

Legislative History for Connecticut Act

PA 17-168

HB6347

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

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2017**

**VOL.60
PART 11
4475 – 4935**

nh
HOUSE OF REPRESENTATIVES

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May 25, 2017

House of Representatives. Return to the Call of the
Calendar. Will the clerk please call Calendar No.
327?

CLERK:

On page 48, House Calendar 327 Substitute House
Bill No. 6347, AN ACT CONCERNING PET OWNER ACCESS TO
STATE AGENCY RECORDS OF INVESTIGATION FOR COMPLAINTS
OF WRONGDOING BY VETERINARIANS. Favorable report of
the Joint Standing Committee on Public Health.

DEPUTY SPEAKER MORRIS (140TH):

Representative Demicco.

REP. DEMICCO (21ST):

Thank you, Mr. Speaker. Mr. Speaker, I move
for acceptance of the Joint Committee's favorable
report and passage of the bill.

DEPUTY SPEAKER MORRIS (140TH):

The question is acceptance of the Joint
Committee's favorable report and passage of the
bill. Representative Demicco you have the floor,
sir.

REP. DEMICCO (21ST):

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Thank you, Mr. Speaker. Mr. Speaker, this bill would change the current law. Currently, if a pet owner files a complaint with the Department of Public Health against a veterinarian, the records that are used in the Department of Public Health's investigation of that complaint are confidential and remain confidential both during the investigation and after the investigation is concluded. This would change the law and allow the owner of the pet who filed the complaint to have access to those records to see what records were used in the determination by the Department as to whether probable cause exists to go forward with a more full investigation, and my understanding is that an amendment will be filed that will be an improvement to this bill and I look forward to that Mr. Speaker. Thank you.

DEPUTY SPEAKER MORRIS (140TH):

Will you remark further on the bill that is before us? Will you remark further? Representative Harding of the 107th.

REP. HARDING (107TH):

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Thank you, Mr. Speaker. Good morning Mr. Speaker. Mr. Speaker, I just have some comments to make and an amendment to propose. Just like Representative Demicco stated that this is supposed to be for owners to see the file in regard to veterinarian complaints filed with the Department of Public Health. Right now, the language is written in the bill that is currently before us states that any person who is responsible for the custody or control of such an animal, and that's written in addition to the owner. So, it broadens that language a little bit and it might open it up to some individuals who may not--you know is supposed to be privy to this particular information.

So, that being said, Mr. Speaker, the clerk has an amendment as LCO 6247. I would kindly ask the clerk to call it and I'd be allowed to summarize?
DEPUTY SPEAKER MORRIS (140TH):

Will the clerk please call LCO 6247, designated as House Amendment Schedule "A"?

CLERK:

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HOUSE OF REPRESENTATIVES

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May 25, 2017

House Amendment Schedule "A" LCO 6247 offered
by Representative Candelora.

DEPUTY SPEAKER MORRIS (140TH):

The representative seeks leave of the Chamber
to summarize the amendment. Is there objection to
summarization? Is there objection? Hearing none.
Representative Harding, you may proceed with
summarization.

REP. HARDING (107TH):

Thank you, Mr. Speaker, and just like as I
mentioned before what this does is it strikes "any
person who is responsible for the custody" in line
16 and strikes "or control of such an animal" in
line 17.

So, it simply restricts the individual who can
see the investigation or the file on the
investigation to strictly the owner. I think it is
a positive amendment and I would hope that my
colleagues support it. So, with that said, Mr.
Speaker, I move the adoption of the amendment.

DEPUTY SPEAKER MORRIS (140TH):

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To the Chamber; I'd ask that everyone would tone their voices down a little bit so we can hear. We're getting a little bit loud, okay? The question before the Chamber is adoption of House Amendment Schedule "A". Will you remark on the amendment? Representative Demicco.

REP. DEMICCO (21ST):

Yes, thank you Mr. Speaker. As I indicated previously, I consider this to be an improvement to the bill. I consider this to be a friendly amendment. It was introduced in the spirit of improvement of the bill and I would urge all of my colleagues to support the amendment, thank you.

DEPUTY SPEAKER MORRIS (140TH):

Thank you, sir. Will you remark further on the amendment before us? Will you remark further on the amendment before us? If not, I will try your minds. All those in favor, signify by saying "Aye".

REPRESENTATIVES:

Aye

DEPUTY SPEAKER MORRIS (140TH):

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All those opposed, "Nay". (Nay) The "Ayes" have it. The amendment is adopted. (Gavel) Will you remark further on the bill as amended? Will you remark further on the bill as amended? Will you remark further on the bill as amended? If not, will staff and guests please come to the well of the House. The machine will be open. (Ringing)
CLERK:

The House of Representatives is voting by roll.
Members to the Chamber. The House of Representatives is voting by roll. Members to the Chamber.

