

Legislative History for Connecticut Act

PA 14-99

SB45

| | | |
|---------------|-----------------------------|-----------|
| House | 6959-6962 | 4 |
| <u>Senate</u> | <u>2167-2177, 2343-2344</u> | <u>13</u> |
| | | 17 |

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2014**

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Those absent and not voting 6

DEPUTY SPEAKER GODFREY:

The bill, as amended, is passed.

Representative Aresimowicz.

REP. ARESIMOWICZ (30th):

Thank you very much, Mr. Speaker.

Mr. Speaker, I move that we immediately transmit to the Senate any items waiting further action.

DEPUTY SPEAKER GODFREY:

Without objection, so ordered.

Representative Aresimowicz, I understand we have another Consent Calendar.

REP. ARESIMOWICZ (30th):

Thank you very much, Mr. Speaker.

We are. We are about to list off the bills that will be included in our second Consent Calendar for the evening, sir.

DEPUTY SPEAKER GODFREY:

Proceed, sir.

REP. ARESIMOWICZ (30th):

Thank you very much, Mr. Speaker.

I move -- I'd to add the following to the Consent Calendar. Calendar 426, Calendar 308, Calendar 438, Calendar 488 --

SB281

SB19

SB182

SB330

DEPUTY SPEAKER GODFREY:

Whoa, whoa, whoa.

REP. ARESIMOWICZ (30th):

I apologize, Mr. Speaker. The first number was
427.

DEPUTY SPEAKER GODFREY:

So 427, thank you, sir. Proceed.

REP. ARESIMOWICZ (30th):

Calendar 476, as amended by Senate "A"; Calendar
445, Calendar 514, Calendar 505, as amended by Senate
"A"; Calendar 455, Calendar 456, as amended by Senate
"A"; Calendar 322, Calendar 536, as amended by Senate
"A" and Senate "B"; Calendar 430, Calendar 520, as
amended by Senate "A" and Senate "B"; Calendar 538, as
amended by Senate "A"; Calendar 424, as amended by
Senate "A"; Calendar 439, as amended by Senate "A";
Calendar 482, as amended by Senate "A"; Calendar 325,
as amended by Senate "A."

Calendar 526, as amended by Senate "A"; Calendar
509, as amended by Senate "A"; Calendar 532, Calendar
502, as amended by Senate "A"; Calendar 421, as
amended by Senate "A"; Calendar 431, as amended by
Senate "A"; and Calendar 539, as amended by Senate
"A."

- SB 194
- SB 402
- SB 324
- SB 45
- SB 221
- SB 257
- SB 201
- SB 389
- SB 418
- SB 438
- SB 427
- SB 260
- SB 208
- SB 424
- SB 241
- SB 14
- SB 106
- SB 322
- SB 410
- SB 217
- SB 477
- SB 429

DEPUTY SPEAKER GODFREY:

Is there objection to any of these items being placed on the Consent Calendar? If not, Representative Aresimowicz, would you like to move passage of the Consent Calendar?

REP. ARESIMOWICZ (30th):

Mr. Speaker, I want to remove Calendar 539.

SB429

DEPUTY SPEAKER GODFREY:

Please remove Calendar 539, Mr. Clerk.

REP. ARESIMOWICZ (30th):

Mr. Speaker, I move passage of the bills on the second Consent Calendar of the day.

DEPUTY SPEAKER GODFREY:

The question is on passage of the items on Consent Calendar Number 2.

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

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll on the second Consent Calendar of the day, House Consent 2. Please report to the Chamber immediately.

DEPUTY SPEAKER GODFREY:

Have all the members voted? Have all the members
voted?

If all the members have voted, the machine will
be locked.

The Clerk will take a tally.

And the Clerk will announce the tally.

THE CLERK:

Consent Calendar Number 2.

Total Number Voting 147

Necessary for Passage 74

Those voting Yea 147

Those voting Nay 0

Those absent and not voting 4

DEPUTY SPEAKER GODFREY:

The items on the Consent Calendar are passed.

