

Legislative History for Connecticut Act

PA 16-58

HB5498

Senate	2697-2698, 2746-2747	4
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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2016**

**VOL. 59
PART 8
2400 – 2750**

cf
Senate

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May 3, 2016

THE CLERK:

On Page 24, Calendar 530, Substitute for House Bill Number 5498, AN ACT REVISING THE REGULATION REVIEW PROCESS. It's amended by House Amendment Schedule "A".

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Good evening, Madam President. I move acceptance of the Joint Committee's favorable report, passage of the bill, and I seek leave to summarize.

THE CHAIR:

Please continue.

SENATOR CASSANO (4TH):

This is the State Controller's bill, and it -- it involves Regulations Review Committee. Regulations Review Committee initiates review and consultation with the State Agencies every five years. Instead of doing it that way, this bill would change so that the regulations review is done at the Committee of Cognizance and it would be done over a seven year period instead of a five year period.

The evaluations have not been going as -- as regularly as they should and this gets the committees involved with each of these. I would move adoption. I would tell you that it was

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unanimously passed in Committee and unanimously passed in the House.

THE CHAIR:

Will you remark? Will you remark? Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President, and I stand in support of this bill. I want to thank Representative Becker and Senator Chapin and our GAE co-chair, Senator Cassano for their hard work on this. I think is a good way to streamline our process here at the state capitol so that we can actually work even more efficiently. Thank you, Madam President.

THE CHAIR:

Will you remark? Will you remark? Senator Cassano.

SENATOR CASSANO (4TH):

Yes. I too, before I move this on, would like to thank Representative Becker who personally did a tremendous amount of leg work to get this bill together and should be accommodated for that. Seeing none, I would ask that it be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR CASSANO (4TH):

Senate Bill 351, on page 2, Calendar 157, Senate Bill 69. Page 4, Calendar 341, Senate Bill 328, page 5, Calendar 375, House Bill 5296, page 6, Calendar 384, House Bill 5393. Also on page 6, Calendar 383, House Bill 5430. On page 7, Calendar 385, House Bill 5254. Page 8, Calendar 393, House Bill 5255, page 11, Calendar 440, House Bill 5252. On page 14, Calendar 475, House Bill 5627, Page 15, Calendar 477, House Bill 5072. Page 18, Calendar 498, House Bill 5513, Page 19, Calendar 502, House Bill 5526. Page 20, Calendar 504, House Bill 5403. Page 22, Calendar 516, House Bill 3 -- I'm sorry -- 5358. Page 22, Calendar 519, House Bill 5053. On page 24, Calendar 533, House Bill 5605, Calendar 532, House Bill 5335, Calendar 530, House Bill 5498, and Calendar 534, House Bill 5621. On page 27, Calendar 549, House Bill 5416. Also on page 27, Calendar 546, House Bill 5571. Page 28, Calendar 552, House Bill 5180. On page 30, Calendar 563, House Bill 5412. Page 31, Calendar 567, House Bill 5537. Page 31, Calendar 569, House Bill 5620. On page 32, Calendar 571, House Bill 5435. Page 34, Calendar 583, House Bill 5400. On page 35, Calendar 586, House Bill 5521. Page 36, Calendar 169, Senate Bill 266. Page 37, Calendar 207, Senate Bill 327. Page 39, Calendar 361, Senate Bill 15. Page 41, Calendar 246, Senate Bill 88. Also on page 41, Calendar 464, House Joint Resolution Number 38. Calendar 465, House Joint Resolution 43. On page 42, Calendar 466, House Joint Resolution 99. Page 42, Calendar 467, House Joint Resolution 121. Also on page 42, Calendar 468, House Joint Resolution Number 133, and on page 43, Calendar 470, House Joint Resolution Number 136.

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Okay. The clerk shall announce pendency of a roll call vote on the Consent Calendar. The machine is open. Please cast your vote.

THE 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:

Have all members have voted? Have members have voted? Please check to see that your votes have been properly recorded. If so, the machine shall be closed and the clerk shall announce the tally.

