

# Legislative History for Connecticut Act

## PA15-74

SB991

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Transcripts from the Joint Standing Committee Public  
Hearing(s) and/or Senate and House of Representatives  
Proceedings

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**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2015**

**VOL.58  
PART 16  
5254 - 5587**

/dm  
HOUSE OF REPRESENTATIVES

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May 28, 2015

Always good to see you.

[applause]

SPEAKER SHARKEY:

And you too, Senator Hwang. I was just kidding before. Thank you. Welcome to the Chamber, all of you. Are there any other announcements or introductions? If not, we will return to the call of the Calendar. Representative - I'm sorry. Will the Clerk please call Calendar 486?

CLERK:

On page 27, House Calendar 486, Favorable Report of the Joint Standing Committee on Public Health, Senate Bill 991, AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING PERSONS AUTHORIZED TO SOLEMNIZE MARRIAGES.

SPEAKER SHARKEY:

The distinguished Chairman of the Public Health Committee, Representative Ritter, you have the floor, sir.

REP. RITTER (1<sup>st</sup>):

Thank you, Mr. Speaker. Good afternoon.

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SPEAKER SHARKEY:

Good afternoon, sir.

REP. RITTER (1<sup>st</sup>):

I move acceptance of the Joint Committee's  
Favorable Report and passage of the bill.

SPEAKER SHARKEY:

Questions on the -

REP. RITTER (1<sup>st</sup>):

In concurrence with the Senate. Sorry.

SPEAKER SHARKEY:

Sure. And questions on acceptance of the Joint  
Committee's Favorable Report and passage of the  
bill in concurrence with the Senate. Will you  
remark?

REP. RITTER (1<sup>st</sup>):

Yes, Mr. Speaker. As many of you know, there  
are certain ways under state statute by which you  
can perform a wedding ceremony and marry somebody.  
And one of those is, you can become an ordained  
minister actually online. It's a pretty low  
threshold and requirement, but you can. And the way  
the current law reads is, we have these words that  
say you are a member of a clergy, ordained or  
licensed, and you continue in the work of the

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ministry. The reality is some people do get these online certificates to perform wedding ceremonies for friends, and they are not really in the line of ministry. So by taking this out, we are just making a clarification that there are different types of people who sort of become ordained. Some are obviously members of the clergy. Others may do it to marry a friend. We want to make sure - however you are comfortable getting married, you are allowed to do so. Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, sir. Would you care to remark? Would you care to remark further on the bill that's before us? Representative Carpino.

REP. CARPINO (32<sup>nd</sup>):

Thank you, Mr. Speaker. I do wanna point out that this bill came out unanimously, and I wanna thank the good Chairman of Public Health for giving a very clear and concise definition. As anyone who's been married, whether it was recently or otherwise, knows that there's a lot of stress involved with planning the process, and this bill may help a few of us out who may need to go through that process and more clearly delineates who can

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and cannot marry them, so I urge support on both sides. Thank you, Mr. Speaker.

SPEAKER SHARKEY:

Thank you, madam. Would you care to remark? Would you care to remark further on the bill before us? If not, staff and guests to the well of the House. Members take your seats. The machine will be opened. [bell ringing]

CLERK:

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

SPEAKER SHARKEY:

Have all members voted? If all the members voted, will members please check the board to make sure your vote is properly cast? If all the members have voted, the machine will be locked, and the Clerk will take a tally.

Will the Clerk please announce the tally?

CLERK:

Senate Bill 991, in concurrence with the  
Senate

Total Number Voting

140

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HOUSE OF REPRESENTATIVES

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Necessary for Passage	71
Those voting Yea	131
Those voting Nay	9
Absent and not voting	11

SPEAKER SHARKEY:

The bill passes in concurrence with the  
Senate. [gavel] Are there any announcements or  
introductions? [gavel] Representative Ritter?

REP. RITTER (1<sup>st</sup>):

Thank you, Mr. Speaker. Sorry to stand up  
again but, in light of that topic, I didn't wanna  
make an announcement, Mr. Speaker. A very good  
friend of mine, and I think a lot of us in this  
Chamber, is getting married on June 13, and I have  
the wonderful honor of actually performing that  
wedding ceremony. That bill is not applicable. We  
will be doing it under the powers of a Justice of  
the Peace. But James Albis, the House Chairman of  
the Environment Committee, is getting married in  
two weeks, and I thought if we gave him a nice  
rousing ovation it might be appreciated by him and  
his fiancée.

[applause/cheering]

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**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
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**VOL. 58  
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341 – 702**



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SENATE

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Senator Boucher.