(Speaker Sharkey in the Chair.)

SPEAKER SHARKEY:

The House will please come back to order.

Will the Clerk please call Emergency Certified
Bill 5597.

THE CLERK:

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Madam President, if we might mark these items -- some of these are items that were on our go list last night. First is under Matters Returned, calendar page 34, Calendar 130, Senate Bill 45, from the Children's Committee, Senate Bill 45. Second -- second item at this point, Madam President, will be an item from the Committee on the Environment also was hold over from last night, and that is calendar page 39, under Matters Returned, Calendar 257, Senate Bill Number 72. We might that -- mark that also as a -- as go. In addition, Madam President, on calendar page 31 -- no, excuse me -- calendar page 33, under Matters Returned, Calendar 45, Senate Bill Number 14, from the Committee on Insurance and Real Estate. Calendar page -- also calendar page 33, Calendar 98, Senate Bill 191, from the Committee on Insurance and Real Estate, as well. Calendar page 37, Calendar 211, Senate Bill 394, and calendar, going back to -- to favorable reports, calendar page 4, Calendar 234, Senate Bill 196, and calendar page 40, Calendar 271, Senate Bill 194, under Matters Returned, and then also, Madam President, under Matters Returned, calendar page 34, Calendar 133, Senate Bill 179. If we might mark those as items at this point and -- and one other additional item, Madam President, is calendar page 38, under Matters Returned, Calendar 231, Senate Bill 106, from the Committee on Human Services. If we might mark those items as our initial go list.

Thank you, Madam President.

THE CHAIR:

All right, thank you.

Mr. Clerk.

THE CLERK:

State of Connecticut Senate Calendar for Friday,
May 2, 2014. On page 34, Calendar 130,
Substitute for Senate Bill Number 45, AN ACT
CONCERNING THE DEPARTMENT OF CHILDREN AND
FAMILIES AND THE EDUCATION OF CHILDREN, favorable

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report of the Select Committee on Children.
There are amendments.

THE CHAIR:

Good afternoon, again, Senator Bartolomeo.

SENATOR BARTOLOMEO:

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

THE CHAIR:

Motion is on acceptance and passage. Will you remark, ma'am?

SENATOR BARTOLOMEO:

Yes, thank you, Madam President.

This bill is regarding Department of Children and Families and Education of Children. The Clerk is in possession of LCO 4165. I ask -- may the Clerk please call that amendment and I be given leave to summarize.

THE CHAIR:

Mr. Clerk

THE CLERK:

LCO Number 4165, Senate "A," offered by Senator Bartolomeo and Representative Urban.

THE CHAIR:

Senator Bartolomeo.

SENATOR BARTOLOMEO:

Thank you, Madam President. I move adoption of this amendment.

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THE CHAIR:

Motion is on adoption. Will you remark, ma'am?

SENATOR BARTOLOMEO:

Yes, thank you.

This -- LCO 4165 simply strikes in its entirety section 1 of the bill.

THE CHAIR:

Will you remark further? Will you remark further?

SENATOR BARTOLOMEO:

I urge passage.

THE CHAIR:

Will you remark further? Senator Linares.

SENATOR LINARES:

Thank you, Madam President. Good afternoon --

THE CHAIR:

Good afternoon, sir.

SENATOR LINARES:

-- or good evening at this point.

THE CHAIR:

Almost.

SENATOR LINARES:

Yeah. I just have some questions about the -- the amendment and, if I may ask a question to the proponent.

THE CHAIR:

Please proceed, sir.

SENATOR LINARES:

The -- section 1 has been taken out with this amendment. Can you explain, Senator, what is -- can you summarize what is being replaced in this section? Through you, Madam President.

THE CHAIR:

Senator Bartolomeo.

SENATOR BARTOLOMEO:

Through you, Madam President, there is nothing in its place. It is simple stricken. Through you.

THE CHAIR:

Senator Linares.