THE CLERK:

On today's Consent Calendar.

Total number voting	36
Necessary for Adoption	19
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Consent Calendar is done. Senator Duff, for what reason do you rise?

SENATOR DUFF (25TH):

Many reasons, Madam President, thank you. Madam President, I move that all items that require action

**JOINT
STANDING
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HEARINGS**

**GOVERNMENT
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REP. DEVLIN (134TH): Great. Well, thank you for coming today and for sharing your testimony.

SENATOR CASSANO (4TH): (Mic off)

ERIC BROWN: Good afternoon Senator Cassano, Representative Jutila, distinguished members of the GA&E Committee. My name is Eric Brown and I am with CBIA and I'm here to testify in support of three bills on your agenda today. Raised bill 5498, raised bill 5500, and raised bill 362.

First of all, I want to deeply thank you for recognizing and taking seriously your role in helping to monitor and maintain supervision over Connecticut's regulatory climate. This is an extremely important issue for businesses in Connecticut and in other states and I'm just delighted that there are three measures here that move us in the right direction and then I'm delighted to be here and support.

Raised bill 5498, its role in that process is -- it's really focused on what I would consider continuous improvement. We do have statutes now that require periodic review of existing regulations by the Regulations Review Committee. That has proven unworkable and really is not utilized.

And 5498 reengineers that so that instead of every 5 years it's every 7 years, but more significantly instead of everything coming -- going back to the Reg. Review Committee and putting the burden all on them, what it does is requires the agencies to go back to the committees of cognizance with a report on the status of their regulations. So I think that'll be a much better system and hopefully much more workable than what we have now.

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CAROL CARSON: I can tell you that my understand is that often when the lobbyist community sends out invitations to events that they actually include on the invitation, whether it's an email or a letter or some sort of invite card, that this is in fact reportable.

REP. BECKER (19TH): I think that's correct and they did apologize for not doing that. So I thank you for clarifying the state of the law. Thank you Mr. Chairman.

CAROL CARSON: Thank you.

SENATOR CASSANO (4TH): (Mic off)

ANDY MARKOWSKI: Good afternoon Chairman, ranking members, members of the committee. My name is Andy Markowski. I'm here today representing the National Federation of Independent Business, otherwise known as NFIB. NFIB is a non-profit, non-partisan, small business advocacy organization.

Our membership is comprised of small business owners. Our typical member has 15 or fewer employees and represents every single type of business or industry across the state of Connecticut.

I'm here today to testify in support of three bills; the same three bills that Eric Brown from CBIA testified on earlier, so I'll associate the majority of my remarks with his. I have filed written testimony with the committee.

Let me first touch on House Bill 5498 concerning the review of existing agency regulations. NFIB supports this bill. We believe this bill simply provides an update and an enhancement to the existing and, might

SB362

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I mention, longstanding section of statute dealing with regulation review.

We think that this legislation will help clarify and streamline the way the process is supposed to work, and we think this is a good thing in that it will allow for existing regulations to be reviewed for areas of conflict, areas where the regulations are no longer effective or otherwise obsolete, or areas where regulations have been subject to a great deal of concern or written complaint. So we support that bill.

We also support Senate Bill 362, which modifies the existing reg-flex, or regulatory flexibility analysis, within the Uniform Administrator Procedures Act here in Connecticut. As you know, as part of the regulation making process, state agencies are required to issue a small business impact statement.

One of the things that I've heard from small business owners who have gone through the regulation process and have looked at these small business impact statements by the agencies is that they're sometimes cursory at best and dismissive at worst.

We believe that this bill, 362, provides for more information and we believe that more information is better. Specifically, I draw your attention to subpart 4 of the bill, lines 27-35, which asks the regulatory agencies to take into account things like potential capital cost a business might ensue, record keeping, paperwork requirements, the potential employment impact.

Small Business owners wouldn't ask these questions of themselves if they were subject to a regulation, so it only makes sense that the state agencies would

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So I'm not sure what, you know, what time frame, but I would also be curious to see would that be accessible, the records there. So you really do need to keep, you know, in mind, I think, the privacy and the, you know, when you look at it as an individual. So I thank you for your attention to this and hope that is a little compelling for you.