Mr. Clerk, will you call for - will you repeat the call for a vote please? Thank you.

CLERK:

Immediate roll call on Senate Bill 426 has been ordered. Immediate roll call on Senate Bill 426 has been ordered in the Senate.

THE CHAIR:

All the members have voted, if all the members have voted, the machine will be closed. Mr. Clerk, will you please call a tally?

CLERK:

Senate Bill No. 426

Total number voting	36
Those voting Yea	35
Those voting Nay	1
Absent/not voting	0

THE CHAIR:

The bill has passed.

[gavel]

THE CHAIR:

Mr. Clerk?

CLERK:

On page 20, Calendar 279, Senate Bill No. 991: AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING PERSONS AUTHORIZED TO SOLEMNIZE MARRIAGES. Favorable Report of the Committee on Public Health. There's an amendment.

THE CHAIR:

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SENATE

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April 22, 2015

Senator Gerratana.

SENATOR GERRATANA:

Thank you, Madam President. Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark?

SENATOR GERRATANA:

Thank you, Madam President. Madam President, this bill comes to us from the Department of Public Health.

THE CHAIR:

Wait, excuse me a moment.

SENATOR GERRATANA:

Yes, Madam.

THE CHAIR:

Ladies and gentlemen, can we please keep our conversations outside? Or keep our voices down. Thank you very much. Senator, please proceed.

SENATOR GERRATANA:

Thank you, Madam President. This bill comes to us from the Department of Public Health, to clarify the intent of the underlying statute. It eliminates a term on line 10, or definition. "As long as they continue work of the Ministry. This is in regards to ordained or licensed members of the clergy, belonging to this state or any other state."

This is what I would consider to be a technical amendment, or bill. But we have had much discussion both in the Committee and outside of the Committee, what does that mean. And of course, we want to clarify it. The Department of Public Health actually testified and said that it was very confusing to both them, and

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to the registrar - the town clerks, rather, who issue marriage licenses. Trying to define what those, or what that language actually means.

So they came to us, and they said one way or the other, we should do this the easiest way. And I think the appropriate way, because we also have online ministers, who may not have congregations, is to eliminate that language. There's also been quite a bit of discussion in this Chamber, not in the circle, but outside the circle, about what it means to be ordained and licensed in the state. Ordained in this case, particularly if a minister or a priest is put back into the laity, if you will, and loses the ability to be an ordained minister, cannot, cannot perform then, under the current statute. Which refers to having to be ordained or licensed.

And you can be a clergy member, either in this state or anywhere else in the United States. I hope that clarifies, and answers some questions that people had. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Will you remark? Seeing none, Senator Gerratana?

SENATOR GERRATANA:

Thank you, Madam President. If there's no objection, I move this item to be put on our Consent Calendar.

THE CHAIR:

Excuse me. We didn't call - did we call Senate "A?" We didn't call Senate "A." Seeing no objection, so ordered. Placed on Consent Calendar. Mr. Clerk?

CLERK:

On page 22, Calendar 300, substitute for Senate Bill No. 738: AN ACT DESIGNATING APRIL AS PARKINSON'S' DISEASE AWARENESS MONTH. Favorable Report of the Committee on Government Administration and Elections. There's an amendment.

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Page 1, Calendar 391, House Joint Resolution No. 95. Also on page 1, Calendar 392, House Joint Resolution No. 96. Page 2, Calendar 393, House Joint Resolution No. 97. Page 2, Calendar 422, Senate Joint Resolution No. 50. Also on page 2, , Calendar 394, House Joint Resolution No. 98. Page 2, Calendar 421, Senate Joint Resolution No. 49.

On page 3, Calendar 63, Senate Bill No. 7. Also on Page 3, Calendar 64, Senate Bill No. 8. On page 4, Calendar 80, Senate Bill 890. Page 5, Calendar 98, Senate bill 850. On page 6, Calendar 104, Senate Bill No. 894. And on page 8, Calendar 122, Senate Bill No. 415. Page 8, Calendar 125, Senate Bill 856. On page 20, Calendar 279, Senate bill No. 991.

Page 22, Calendar 300, Senate Bill No. 738. Page 23, Calendar 304, Senate Bill No. 112. And on page 26, Calendar 336, Senate Bill No. 121.

On page 28, Calendar 348, Senate Bill 360. Page 31, Calendar 371, Senate Bill No. 919. On page 32, Calendar 375, Senate bill 458. Page 34, Calendar 388, House Bill 6912. On page 36, Calendar 407, Senate Bill 1029. Page 43, Calendar 159, Senate Bill 1016. On page 16, Calendar 239, Senate Bill No. 18. Also, House Joint Resolution No. 99.