DEPUTY SPEAKER MORRIS (140TH):

Have all the members voted? Have all the members voted? Will the members please check the board to determine whether your vote has been properly cast? If all the members have voted, the machine will be locked and the clerk will take a tally. Representative Kokoruda, for what purpose do you rise, madam?

REP. KOKORUDA (101ST):

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Mr. Speaker, I rise for a request to enter a
"yes" vote on the last bill please?

DEPUTY SPEAKER MORRIS (140TH):

The transcript will so note.

REP. KOKORUDA (101ST):

Thank you.

DEPUTY SPEAKER MORRIS (140TH):

Thank you, madam. Will the clerk please? Yes,
Representative Kokoruda your vote will be recorded.
Are we all set? Okay. Will the clerk please
announce the tally?

CLERK:

House Bill 6347, as amended by House "A".

Total number Voting	138
Necessary for Passage	70
Those voting Yea	138
Those voting Nay	0
Those absent and not Voting	13

DEPUTY SPEAKER MORRIS (140TH):

The bill as amended is passed. (Gavel) Will
the clerk please call Calendar No. 535?

S - 709

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2017**

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nh
Senate

219
June 7, 2017

On Calendar Page 26, Calendar 545, House Bill 6041,
I would like to place that item on the consent
calendar.

THE CHAIR:

Seeing no objections sir.

SENATOR DUFF (25TH):

On Calendar Page 27, Calendar 548, House Bill 6347,
I would like to place that item on the consent
calendar.

THE CHAIR:

Seeing no objections sir.

SENATOR DUFF (25TH):

On Calendar Page 27, Calendar 552, House Bill 7225,
I would like to place that item on the consent
calendar.

THE CHAIR:

Seeing no objections sir.

SENATOR DUFF (25TH):

On Calendar Page 27, Calendar 553, House Bill 7226,
I would like to place that item on the consent
calendar.

THE CHAIR:

Seeing no objections sir.

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Senate

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June 7, 2017

--Thank you--

CLERK:

--Calendar 375, House Bill 7185; Page 16, Calendar 394, House Bill 6749; Page 17, Calendar 406, House Bill 7093; Page 17, Calendar 407, House Bill 5584; Page 18, Calendar 410, House Bill 5116; Page 19, Calendar 420, House Bill 7176; Page 20, Calendar 431, House Bill 7207; Page 20, Calendar 440, House Bill 7046; Page 21, Calendar 405, House Bill 7208; Page 21, Calendar 454, House Bill 7171; Page 22, Calendar 474, House Bill 7304; Page 23, Calendar 479, House Bill 6334; Page 23, Calendar 481, House Bill 7316; Page 23, Calendar 481, House Bill 7316; Page 23, Calendar 485, House Bill 7090; Page 24, Calendar 489, House Bill 7100; Page 26, Calendar 544, 5886; Page 26, Calendar 545, House Bill 6041; Page 27, Calendar 548, House Bill 6347; Page 27, Calendar 552, House Bill 7225; Page 27, Calendar 553, House Bill 7226; Page 27, Calendar 554, House Bill 7276; Page 28, Calendar 558, House Bill 7183; Page 29, Calendar 563, House Bill 6221; Page 30, Calendar 565, House Bill 6623; Page 30, Calendar 569, House Bill 7053; Page 33, Calendar 581, House Bill 7023; Page 35, Calendar 593, House Bill 7049; Page 35, Calendar 595, House Bill 7072; Page 35, Calendar 596, House Bill 7248; Page 35, Calendar 597, House Bill 6333; Page 36, Calendar 598, House Bill 7019; Page 37, Calendar 605, House Bill 6304; Page 37, Calendar 606, House Bill 7305; Page 38, Calendar 609, House Bill 7070; Page 39, Calendar 612, House Bill 7295; Page 39, Calendar 613, House Bill 6907; Page 39, Calendar 614, House Bill 7179; Page 44, Calendar 464, Senate Bill 1051.

THE CHAIR:

HB 7024

HB 6432

HB 7112

SB 820

HB 6941

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Senate

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Mr. Clerk, will you call for a roll call vote on the consent calendar? The machine is open.

CLERK:

Immediate roll call has been ordered in the Senate on Consent Calendar No. Two. Immediate roll call has been ordered in the Senate.

THE CHAIR:

If all members have voted? All members have voted? The machine will be closed. Mr. Clerk will you call a tally on consent two?

CLERK:

Consent Calendar No. Two.

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

THE CHAIR:

[Gavel] The Consent Calendar passes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, will the clerk please call Calendar Page 26, Calendar 539, House Bill 7221?

THE CHAIR:

**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 2
453 – 1095**

2017

ENVIRONMENT
COMMITTEE PUBLIC HEARING

so our children don't have to be exposed to drugs. But our police officers, when I go to public meetings, their war on drugs, they're going to DEA and the feds because they don't like your laws because you try to legalize mind-altering drugs that destroy children. Because children actually get a hold of drugs. They get a hold of alcohol. It comes in all kinds of flavors. It comes in lemonade, strawberry, you name it, you make it. So, it's in the homes. They like go in the fridge, "Hey, mom." So, mom is not right there, so they take, you know, a drink of the alc. So, I went to a lot of public meetings and I saw where the children actually got a hold of the alcohol, they got a hold of the morphine because you allow morphine in the home. So, the war on drugs in Connecticut is mafia owned because the mafia owns is Connecticut, you're by your Governor, by your actions of every meeting I've gone to DOT meetings, I want more beer or I want more alcohol. It doesn't appeal to the youth because the youth says, "Well, jeepers every time I turn on the TV, the guy goes, I want more alcohol." So, what's a child supposed to do. We had a young lady who fell to her death because of alcohol. So, when people die, you can't laugh. Thank you.

REP. DEMICCO (21ST): Thank you, Mr. Truman. Does anyone have any questions for Mr. Truman? No. Thank you, sir. The next person to testify is Representative Diana Urban. Representative Urban.

REP. URBAN (43RD): Thank you, Mr. Chairman. And good morning. For the record, I am Diana Urban, State Representative from the 43rd District. I'm here to testify on a number of bills, but the one I'd really like to focus on this morning for the

HB6341
HB5499
SB522
SB942
HB6335

ENVIRONMENT
COMMITTEE PUBLIC HEARING

March 6, 2017
10:30 A.M.

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Committee is House Bill 6347. I thank you for raising it. It is requiring the Department of Public Health to provide findings to complainants concerning complaints of wrongdoing against veterinarians. I expect that this morning you've heard stories or will be hearing stories throughout the day about people who have lost their pets, whom they consider to be family, to what they consider to be a mistake on the part of the veterinarian or the veterinarian hospital.

My first exposure to this came through an 80-year-old World War II Veteran, who had a small dog that he had made the very difficult decision to euthanize. And when he went to have the dog euthanized, he had a really bad experience. They were unable to find a vein on the dog. The dog whimpered and cried and howled. And when they did administer the, well, I won't call it a medication the drug, they didn't have the proper drug or the proper amount, and it was a horrifying experience.

But what I am here for on that is he subsequently, and I'm sure that you heard from Representative Santiago too on this and there have been numerous people that have been in touch with us, he subsequently asked for a determination from the Department of Public Health on whether this was the proper criteria that was followed. He received back a one-line letter stating, and I quote, "The Department has concluded that no violations of the statutes governing veterinarian practice had been identified; therefore, the case is closed." This determination, I might add, takes many months and the complainant is never involved as far as seeing

COMMITTEE PUBLIC HEARING

any of the records examined or transcripts of any interviews that took place.

What this bill is proposing is saying that the Department of Public Health has made a legal determination and as such, this determination should be appealable in Superior Court, much as any license or permit denial is appealable or CHRO Ruling is appealable. If the complainant feels strongly that they would like access to and review of all the material the Department used to make their decision, then he or she has that option of taking it to Superior Court. This is not intended to hurt veterinarians or their reputation. It's directed at a legal determination of an agency, in this case, the Department of Public Health, which should be appealable in Superior Court.

I'll just comment briefly on House Bill 5499, the Sunday hunting bill. I am surprised that the Committee has gone to guns on Sunday. I was a long-term member of this Committee, and when we did move to Sunday hunting, we all agreed that it was bone and arrow, it was different than having guns out on a Sunday, when people are on public land, enjoying themselves, and I realize that this is on private land, but I would remind people that private land abuts public land as well as abuts private land. My own home, I have a riding ring that is abutted on three sides by private property that is woods, where hunting takes place. And also in my case, I am a United States Pony Club Coach, I work with kids who are on their little ponies and horses, zooming around, supposedly staying on property where they're supposed to be, but not always staying on the property where they're supposed to be.

COMMITTEE PUBLIC HEARING

And you have a bunch of bills that I'm very much in favor of and I put those in my testimony. I'm glad to answer any questions.

REP. DEMICCO (21ST): Senator Kennedy.

HB6347

SENATOR KENNEDY (12TH): Thank you, Representative. I have two questions for you. The veterinary bill, I heard anecdotally that actually the State of Connecticut did once have that ability for people to appeal this to the Superior Court, but that a change was made about a dozen or so years ago, way before I got here, to actually change that policy. Can you speak to that, are you aware of, did we once have the ability to, for animal owners, to appeal a decision like this from the Department of Public Health?

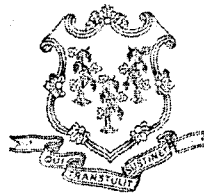
REP. URBAN (43RD): Senator, I have been trying to research that because I was under the same impression and it was before I came in as a Rep, also. From all that I can ascertain was changed at some point, but I'm not sure that it was changed from the ability to appeal it to Superior Court. I think if it was changed from the ability to look and be more involved in the records that the Department of Public Health was using in order to make their determination. But I would, you know, acquiesce to OLR or to LCO for a more in-depth, and as I said, I have asked, and that's the impression that I've received.

SB522

SENATOR KENNEDY (12TH): Thank you for that answer. On the second question on a different bill, the bear season, bear hunting bill. Could you imagine any scenario in which you could conceivably support our

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CHAIR
COMMITTEE ON CHILDREN

MEMBER
BANKING COMMITTEE
LEGISLATIVE REGULATION REVIEW COMMITTEE

State of Connecticut
HOUSE OF REPRESENTATIVES

Good Morning Senator Kennedy, Senator Miner Representative DeMicco and members of the Environment Committee. For the record I am Diana Urban and I represent the 43rd district. I am here this morning to testify on HB 6347, HB6335, HB5499, and SB522.

HSR 99

I would like to thank the Committee for raising HB 6347 AA Requiring the Department of Public Health to Provide Findings to Complainants concerning complaints of wrong doing against veterinarians. I expect that you will hear stories from people who lost pets that they consider family to what they consider to be a mistake on the part of the veterinarian. My first exposure to this came through an 80 year old WWII veteran who had brought his elderly very sick small dog in to the animal hospital to be euthanized. An extremely difficult decision for any pet owner. Unfortunately the whole procedure was botched by a veterinarian technician. The small dog was reduced to whimpering, crying, and outright howling in front of her owner as the veterinarian technician could not find a vein and when he finally did he did not administer the proper drug or the proper amount. It was a horrifying experience.

The veteran subsequently asked for a determination from the Department of Public Health. He received back a one line letter stating "the Department has concluded that no violations of the statutes governing veterinary practice have been identified, therefore the case is closed". This determination takes many months and the complainant is never involved as far as seeing any of the records examined or transcripts of any interviews that took place.

What this bill proposes is recognizing that the Department of Public Health has made a legal determination and as such this determination should be appealable in Superior Court, much as any license or permit denial or CHRO ruling is appealable. If the complainant feels strongly that they would like access to and review of all the material the Department used to make their decision then he or she has the option of taking it to Superior Court.

This is not intended to hurt Veterinarians or their reputation; it is directed at a legal determination of an agency (in this case the Department of Public Health) which should be appealable in Superior Court.

I will briefly comment on HB 5499 only to say when we first discussed Sunday hunting it was recognized that guns on a Sunday were just inappropriate and that

we in the State of Connecticut were going to respect the ability of people to enjoy the woods on a Sunday without the sound of gunshots. I am surprised the Committee is considering this bill. I realize it is on private land but I would point out that those lands often abut other activities. In my case my riding ring has property owned by others on 3 sides. I would urge the Committee to reject this bill as well as the bill authorizing bear hunting (SB522). We have been responding to the habituation issue and I believe it is premature to promulgate a hunting season for bears in Connecticut.

On HB 6335 AA Prohibiting the Sale and Trade of Ivory and Rhinoceros Horn in Connecticut I realize that we have seen this bill before and that there are concerns from antique dealers and you will be hearing extensive testimony from them. I am just going to point out that the elephant is nearing extinction and sale of their Ivory is being used to fund terrorist activity. This is a simple demand/supply equation. Shut down the demand and the price will plummet thus rendering the ivory useless for terrorists.

You have quite an agenda today and I am in favor of the bills addressing animal shelters, Cecil's law, and farmers. I would particularly mention one more and that is HJ 99 Protecting Open Space through the Community Investment Act. I would hope we could move that forward.

Thank you for allowing me to testify and I am happy to answer any questions

Sincerely,



Diana Urban
Representative, District 43