SENATOR CASSANO (4TH): Thank you very much. Any questions? Any questions? Representative Devlin?

REP. DEVLIN (134TH): Thank you. I just want to thank you for your testimony. You know, I understand arguments for transparency in government in other things, but individual's personal medical records that have not been given consent for release 50 years, 75 years, 20 years. I don't really think that it matters. I appreciate you sharing your personal stories and advocating on this and for coming here today.

SENATOR CASSANO (4TH): Thank you very much.

KRISTIE BARBER: You're welcome.

SENATOR CASSANO (4TH): Representative Godfrey and then Representative O'Neill is back so we'll take them back to back, followed by Ilene Frank.

REP. GODFREY (110TH): Good afternoon Mr. Chairman. My colleague's delighted to be here to talk about regs review. I'm Bob Godfrey. I have the pleasure to represent part of the city of Danbury. I'm the Deputy Speaker of the Connecticut House of Representatives and I'm currently a member of the Regulations Review Committee.

You're looking at and considering raised bill number 5498 concerning the review of existing agency

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regulations. If there is a task that needs to be done, this is it. The regs of the state of Connecticut are voluminous, they're complicated, and they haven't been reviewed in full in a very long time if at all and it's time to do this.

Sadly, we've given that to the Regs Review Committee, which quite frankly doesn't have the expertise in every possible topic, subject area that you would desire for an agency that has been given the task of reviewing all of the regs, seeing which ones are still current, which ones are obsolete, which ones no longer have a statutory basis that need to be cleaned up, and in the name of transparency, made readily available to anybody who has an internet connection or a library nearby.

Interestingly, back in the 1970s, and yes I was here on staff at that time, Governor Grasso at that time, had created something called "The Sunset Review Process," you may have heard of. It was a very popular move at that time across the nation.

Jimmy Carter had done it in Georgia and Governors and legislators were copying that in state after state after state including Connecticut at that time. And the difficulty is having the resources to do that, which we discovered after a relatively short time, we didn't have. And now we're faced with a similar task with the regulations of the state of Connecticut.

And frankly, we don't have a lot of the expertise that we need to be able to go through this on regs review. That expertise, if it exists anywhere, is with the individual committees of cognizance of the people like yourselves who deal, year after year,

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with all of the issues that pop up, that require not only statutory changes, but regulatory changes.

So the bill is proposing to move this review of all the regs from regs review to the individual committees of cognizance. Not a bad idea, one I support, one I would hope you would support, and it's really time, it's really time we clean this stuff up.

It's a difficult place, the General Assembly, to be able to do this thing. We're all part-time. Nobody who is elected to the General Assembly really does this full-time and can really get down into the weaves of these kind of administrative responsibilities. These are responsibilities that a legislature should have, but it is an enormous -- it's a gigantic task.

So I'm hoping we can at least make this change, take a look very closely at the regs review process, and be able to expedite making the regs more transparent, more up to date, more accessible by making this statutory change. I'd be happy to take any questions, though I thank you very much for listening. I get to be sometimes a process monk so, it's kind of one of those things I do for a hobby.

REP. SMITH (108TH): Thanks Representative Godfrey. It's good to see you up here in front of our committee. It's always good to see a fellow Danburian (phonetic). You said you were working up here in 1970?

REP. GODFREY (110TH): I was a Committee Clerk for this committee in 1977 and 78.

REP. SMITH (108TH): That concerns me.

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REP. GODFREY (110TH): It concerns me too. Every time one of those birthdays roll around I kind of, like, duck.

REP. SMITH (108TH): Well, it's good to have your expertise and I'm happy to hear you're in support of this bill. I too think it's a much needed change and hopefully we can take a step in the right direction so thank you for sharing your thoughts.

REP. GODFREY (110TH): Thank you. Appreciate it. You're a very good attorney and I know you can get down to the weeds in some of this stuff too and I appreciate your concern and your action.

