

Subject: Monday Morning Group Minutes
From: CBIA <mailbox@cbia.com>
Date: 18 Apr 2011 14:00:01 -0400
To: avonchamber@sbcglobal.net

CBIA Monday Morning Group

April 18, 2011

Next meeting – Monday, April 25

Commerce-- (Lou Bach) – Two bills originally from the Commerce Committee and of interest are likely in holding patterns this week as the Finance and Appropriations committees work on the budget:

- **SB 842**, in the Finance Committee, requires jobs-impact statements to accompany every legislative proposal with a potential effect on employment.
- **HB 6584**, in the Appropriations Committee, allows manufacturers to invest in a tax-deferred Manufacturing Reinvestment Account for up to five years, using disbursements to purchase machinery, equipment, facilities, or to invest in workforce development.

Please contact Lou Bach at Louis.Bach@cbia.com for information regarding Commerce issues.

Education – (Lou Bach) The Education & Higher Education (HED) committees have meetings tomorrow.

At 3 pm on Wednesday there is a Legislative Briefing on School Finance in room 310 of the Capitol.

Bills of interest on the House calendar for this week include:

- **HB 6434** - An important Alternative Route to Certification bill that would permit those working toward state teaching certification to count teaching time at an approved nonpublic school toward the classroom hours requirement for certification. We support this measure.
- **HB 6231** - Requires the regional community-technical college system, the Connecticut State University (CSU) System, and the University of Connecticut to develop a general education core of courses; this would eliminate a serious hurdle for students who transfer from one system of higher education to another, allowing for seamless transfer of core course credits from one school to another. We support.
- **HB 6498** - The School Reform Delay bill that pushes back implementation of critical reforms passed last year. We oppose.

Bills of interest on the Senate calendar for this week include:

- **SB 930** - AAC the School Entrance Age. This bill would mandate that all children enroll in kindergarten by age six. (Currently it is possible to keep a child out of school until age seven.) The expected increase in kindergarten enrollment statewide next year would be about 1,600 students. State Education Cost Sharing (ECS) grants have been capped since 2003 with additional statutory language required in FY12 to maintain the caps. Should the ECS cap be lifted next year, the formula would require additional funding for the additional students at an average per-student cost of \$3,450, or about \$5.5M.
- **SB 1104** - AAC Charter Schools would allow the Commissioner of Education to waive the requirement that teachers in charter schools hold certification when the charter school can demonstrate the effectiveness of any uncertified teacher. The teacher would have to show:
 - Satisfactory scores on math, reading, and writing competency exams
 - A satisfactory evaluation in the teacher's subject area assessment, and
 - Demonstrated teacher effectiveness
- **SB 1160** - Model Teacher Performance Evaluation System bill that would require development by the Performance Evaluation Advisory Council within the Dept. of Education. We worked to have student outcomes be given preponderant weight in teacher evaluations; however a last-minute amendment to an amendment at the JF

deadline ensured that student outcomes would simply be merely considered, which is already required in a model evaluation.

Please contact Lou Bach at Louis.Bach@cbia.com for information regarding Education.

Energy (Kevin Hennessy) – **SB 1176**, the energy generator tax, is still on the Senate calendar. It is expected to be referred to Finance, but hasn't yet. There was an effective press conference last week opposing the measure. It generated a great deal of coverage and attendance, including about 20 legislators from both sides of the aisle.

SB 1, which increases programs and spending in hopes of reducing electric rates, continues to be negotiated as it moves along in Planning & Development today and is expected to come out.

Please contact Kevin Hennessy at Kevin.Hennessy@cbia.com for information regarding Energy.

Environment (Eric Brown) - Brownfield legislation (**HB 6526**) continues to be negotiated. A productive meeting last week hosted by Commissioner Dan Esty will be followed up with a set of proposed modifications from members of CBIA's Environmental Policies Council. Those proposals will be submitted later today and a follow-up meeting with the Commissioner is scheduled for early next week.

A proposal that would prohibit the disturbance of vegetation within 100 feet of a stream or river without a special exemption, **SB 832**, is before the Planning and Development Committee today. This is the latest iteration of efforts to create a more restrictive development buffer adjacent to watercourses.

Weekly meetings continue with DEP and other stakeholders seeking to negotiate a regulation designed to insure adequate water flows in rivers and streams throughout the year. At this juncture, the regulations would require all rivers and streams in the state to be classified into one of four categories -- depending largely on the current flow conditions as well as the degree to which segments of each river and stream are used by society. The scope of regulatory requirements and restrictions is currently limited to segments below dams.

Please contact Eric Brown at Eric.Brown@cbia.com for information regarding Environment and Land Use.

GAE (Kevin Hennessy)– Please contact Kevin Hennessy at Kevin.Hennessy@cbia.com for information regarding GAE.

Healthcare (Eric George) – **SB 34** – As originally drafted, this bill would have prohibited long-term disability policies from being offset by Social Security payments. However, the Insurance Committee amended the bill so that it is only a study. We are happy to report that the Senate passed SB 34 as-is and unamended.

HB 6305 (SustiNet) continues to have problems, with the *Hartford Courant* and *New Haven Register* adding op-ed columns opposing the measure in the last week, on top of the Governor's OPM Secretary, Ben Barnes and DPH Deputy Commissioner, Jeannette DeJesus, submitting their own opposition to the Courant last Sunday (4/10).

Health insurance mandates – There are 14 left, of which nearly all still need approval from the Appropriations Committee. Legislators are being cautious on mandates this year because the federal law punishes states that exceed federal requirements (which have not yet been determined), by requiring the state to cover the cost of additional mandates.

Health insurance exchanges – acts regarding the establishment of oversight committees to create state exchanges (required by federal law). There are currently 3 proposals on the table:

- **SB 921** – Requires the make-up of the committee to be comprised of industry representatives from health fields. We support this measure.
- **SB 1204** and **HB 6353** – Requires that the make-up of the committee specifically NOT include anyone in the health care fields.

Please contact Eric George at Eric.George@cbia.com for information regarding Healthcare.

Judiciary (Kevin Hennessy)– The Judiciary Committee's JF deadline was last, Friday (4/15).

- **SB 1165** – Is limited to nursing homes and Medicaid/medicare fraud.
- **SB 1211** – Clarifies that when the court orders an installment payment that interest

will be automatically granted and accrued.

- **HB 6341** – Removes the statute of repose on asbestos (currently 60-year limitation,). Bill was passed, but had bipartisan opposition. CBIA opposes the measure.
- **SB 1207** – Extends the time from 60 days to one year when a plaintiff may file an offer of compromise in medical malpractice cases.
- **HB 6477** – Would have banned outsourcing of legal services. This bill was not voted on, and therefore did not get out of committee.
- **HB 6590** – Regarding the Ct. Business Corporation Act, bringing Connecticut's act in line with the national model. This bill passed.

Please contact Kevin Hennessy at Kevin.Hennessy@cbia.com for information regarding Judiciary.

Labor (Kia Murrell) – Before its deadline, the Judiciary Committee approved several bills related to the use of criminal background and credit checks in employment:

- **HB 6641** AAC The Use Of Credit Reports In Employment Decisions. Prohibits employers, upon a \$300 penalty per instance, from requiring job applicants or employees to consent to a credit inquiry that contains information about their credit worthiness, standing or capacity; or savings or checking account information. Exempt are broker-dealers, investment advisers, FDIC institutions, and licensed insurance producers if a credit report is required by law, and the employee is required to be licensed as a condition of employment and that license can be suspended or revoked based on an act or omission demonstrating financial irresponsibility.
- **SB 3** AAC A Criminal History And Patient Abuse Background Search Program. Increases the background check requirements for employees of homemaker-companion and home health agencies, including fingerprinting. Legislation has met significant opposition from nursing homes, assisted living facilities, hospices and even some non-medical home care agencies who cite administrative burden and duplication of processes as reasons not to enact the legislation.
- **SB 1148** AAC Establishing A Civil Action With Respect To Criminal Records Used In Employment Decisions. Permits a civil action against a consumer reporting agency or an employer for using erased and expunged criminal records in employment decisions. Last year, CBIA had a similar bill amended to include language regarding intent so that acts/omissions done in good faith would not be unduly penalized. That language is included in this year's bill so we are not opposing it.

PAID SICK LEAVE - On Tuesday, Senator Prague and the Everybody Benefits coalition are holding an informational forum on the Paid Sick Days legislation. We do not yet know which speakers will be featured.

On Tuesday, the Labor Committee will meet to consider bills referred to it by other committees. The agenda is not yet available.

Please contact Kia Murrell at Kia.Murrell@cbia.com for information regarding Labor.

Spending & Taxes (Bonnie Stewart)– The Finance and Appropriations Committees are meeting this week and plan to adopt a budget and a tax package. Finance is expected to meet today, tomorrow and Thursday.

Included on today's agenda are several measures we are interested in. They include:

- **HB 6387** An Act Concerning Personal Property Tax Exemptions. This measure, which was proposed by the Governor, would have imposed personal property taxes on certain vessels and aircraft. The measure is expected to be modified by the Finance Committee.
- **SB 1157** An Act Concerning The Restoration Of The Energy Conservation And Load Management Fund. This measure would limit the amount of monies that could be borrowed against the Energy Conservation and Load Management Fund. The bill is expected to be amended slightly and adopted by the Finance Committee.
- **HB 6626** An Act Concerning The Imposition Of The Sales Tax On Room Remarketers will have completely new content and a new title. At this time we do not know what the substitute bill will concern.

At Tuesday's Finance Committee meeting, it's expected that the Committee will take up the Governor's tax bill, **SB 1007**, and that it will be modified somewhat. Once details of the package become available we will send them to MMG members.

The Appropriations Committee is scheduled to meet on Wednesday. At that time they are expected to approve a budget package.

The House and Senate are still focused on adopting a budget and tax package by May 6th.

Please contact Bonnie Stewart at Bonnie.Stewart@cbia.com for information regarding spending & taxes.

Transportation (Eric Brown) – A positive measure to help streamline project development and implementation of transportation projects, **HB 6482** is before the GAE committee today. CBIA supports this streamlining proposal.

SB 686, which deals with applications to the State Traffic Commission and a study of land use permitting procedures, is a favorable bill awaiting action by the Senate.

The two favorable bills affecting the future governance of Bradley International Airport (**SB 925** and **SB 1003**) are also awaiting action by the Senate.

Please contact Eric Brown at Eric.Brown@cbia.com for information regarding transportation.

For other information, check out "[Inside the Capitol](#)," CBIA's public policy blog.