THE CHAIR:

Mr. Clerk, please call for roll call vote. The machine will be open.

CLERK:

Immediate roll call has been ordered in the Senate.  
Immediate roll call on today's Consent Calendar has been ordered in the senate.

THE CHAIR:

THE CHAIR:

All members have voted, all members have voted? The machine will be closed. Mr. Clerk, will you please call the tally.

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SENATE

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April 22, 2015

CLERK:

On today's Consent Calendar

Total Number of Voting	36
Those voting Yea	36
Those voting Nay	0
Absent/not voting	0

THE CHAIR:

Consent Calendar is passed. [gavel] Senator Duff.

SENATOR DUFF:

Thank you, Madam President. We have two more little quick things of business. One is on Calendar page 41, Calendar 142, Senate Bill 1015. I'd like to refer that Bill to the Judiciary Committee.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR DUFF:

Thank you, Madam President. Madam President, we're gonna go back to Calendar page 4, Calendar 81, Senate Bill 891, and we're going to have a Go amendment and then have a referral once the amendment is adopted.

THE CHAIR:

Mr. Clerk. Will you recall the bill please?

CLERK:

Page 4, Calendar 81, Senate Bill No. 891: AN ACT CONCERNING ADMINISTRATIVE HEARINGS CONDUCTED BY THE DEPARTMENT OF HOUSING. Favorable Report of the Committee on Housing.

THE CHAIR:

Senator Winfield.

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**PUBLIC  
HEALTH  
PART 9  
3550 – 4088**

**2015**

yourself. This goes into our record. Millions of years from now, maybe thousands of years from now, people can listen to what you had to say. So it is important that you identify yourself, turn the microphone on, and so we know who you are and so does the rest of the world.

All of our testimony and how we conduct our business here is a matter of public record, just so you know. I will ask Zannie to move the projector to the side a little bit -- either side is fine -- until the Commissioner of Consumer Protection comes up to testify. When he does so, then we will use that equipment. That's fine. That is perfect. Thank you, Zannie.

So first to testify -- we do start off with elected officials, agencies, municipalities and that sort of thing for the first hour. After that we then alternate with the public. So first is Dr. Jewell Mullen. Dr. Mullen will come up and testify. There are many bills from the Department of Public Health in our committee and we are hearing them today. Welcome, Dr. Mullen.

DR. JEWELL MULLEN: Good morning.

SENATOR GERRATANA: Good morning.

DR. JEWELL MULLEN: Senator Gerratana, Representative Ritter, Senator Markley, Representative Srinivasan and members of the Public Health Committee, I'm Dr. Jewell Mullen, Commissioner of the Department of Public Health. First, I would like to thank the committee for raising the Department's bills, and I'm here to speak to you about the bills as follows: House Bill -- and since I promised to do this briefly, you tell me whenever you want



me not to read everything. No. 6794, an act concerning the Department of Public Health recommendations regarding massage therapists; House Bill 6884, an act concerning DPH's recommendations regarding childhood lead poisoning prevention and control; 6888, an act concerning recommendations regarding public swimming pool design guides; Senate Bill 991, an act concerning the Department of Public Health's recommendations regarding persons authorized to solemnize marriages; Senate Bill 995, an act regarding funding for municipal health departments and health districts; House Bill 6937, an act concerning the DPH recommendations regarding definitions of sedation and general anesthesia; 6887, an act concerning recommendations regarding the protection of residents in health care institutions; Bill No. 6954, an act concerning recommendations regarding water company takeover proceedings and certificate of public convenience and necessity for the expansion and construction of public water systems; Senate Bill 999, an act concerning recommendations regarding emergency medical services; Senate Bill 1040, an act concerning recommendations regarding reporting of radon test results; Bill 6987, an act concerning various revisions to the Public Health Statutes.

Additionally, I will be testifying on behalf of two of the Governor's bills, but if it's acceptable to the committee, I would like to just address the DPH bills and then go through the others.

HB 6856  
(SB 955)  
HB 7006

SENATOR GERRATANA: Oh, yes. Absolutely.

DR. JEWELL MULLEN: Okay. All right. So in the interest of saving time, I'll give you a brief synopsis of each of the bills and DPH staff and

Senate Bill 991, regarding recommendations for persons authorized to solemnize marriages, would permit online ordained ministers to perform marriages.

Bill 995, regarding funding from municipal health departments and districts, is one that we also had submitted last year. During the course of the year a municipality can join or form a health district and receive one hundred percent of per capita funding regardless of the date during the fiscal year when they've joined or formed a district. The bill would allow a per capital payment for a municipality joining or forming a health district on a pro rated basis effective the date of joining and/or forming the health district. This bill also mandates local health departments to return any unused per capita funds to the general fund.