REP. BECKER (19TH): Thank you Mr. Chairman. And Representative Godfrey, I just wanted to thank you for making the time to come in today to educate this committee on the need for this bill and to move it forward. And I appreciate you taking the time to come out.

REP. GODFREY (110TH): Well, you asked. I'm glad to be here. Thank you Senator.

SENATOR CASSANO (4TH): We did Kristie Barber. Ilene Frank? Oh excuse me, Representative O'Neill. I got to go back and forth.

ILENE FRANK: Good afternoon Senator Cassano and happy birthday, Representative Jutila, distinguished members of the Government Administration and Elections Committee. I am Ilene Frank. I'm the Chief Curator of the Connecticut Historical Society, established in 1825 as a private non-profit educational organization.

We are the state's official historical society and we feature a museum, library, and research center

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REP. DEVLIN (134TH): Thank you. Connecticut always likes to lead on different things forwards or backwards, I'm not sure. So I don't know if that's really a good example, but thank you for explaining your point of view and for writing this in depth testimony.

ILENE FRANK: You're very welcome.

SENATOR CASSANO (4TH): Thank you. Anyone else? Representative O'Neill. Jim Smith will be next.

REP. O'Neill (69TH): Thank you Mr. Chairman. It's a pleasure to be here. I say that wholeheartedly because you got me out of a budget discussion. This is so much more fun. I'm here to testify on behalf of raised bill 5498. By way of background, I'm member of the Regulations Review Committee. I have been a member of the Regulations Review Committee for most of the years that I've been in the legislature, at least since 1989, I believe, with 2 years off somewhere in the middle. And I'm the Chairman of it or Ranking Member of it for probably 12 and 14 years.

The process that we have now, and there is a process of review, calls for the regulations review committee itself to conduct this very careful review in conjunction with the state agencies as well as the committees of cognizance of the regulations that -- all of the regulations that we have to determine whether they fail to meet the standards of being obsolete or they meet the standard of being obsolete, not having been used for the last five years.

They're being inconsistent or they've been complained about or they're somehow otherwise ineffective. And I should take a moment to say that

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the idea for this review originated with a former member of the legislature, former Chairman of the Regulations Review Committee, former colleague of mine, I think he's sitting in the audience, former Representative Alex (indiscernible 03:05:25:14).

And up till that time there was never a formal review and so the regulations just piled up decade after decade going back probably 75 or 100 years. We don't know exactly when they first started doing regulations, but for a long, long time. And, of course, with the more recent activity of government in the last, say, 40 or 50 years, the numbers of regulations being generated has been tremendous.

The concept, I think, is a necessary one. The question is who should be charged with leading this process? Should it be the Regulations Review Committee, which most of the time is charged with actually reviewing specific regulations for content in terms of whether it complies with the intent of the legislation that the legislature enacted, that authorized the regulations, whether it exceeds perhaps constitutional standards, and to give people perhaps a second shot of discussion about a policy?

And the committee has a different function from any other committee in the legislature and actually is probably unique in the country as a process. The idea of having the Regulations Review Committee be the lead on this whole overall review of regulations was, I think, a very good one to start with, to give it a try.

We did in fact manage to go through that process once in the years shortly after the 19, I think, it was 95 statute was enacted. And over a period of about 5 years I think we managed to grind through

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the regulations that had been in place before that. However, we have never kept up with the five year review that we were supposed to be doing with each agency since that time.

So it's about 15 years since there's really been a systematic review of the regulations of the state agencies. And the Regulations Review Committee, it turns out, is perhaps not the best place to do that. Clearly we have not done it and it may very well be that the committees of cognizance have more active interest in the day to day operations of the programs that the regulations are used to implement than we, on the committee who come from a variety of disparate spots on the political spectrum.

The committee structure, we don't have a particular ax to grind other than to make that regulations that come to the committee are complying with the law, complying with legislative intent. We're really not trying to run the government, so to speak, from the Regulations Review Committee. We're there to, sort of, act as a sword and shield of the legislature in its ongoing conflict with administrative branches over who is going to control the process and who is going to encroach on the powers of the other and that sort of thing.

So our role is rather different from the kind of thorough, systematic review that perhaps is really needed and is probably too much for a committee of 14 members to undertake and to carry on this kind of role. At least I think it has proven to be such. So the experience we've had is that having the Regulations Review Committee be, in effect, the lead committee on this process hasn't really worked.

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I think there is still a need for that systematic review for the legislature to go through and look at these things and decide what regulations perhaps ought to be reconsidered and taken off the books and to, sort of, put the agencies under some pressure to reconsider these regulations because the agencies are the ones that are going to actually look at the regulations, decide whether they make sense any more or not, and then tell us in the legislature about it.

And then have the cognizance committees make the -- set up the hearings and make the agenda so to speak for when these things are going to be done and which ones are going to be the key agencies that are going to be called forward first to deal with these situations.

So I support this because I think the concept of having the regulations reviewed at the impetus of legislature is a good one. I think that the Regulations Review Committee, for all of the good work that it does in so many other areas, has not been able to really sustain this process.

And so I think that we should see that lead role to the cognizance committees and participate in this process, but really more as supporters of it rather than try to be the leaders of it because we just haven't been able to get it done.

REP. BECKER (19TH): Thank you Mr. Chairman and Rep. O'Neill. Thank you for coming in and showing that we have bipartisan support from the Regulation Review Committee for this bill. You also pointed out that Regulation Review is different than any other committee in this building and I think another area in which that is true is that Regulation Review is

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the only committee in the legislature that cannot bring a bill out on the floor of either chamber.

REP. O'NEILL (69TH): That's true, although I will tell you that I have the -- even though I have always been in the minority in the legislature, I had the privilege of ringing out a bill that was actually a legislative management bill that amended some of the activities of the Regulations Review Committee, but you're correct. That was only as a courtesy to me, which was afforded to me and I think by Rep. Godfrey about 15 or 20 years ago.

REP. BECKER (19TH): And as such to the extent that this review would require change and require legislative authority to make the change. It would be the Committee of Cognizance over the particular agency that would need to bring that legislation to the floor.

REP. O'NEILL (69TH): That's correct. I mean, the Regulations Review Committee absolutely has no authority to bring out a bill and would have to work through other committees to enact any kind of legislation to regulate this committee or the Committees of Cognizance, possibly Legislative Management, I suppose there are a couple of different places it could come from, but clearly if you're trying to change the regulations that relate to the Parole Board you'd want it come out of judiciary so they understand how it all fits together.

If you're a regulation that's going to have something to do with the Department of Housing, you'd want the Housing Committee to take the lead in bringing forth the right legislation because it will have an effect perhaps on programs that they

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understand and care about far more so than most of the members of the Regulations Review Committee would.

REP. BECKER (19TH): And also to have Regulation Review involved given that there would be no vote of Regulation Review on the front end and making changes or -- and there's no vote clearly at the end of public hearings. It just makes it more difficult as well to schedule those public hearings because they have to be held jointly with the Committee of Cognizance.

REP. O'NEILL (69TH): That's correct. And the Regulations Review Committee is made up of 14 members, so it's not a small committee. It's not four or five or six people, and to get a significant percentage of the members to show up during the off-season because most of this would have to be done in the summer and fall when we're not in a regular session. It would be very difficult, I think, to bring all of those people -- it's probably going to be difficult to get all of these Committees of Cognizance.

Some committees, judiciary, are used to meeting for judges, appropriations meets for almost everything it seems, but some committees -- most committees are not accustomed to having lots of meetings and you're going to have to have at least a couple because if you're a committee that has cognizance over a significant number of agencies you might have five, six, seven of these hearings that you're going to have to go through.

They may be very brief if the agencies say all of the regulations are in perfect working order, there's nothing that needs to be changed and that

might be the report you're going to get back in some cases. But in other cases there may be some extensive discussion.

REP. BECKER (19TH): But I do want to point out that the bill calls for this review to be done over a 7 year period and based on research that I asked the staff to do, found that in fact this very committee, GAE, would oversee the most agencies, 15. So over a seven year period they would need to do two per year with the exception of one year, which they'd need to do three. So the whole idea is that this would not be overwhelming to any particular Committee of Cognizance and that's why we'd have greater confidence that it could get done.

In addition, the Reg. Review Administrator would stay involved just in terms of being copied on things and that way when Committee Chairs change or clerks of committees change, he -- the administrator -- the Reg. Review Administrator could serve as someone who could remind the various committees of the need to conduct this review.

REP. O'NEILL (69TH): Right.

REP. BECKER (19TH): So thank you. Thank you for your testimony. Thank you again for showing the bipartisan support from written review on this bill. Thank you Mr. Chairman.

REP. O'NEILL (69TH): You're welcome. Thank you.

SENATOR CASSANO (4TH): Thank you for the historical perspective. I've done this for a long time and it's very helpful to us to take that knowledge and as this moves forward, if it passes, I'm pretty sure Mr. Becker will be chair at a Sub-Committee to be looking at Regulation Review for a while.

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REP. O'NEILL (69TH): I look forward to this committee undertaking those 15 reviews. Thank you.

SENATOR CASSANO (4TH): Jim Smith? Vincent Candelora I don't see. Teresa Conroy?

JIM SMITH: Senator Cassano, Representative Jutila, and committee members. Well, happy birthday Senator. You really know how to have fun on your birthday. I'm here to testify on historical records and also on municipal fees for public records, but I want to concentrate on historical records.

HB5499
HB5512

And I would ask the committee to think deeply about what is the role of historians and biographers and historical research in a democratic free society. I think it's a fundamental question that we need to understand. It was just a few years ago that there was no law against obtaining historical medical records, but the Department of Mental Health and Addiction Services hearing that a history professor wanted to look into post-traumatic stress disorder of civil war soldiers and a biographer wanting to learn the obsessions of a mass murder.

The department went to this committee and tried to shut that information down. Wisely, this committee rejected that bill. It didn't get out of this committee. So what did the DMHAS do? They took it at the midnight hour and stuck it into the 37th section of a 98 section bill on the last day of the 2011 session and got the law passed. Nobody even -- probably no one in this committee even knew it was up to be voted on.

I think a college history professor has stopped -- was stopped in his scholarly tracks in examining what was then called "Soldier's Heart of Civil War Veterans at Connecticut Valley Hospital." A

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biographer has been prevented from seeing evidence of why more than a century ago Amy Archer-Gilligan was murdering her charges in an old persons home; what today would be called a Nursing Home.

I do not think it is a stress to wonder if we had known more about a mass murderer a century ago, if that could've help prevent a mass murder at Sandy Hook and at too many other places in our country. If the public, if parents, if relatives were knowledgeable of the symptoms in disturbed individuals who are capable of such deeds could we not be more successful in preventing them?

Why did Gilligan do what she did? What can the records of her psychological makeup tell a beleaguered society? I'll end just with the thought that once again, HIPPA allows records to be released after 50 years, the National Archives after 75 years. I think Connecticut should do the same and I think we need to think seriously about what are the contributions of historical research in the work of biographers to a free society. And I thank you for your time.

SENATOR CASSANO (4TH): Thank you. Appreciate it. Questions? Thank you very much. Nope. Rep. Jutila.

REP. JUTILA (37TH): Thank you Mr. Chair. Did you say at the beginning, Jim, you had two bills you were going to testify on?

HB5512
JIM SMITH: Oh yes, the fees for municipal public records. I could take 10 seconds on that if you'd like?

REP. JUTILA (37TH): Well, yeah, I mean, I wanted to ask a question about that so that's why I asked, but



Testimony of Eric Brown
Counsel for Environmental, Energy and Regulatory Policy
Connecticut Business & Industry Association
before the
Government Administration and Elections Committee
February 7, 2016

RE: Raised Bill No. 5498: An Act Concerning the Review of Existing Agency Regulations

CBIA SUPPORTS THIS BILL.

Good afternoon. My name is Eric Brown and I serve as counsel on environmental, energy and regulatory policy for the Connecticut Business & Industry Association ("CBIA"). CBIA is proud to represent thousands of small and large businesses throughout Connecticut, employing hundreds of thousands of Connecticut citizens. Many of those businesses speak to us regularly about the regulatory challenges they face and its impact on their ability to grow, prosper and compete in a global economy.

CBIA greatly appreciates this committee's important role in improving Connecticut's regulatory climate. In a recent survey conducted by Forbes Magazine, chief executive officers from companies throughout the country concluded that the, "*regulatory environment has more impact on business than the economy.*"

Raised Bill No. 5498 takes an important step in applying "continuous improvement" principles to Connecticut's body of regulations by redesigning a currently flawed process for conducting periodic reviews of existing state regulations.

Such reviews are important to ensure regulations are relevant, consistent with current state policies and peer-reviewed science, lean with respect to the burdens they place on business, and implemented in a reasonable and consistent manner.

The current process for reviewing existing regulations has proven unworkable because it requires all such reviews to be overseen by one legislative committee – the Regulations Review Committee. Raised Bill 5498 provides a more efficient and sensible system by having the reviews overseen by the legislative committee having cognizance over matters which are the subject of the regulations.

The bill also eases the time period for the reviews from no later than once every 5 years to no later than once every 7 years.

Raised Bill 5498 will fix an important flaw in our current regulatory system by ensuring a meaningful commitment to "continuous improvement" is effectively and efficiently implemented.

Thank you for acknowledging and addressing this important matter so critical to our state's economic vitality.



CONNECTICUT

**TESTIMONY OF
ANDY MARKOWSKI, STATE DIRECTOR
NATIONAL FEDERATION OF INDEPENDENT BUSINESS (NFIB)
SUPPORTING
HB-5498, AAC THE REVIEW OF EXISTING AGENCY REGULATIONS
BEFORE THE
GOVERNMENT ADMINISTRATION & ELECTIONS COMMITTEE
MARCH 7, 2016**

A non-profit, non-partisan organization founded in 1943, NFIB is Connecticut's and the nation's leading small-business association. In Connecticut, NFIB represents thousands of members and their employees. NFIB membership is scattered across the state and ranges from sophisticated high technology enterprises to "Main Street" small businesses to single-person "Mom & Pop" shops that operate in traditional ways. NFIB's mission is "To promote and protect the right of its members to own, operate, and grow their businesses." On behalf of those small- and independent- job-providers in Connecticut, NFIB/Connecticut offers the following comments:

NFIB/Connecticut strongly supports HB-5498. This legislation would provide an update and enhancement to long-standing statutes regarding the procedure for review of existing agency regulations. This legislation would help provide for a manageable process in which legislative committees of cognizance interact with the Regulations Review Committee on a regular basis to review existing regulations for issues of conflict, obsolescence, effectiveness or areas of concern or complaint.

It is our understanding that regulatory review procedures currently contained in C.G.S. Sec. 4-189i have not occurred in recent years. This is unfortunate because these types of reviews and subsequent considerations of regulatory efficacy and impact can not only go a long way toward creating regulatory relief for those small businesses that may be impacted the most, but it can also benefit state agencies in their own administrative and regulatory burden. Therefore we believe that this legislation will help clarify and streamline how that process is supposed to work in an attempt to have it occur on a regular basis as originally intended. Specifically, by ensuring that the public hearings take place as contemplated in statute, it will allow for small business owners and others who may act as the "eyes and ears" of the regulated community to provide input to the legislative branch and discuss specific regulatory matters of regulatory concern. Furthermore, the clear direction that may be provided by the legislature as contemplated in the new language in lines 64-65 of the bill ("recommend the enactment of legislation to amend or repeal existing regulations") will also be helpful to ensure that the committees of cognizance and the entire legislature as a whole plays a meaningful and continuing role in the regulatory review process.

Thank you for the opportunity to comment, and NFIB urges support for this measure.