SENATOR LINARES:

So all of the language in section 1 is -- is now taking -- taken out of the bill entirely.

Through you, Madam President.

THE CHAIR:

Senator Bartolomeo.

SENATOR BARTOLOMEO:

That is correct, through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES:

Thank you -- thank you, Senator, for clarifying that for me. This bill allows DCF --

THE CHAIR:

Senator --

SENATOR BARTOLOMEO:

Yeah.

THE CHAIR:

We're on the amendment only.

SENATOR BARTOLOMEO:

Oh, this -- I'm sorry, yeah, my apologies, Madam President. I yield the floor.

THE CHAIR:

Thank you. Thank you.

Will you remark on Senate "A"? Will you remark on Senate "A"?

If not I'll try your minds. All those in favor please say, aye.

SENATORS:

Aye.

THE CHAIR:

Opposed.

Senate "A" passes.

Senator Linares, did you want to continue?

SENATOR LINARES:

Thank you, Madam President.

I would like to ask the Senator about how DCF goes about

finding a surrogate parent for a child that's

under their supervision? Is there a program already in place? Do they have a list of people that they can point as a surrogate parent? Can you please explain that for the chamber?

Through you, Madam President.

THE CHAIR:

Senator Bartolomeo.

SENATOR BARTOLOMEO:

Yes. Thank you, Madam President.

I wonder if I could just ask of the good senator if he's referring to a foster parent? Through --

THE CHAIR:

Senator Linares.

SENATOR LINARES:

Just -- just one moment, Madam President. I'm looking at the bill.

THE CHAIR:

The Senate will stand at ease until you find it.

SENATOR LINARES:

Yes. Thank you.

(Chamber at ease.)

THE CHAIR:

The Senate will come back to order.

Senator Linares.

SENATOR LINARES:

Thank you, Madam President.

In the bill analysis, it states that this bill increases the number of children under DCF supervision for whom the Education Commissioner may appoint a surrogate parent, and requires that the superintendent of each school district providing education to a neglected or abused child to DCF custody provide certain education related information. So I understand that, I understand that that information is important for the parents so that it, you know, improves transparency for them but I guess, what I'm -- I'm trying to clarify here is how -- how this process works when it comes to the Education Commissioner appointing a surrogate parent. How is that process done at -- at this state?

Through you, Madam President.

THE CHAIR:

Senator Bartolomeo.

SENATOR BARTOLOMEO:

Thank you, Madam President.

I believe that the Senator is referring actually to all of the language and the analysis on the section 1 which we struck in the amendment.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES:

Well, that certainly clarifies things, Madam President. Thank you, Senator, for answering that. So -- so that -- so all the information regarding surrogate parents has been removed from this bill entirely?

Through you, Madam President.

THE CHAIR:

Senator Bartolomeo.

SENATOR BARTOLOMEO:

Yes, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES:

So now -- thank you, Madam President -- so now this bill is -- mostly it involves providing information on a children's educational status and performance, absenteeism, grade level performance, test results, that's what this bill -- that's the -- the baseline of this bill?

Through you, Madam President.

THE CHAIR:

Senator Bartolomeo.

SENATOR BARTOLOMEO:

Madam President, I'm just at a loss for how to answer and explain that question because I haven't had an opportunity to speak on the bill.

THE CHAIR:

You can now.

SENATOR BARTOLOMEO:

Okay. Thank you.