Bill 6937, regarding the definitions of "sedation" and "anesthesia" revises the definition for sedation and anesthesia as they are administered by licensed dentists to be consistent with the terms and definitions accepted and approved by the American Society of Anesthesiologists on October 12th, 1999, and last amended in 2014.

Bill 6887, regarding the protection of residents in health care institutions clarifies that a nursing home is not only under the supervision of a licensed nursing home administrator but that the nursing home administrator is responsible for the quality and safety of all services provided in the nursing home.

The bill expands the requirements for discharge planning for residents in a residential care home. It increases civil money penalty

educational institutions that train students to be opticians and operate an optical training store from their requirement to obtain an optical selling permit along with some technical amendments to the OSHA statutes which include defining the terms AXA, clear public need, health care services, health systems, quality, population served, primary service area and relocation and termination and includes language that clarifies certain ambiguities in Section 19(a)-639(e) of the statute.

SENATOR GERRATANA: Thank you, Commissioner.

DR. JEWELL MULLEN: I welcome you to ask questions.

SENATOR GERRATANA: Certainly. Actually, my co-chair, Representative Ritter, as a couple for you.

DR. JEWELL MULLEN: Okay.

REP. RITTER: Commissioner, it's nice to see you. I have two quick questions. I won't -- I know you have a lot of bills. Save the Public Health Day; we know that. The Department so to speak. We need a lot to talk about and not a long period of time.

I also just want to apologize to the room. There's a lot of meetings going on today. Please do not be offended if legislators are walking in and out. Today is probably the craziest day we've had since we -- since the opening day of session. So please be mindful of that.

The marriage one. There's been some confusion of that, and I know you touched on it briefly. Just so people understand, because I got a few e-mails on this, we're not saying -- we're not

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basically doing too much to change because to marry people in the State of Connecticut. What we're doing is we're clarifying that. For example, this can happen. Again, everyone can choose who they want to get married by. You can go online and get a certificate that makes you an ordained minister of a church, right, that as -- that's online. You can apply for it. What we're saying is if you choose -- if you choose to be married by someone who has that certificate, this is clarifying to make sure they can marry you and that your marriage vows are not somehow nullified down the road because of the statutes currently drafted. Is that right?

DR. JEWELL MULLEN: Correct. You won't find out that you weren't really married -

REP. RITTER: Yeah.

DR. JEWELL MULLEN: -- because of the qualifications of the individual.

HB6949

REP. RITTER: I think some people may prefer that route, but I think most of us probably would say we prefer that -- to have the vows upheld. So -

DR. JEWELL MULLEN: Right.

REP. RITTER: The second thing is on childhood vaccinations. I saw your testimony. A lot of confusion on that as well. Could you just tell the committee -- there are two reasons in the State of Connecticut why you cannot -- why you don't have to vaccinate your children if they want to go to school under state law. Can you list those two reasons for us or tell the committee what those two reasons are?

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**PUBLIC  
HEALTH  
PART 10  
4089 – 4449**

**2015**



Connecticut Department of Public Health

Testimony Presented Before the Public Health Committee  
March 18, 2015

Commissioner Jewel Mullen, MD, MPH, MPA  
860-509-7101

**Senate Bill 991-- An Act Concerning the Department of Public Health's Recommendations  
Regarding Persons Authorized to Solemnize Marriages**

The Department of Public Health (DPH) supports Senate Bill 991.

This proposal was put forth by DPH in order to clarify section 46b-22 of the Connecticut General Statutes concerning marriage officiators. The law as currently written allows ordained clergy to perform marriages in Connecticut, "as long as they continue in the work of the ministry." This language prompts endless inquiries from the public -- mostly from persons who have been ordained through on-line ministries -- about whether such persons are authorized to perform marriages in Connecticut.

What it means to "continue in the work of the ministry" has never been clearly defined. Thus, for on-line ordained ministers who do not perform conventional ministerial work -- such as leading a congregation -- the lack of definition about what it means to "continue in the work of the ministry" makes it difficult for the Department and local registrars to answer whether a person meets the requirements for performing marriages in Connecticut. The difficulty is further compounded by the Religion Clauses of the 1<sup>st</sup> Amendment of the US Constitution, which prohibits government from establishing or promoting a religion, or interfering in the free exercise of a religion.

Primarily, the Department seeks clarification, one way or another, about whether on-line ordained ministers are authorized to perform marriages. Under this proposal, such persons would be permitted to perform marriages.

Thank you for your consideration of the Department's testimony.

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