announce the tally.

THE CLERK:

Consent Calendar Number 1.

Total Number Voting	148
Necessary for Passage	75
Those voting Yea	148
Those voting Nay	0

Those absent and not voting 3

DEPUTY SPEAKER GODFREY:

The Consent Calendar as moved, the bills on it  
are passed.

And now, Mr. Clerk, we will do Calendar 528.

THE CLERK:

House Calendar 528, Favorable Report of the joint  
standing Committee on Insurance and Real Estate,  
Senate Bill 480, AN ACT CONCERNING LIFE INSURANCE  
PROCEDURE LICENSES AND REGISTRATIONS OF BROKER-  
DEALERS, AGENTS, INVESTMENT ADVISERS AND INVESTMENT  
ADVISER AGENTS.

DEPUTY SPEAKER GODFREY:

The distinguished Chairman of the Insurance and  
Real Estate Committee, Representative Megna.

REP. MEGNA (97th):

Thank -- thank you, Mr. Speaker.

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

DEPUTY SPEAKER GODFREY:

The question is on passage and concurrence.  
Would you explain the bill, please, Representative --

REP. MEGNA (97th):

**S - 672**

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2014**

**VOL. 57  
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1014 - 1339**

tk/ch/cd/gbr  
SENATE

117  
April 23, 2014

SENATOR LOONEY:

Thank you, Mr. President. Mr. President moving back to Favorable Reports on the Calendar. Calendar page 16, Calendar 368, Senate Bill Number 262, move to place this item on the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

Thank you, Mr. President. On Calendar page 17, Calendar 370, Senate Bill 411 would move to place this item on the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR LOONEY:

And Mr. President also Calendar page 17, Calendar 372, Senate Bill Number 463, move to place this item on the Consent Calendar.

THE CHAIR:

Without objection so ordered.

SENATOR LOONEY:

Thank you, Mr. President. Moving to Calendar page 19, under Favorable Reports, Calendar 391, Senate Bill Number 154. Move to place this item on the Consent Calendar.

THE CHAIR:

Without objection so ordered.

SENATOR LOONEY:

Thank you, Mr. President. And one additional item for the Consent Calendar, Mr. President, is on Calendar

tk/ch/cd/gbr  
SENATE

209  
April 23, 2014

that we might proceed to a vote on the Consent Calendar.

THE CHAIR:

Madam would the people please take their conversations outside the chamber so the Clerk can so we can all hear the items on the Consent Calendar? Madam Clerk.

THE CLERK:

Items on the Consent Calendar. Page 1, Calendar Number 325, House Joint Resolution 66, and Calendar Number 326, House Joint Resolution 67.

Page 5, Calendar Number 102, Senate Bill 258. Page 6, Calendar Number 143, Senate Bill 363. Page 10, Calendar Number 287, Senate Bill 257.

Page 16, Calendar Number 368, Senate Bill 262. Page 17, Calendar Number 370, Senate Bill 411, and Calendar Number 372, Senate Bill 463.

Page 19, Calendar Number 391, Senate Bill 154. Page 20, Calendar Number 411, Senate Bill 493.

Page 27, Senate Bill 101, excuse me, Calendar 101, Senate Bill 156.

Page 28, Calendar Number 105, Senate Bill 221, and Calendar Number 115, Senate Bill 291.

And Calendar Number 114, Senate Bill 295.

Page 29, Calendar Number 123, Senate Bill 290. Page 31, Calendar Number 172, Senate Bill 314.

And Calendar Number 169, Senate Bill 70. And page 33, Calendar Number 217, Senate Bill 318.

THE CHAIR:

Thank you, Madam Clerk. Please announce the pendency for roll call vote, and the machine will be open.

THE CLERK:

tk/ch/cd/gbr  
SENATE

210  
April 23, 2014

There will be an immediate roll call vote in the Senate. All senators report to the Chambers.  
Immediate roll call vote for Consent Calendar in the Senate. All senators report to the Chambers.

THE CHAIR:

Senator Frantz.

Have all members voted? If all members have voted, please check the board to make sure your vote is accurately recorded. If all members have voted, the machine will be closed and the Clerk will announce the tally.

THE CLERK:

Total voting	36
Aye	36
Nay	0
Absent	0

THE CHAIR:

Consent Calendar Number 1 passes. Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. I would yield the floor for members if there are announcements of any other committee meetings or other points of personal privilege to be announced before adjournment.

THE CHAIR:

Any members with additional announcements or points of personal privilege? Seeing none, Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, since there are a number of committee meetings tomorrow morning, it's our intention to begin the day with a Senate caucus at noon, and then session to follow. And with that I move the Senate stand adjourned subject to the call of the Chair.

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**JUDICIARY  
PART 6  
2392 – 2883**

**2014**

legislators and chief elected municipal officials can begin. After that we turn to members of the public. We do have a number of people signed up to speak today and, if everyone is okay, we'll just get started with the public hearing.

The first is Terrence Macy.

Good morning.

COMMISSIONER TERRENCE MACY: Good morning, Representative Fox and members of the Judiciary Committee. I'm Terrence Macy, Commissioner of the Department of developmental Services. And I have with me here today M.J. McCarthy, our chief counsel.

Again I want to thank you for the opportunity to testify in support of DDS's agency bill, Senate Bill Number 463, AN ACT CONCERNING THE APPOINTMENT OF A CONSERVATOR FOR A PERSON WITH INTELLECTUAL DISABILITY.

Connecticut General Statutes 45(a)650 requires that for the appointment of an involuntary conservator the court needs evidence from a licensed physician or the respondent's condition and his or her ability to care for his or herself.

This bill would allow a licensed psychologist to present evidence to the court in cases where a person has intellectual disability. For individuals with individual disabilities sometimes a psychologist has the best vantage and the most appropriate training to weigh in on the required evidence. This change would only apply to persons with intellectual disability and therefore would not impact the conservatorship or any other persons.

3  
rgd/gbr JUDICIARY COMMITTEE

March 17, 2014  
10:00 A.M.

We'd be happy to answer any questions you have.

REP. FOX: Thank you.

Are there any questions from members of the committee? I don't see any right now. I know that the others are here to testify as well on this bill, so if things come up with nowhere to find you to follow up. So thank you.

COMMISSIONER TERRENCE MACY: Thank you.

REP. FOX: Next we have Judge Carroll or Judge Bozzuto, or both.

JUDGE ELIZABETH BOZZUTO: I'm Judge Bozzuto. Thank you. Thank you.

REP. FOX: Good morning.

JUDGE ELIZABETH BOZZUTO: Good morning Representative Fox and other members of the Judiciary Committee. My name is Elizabeth Bozzuto and I'm --

REP. FOX: Excuse me, Judge Bozzuto, before you begin, it helps if you could just put the microphone there.

Actually you had it on and now you turned it off. There you go.

JUDGE ELIZABETH BOZZUTO: Is it on now?

REP. FOX: That's great.

JUDGE ELIZABETH BOZZUTO: It is. Thank you. My name is Elizabeth Bozzuto and I serve as the judicial branch's chief administrative judge for Family Matters. Thank you for the opportunity to testify on behalf of the branch relative to Senate Bill 462, AN ACT CONCERNING



State of Connecticut  
Department of Developmental Services



Dannel P. Malloy  
Governor

Terrence W. Macy, Ph.D.  
Commissioner

Joseph W. Drexler, Esq.  
Deputy Commissioner

**DEPARTMENT OF DEVELOPMENTAL SERVICES TESTIMONY  
BEFORE THE JUDICIARY COMMITTEE**

March 17, 2014

Senator Coleman, Representative Fox, and members of the Judiciary Committee. I am Terrence W. Macy, Ph.D., Commissioner of the Department of Developmental Services (DDS). Thank you for the opportunity to testify in support of DDS's agency bill, **S.B. No. 463 An Act Concerning the Appointment of a Conservator for a Person with Intellectual Disability.**

Connecticut General Statutes § 45a-650 requires that for the appointment of an involuntary conservator, the court needs evidence from a licensed physician on the respondent's condition and his or her ability to care for his or herself. This bill would allow a licensed psychologist to present evidence to the court in cases where a person has intellectual disability. For individuals with intellectual disability, sometimes a psychologist has the best vantage and the most appropriate training to weigh in on the required evidence.

This change only would apply to persons with intellectual disability and therefore would not impact the conservatorship for any other persons.

During a hearing for a conservator of a person with intellectual disability, DDS had an instance where a primary care physician did not feel competent to make the determination and requested a neuropsychological exam to answer the statutory questions surrounding the need for a conservator. DDS then had to engage a neuropsychologist to do an evaluation at substantial cost, when the evaluation could have been performed more appropriately by a psychologist at far less cost. Licensed psychologists are fully capable and qualified to present the best evidence to the courts in cases of involuntary conservatorship of a person with intellectual disability.

Thank you again for the opportunity to testify in support of **S.B. No. 463**. Please contact Christine Pollio Cooney, DDS Director of Legislative and Executive Affairs at (860) 418-6066. if you have any questions for us regarding this bill.