So the -- now that we have struck section 1, the remainder of the bill what it does is it requires school districts to provide information related to a child's academic progress and their educational status, equivalent to that that they

would normally do for a parent or legal guardian. And the reason that we -- we do need this is because a child that's in foster care is actually the -- DCF is their legal guardian and they are appointing a foster family as the custodian of that child and so there is a technical difference there. So currently, what ends up happening is that DCF is given information on educational records and progress and so forth, and if the school system chooses to and if DCF grants permission, the school will sometimes, not always, share that information with the foster parents, but we are now stating that legally the foster parent, as well as the child's lawyer, have the right to access those records which is -- is sometimes happening, but it is not codified. It is simply occasional practice. We also are saying that when a child goes from -- into, I should say, DCF or a court supported service program that the superintendent of the school that they have come from has the obligation to make sure that their educational records are transferred properly -- promptly so that the agency that they're now residing with has an opportunity to review those records, and by practice we have heard situations that it sometimes takes as much as a year for the facility or the residential home, wherever that child has been relocated to, to receive any records, and when those are special education records, it is certainly very important. So that is what the bill is doing in the remainder of the sections.

Through you, Madam President.

THE CHAIR:

Senator Linares, did that explain your --

SENATOR LINARES:

That -- that certainly helps. Thank you, Madam President.

THE CHAIR:

Thank you.

SENATOR LINARES:

I would like to ask the proponent of the bill if -- if additional health records or health reports that are in the school system that the school nurse might have, if things of that nature are also included in this -- as required in this bill?

Through you, Madam President.

THE CHAIR:

Senator Bartolomeo.

SENATOR BARTOLOMEO:

Thank you, Madam President.

Through you, there is no reference to anything other than the child's educational status or academic progress.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES:

Thank you, Madam President.

I do -- thank you for clarifying that, Senator. I think this a good bill as amended. I think that it will -- it will help transparency for -- for foster parents and for, you know, surrogate parents that are really looking for information on their child so that they can help them. I think that this is -- this is a good bill and I don't see any issues with it as it stands and I urge the chamber's support.

Thank you.

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THE CHAIR:

Thank you.

Will you remark further? Will you remark further?

Senator Bartolomeo.

SENATOR BARTOLOMEO:

Madam President, if there is no objection, I would ask that this be put on the Consent Calendar, please.

THE CHAIR:

Seeing no objection, so ordered, ma'am.

Mr. Clerk.

THE CLERK:

On page 39, Calendar 257, Substitute for Senate Bill Number 72, AN ACT CONCERNING LIABILITY FOR THE GROWING OF RUNNING BAMBOO, favorable report of the Committee on Environment.

THE CHAIR:

Good afternoon, Senator Meyer.

SENATOR MEYER:

Oh, thank you, Madam President.

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

THE CHAIR:

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

SENATOR MEYER:

I will remark briefly. Colleagues, one of the

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THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Madam President.

THE CHAIR:

Oops, I'm sorry, Senator McLachlan.

Senator Looney, why do you stand, sir?

SENATOR LOONEY:

Thank you, Madam President.

If this item might be passed temporarily. We will return to it shortly but first would ask the Clerk to read the items on the Consent Calendar so that we might proceed to a vote on the Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On today's Consent Calendar, page 4, Calendar 292, Senate Bill 438; on page 7, Calendar 335, House Bill 5149.

On page 12, Calendar 392, Senate Bill 261; Calendar 400, Senate Bill 155; Calendar 409, Senate Bill 491.

And on page 33, Calendar 45, Senate Bill 14.

On page 34, Calendar 130, Senate Bill 45; also on page 34, Calendar 133, Senate Bill 179; Calendar 100, Senate Bill 55.

On page 37, Calendar 195, Senate Bill 61; page 40, Calendar 271, Senate Bill 194; and on page 41, Calendar 285, Senate Bill 464.

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THE CHAIR:

Mr. Clerk, will you call for a roll call vote on the Consent Calendar. The machine is open.

THE CLERK:

Immediate roll call has been ordered in the Senate. Immediate roll call on the first Consent Calendar for the day has been ordered in the Senate.

THE CHAIR:

Have all members voted? All members voted. The machine will be closed.

Mr. Clerk, will you please call a tally on the first Consent Calendar?

THE CLERK:

On today's first Consent Calendar.

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

THE CHAIR:

The Consent Calendar passes.

Senator Looney, shall we return to page 42?

SENATOR LOONEY:

Madam President.

THE CHAIR: