

THE CONNECTICUT GENERAL ASSEMBLY

THE HOUSE OF REPRESENTATIVES

Friday, April 20, 2018

(The House of Representatives was called to order at 10:54 o'clock a.m., Representative Lemar of the 96th District in the Chair.)

SPEAKER LEMAR (96TH):

(Gavel) The House of Representatives is now in session. Will all members and guests please rise and direct your attention to our guest Chaplain, Emily Luna of Manchester.

GUEST CHAPLAIN EMILY LUNA:

Let us pray.

Lord, let Your grace shine upon our legislators as they come together to create laws that will benefit all the citizens of our great State. Amen.

SPEAKER LEMAR(96TH):

Now Damaris Mensah and Dalynne Furlough, of East Hartford will lead us in the Pledge of Allegiance.

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DAMARIS MENSAH AND DALYNNE FURLOUGH:

(All) I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

SPEAKER LEMAR (96TH):

Thank you, it is great to be joined by these two young students from East Hartford today. Everyone here, you are here to witness a Technical Session of the House of Representatives. It is a simple procedural duty that we carry out each day to move the Calendar to move items to their appropriate places. So thank you very much for joining us. I am Roland Lemar. I will be acting as Speaker today. I am from New Haven. We are joined by Kevin Ryan of Montville, Norwich and a few other places in Eastern Connecticut who will be acting as our Majority Leader. Is there any business on the sitting Clerk's desk?

CLERK:

Yes, Mr. Speaker. The Clerk has a communication from His Excellency the Governor. It

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is dated April 13, 2018. It is a corrected letter, Mr. Speaker concerning the nomination of Maureen E. Driscoll of Fairfield to be a Workers' Compensation Commissioner.

SPEAKER LEMAR (96TH):

Refer to the Committee on Judiciary.

CLERK:

Mr. Speaker, there is no further business on the Clerk's desk.

SPEAKER LEMAR (96TH):

The Chair recognizes Representative Ryan of the 139th District.

REP. RYAN (139TH):

Mr. Speaker, being that it is a Tech Session, we really don't care how we look, I would say with there being no further business on the Clerk's desk, I move that we adjourn subject to the Call of the Chair.

SPEAKER LEMAR (96TH):

Is there objection? Hearing no objection, the House stands adjourned subject to the Call of the Chair. (Gavel)

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(On motion of Representative Ryan of the 139th District, the House adjourned at 10:56 o'clock a.m., to meet again at the Call of the Chair).

CERTIFICATE

I hereby certify that the foregoing 4 pages is a complete and accurate transcription of a digital sound recording of the House Proceedings on Friday, April 20, 2018.

I further certify that the digital sound recording was transcribed by the word processing department employees of Alpha Transcription, under my direction.

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THE CONNECTICUT GENERAL ASSEMBLY

THE HOUSE OF REPRESENTATIVES

Monday, April 23, 2018

(The House of Representatives was called to order at 12:10 o'clock p.m., Representative Ryan of the 139th District in the Chair.)

SPEAKER RYAN (139TH):

(Gavel) The House of Representatives is now in session. Will all members and guests please rise and direct your attention to our guest Chaplain, Eve M. Bostock of Granby.

GUEST CHAPLAIN EVE M. BOSTOCK:

Let us pray. Almighty God who presides over all things in heaven and on earth, guide us as we take up the business of the state and allow us to prudently select Bills that will benefit all of citizens. Amen.

SPEAKER RYAN (139TH):

Thank you.

SPEAKER RYAN (139TH):

And now we'll have Dailend R. Willingham of
Hartford lead us in the Pledge of Allegiance.

DAILEND R. WILLINGHAM:

(All) I pledge allegiance to the flag of the
United States of America and to the Republic for
which it stands, one nation under God, indivisible,
with liberty and justice for all.

SPEAKER RYAN (139TH):

Thank you. We welcome today the 10th grade
class from Suffield High School along with their
State Representative, Representative Zawistowski.
We hope you have an enjoyable day.

Is there any business on the Clerk's desk?

CLERK:

Yes, Mr. Speaker. The Clerk has a
communication from the Speaker of the House of
Representatives concerning Committee Assignments.

SPEAKER RYAN (139TH):

The item is so ordered, printed in the journal.

CLERK:

Also, Mr. Speaker the Clerk has a list of
reports to be referred to the Committees indicated.

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SPEAKER RYAN (139TH):

The Chair recognizes Representative Cook of the 65th District.

REP. COOK (65TH):

Good afternoon, Mr. Speaker. I move that we waive the reading of the list of reports and the reports be referred to the Committees indicated.

SPEAKER RYAN (139TH):

Hearing no objection, hearing no objection, it is so ordered.

CLERK:

And finally, Mr. Speaker, the Clerk has a list of favorable reports, House Bills to be tabled for the calendar and printing.

SPEAKER RYAN (139TH):

The Chair again recognizes Representative Cook of the 65th District.

REP. COOK (65TH):

Mr. Speaker, I move that we waive the reading of the House favorable reports and the Bills be tabled for the calendar and printing.

SPEAKER RYAN (139TH):

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Is there objection? Is there objection?

Hearing no objection, so ordered.

CLERK:

Mr. Speaker, there is no further business on
the Clerk's desk.

SPEAKER RYAN (139TH):

For the last time, the Chair recognizes
Representative Cook of the 65th District.

REP. COOK (65TH):

Mr. Speaker, there being no further business on
the Clerk's desk, I move that we adjourn subject to
the Call of the Chair.

SPEAKER RYAN (139TH):

Is there objection? Is there objection?

Hearing no objection, the House stands adjourned
subject to the Call of the Chair. (Gavel)

(On motion of Representative Cook of the 65th
District, the House adjourned at 12:12 o'clock p.m.,
to meet again at the Call of the Chair.)

CERTIFICATE

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THE CONNECTICUT GENERAL ASSEMBLY

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Tuesday, April 24, 2018

(The House of Representatives was called to order at 10:50 o'clock a.m., Speaker Joe Aresimowicz of the 30th District in the Chair.)

CLERK:

The House of Representatives will convene immediately. Members to the Chamber. The House of Representatives will convene immediately. Members to the Chamber. The House of Representatives will convene immediately. Members to the Chamber. The House of Representatives will convene immediately. Members to the Chamber.

SPEAKER ARESIMOWICZ (30TH):

The House please come to order. Will members, staff, and guests please rise, direct your attention to the Dais where Imam Refai Arefin will lead us in prayer?

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DEPUTY CHAPLAIN IMAM REFAI AREFIN:

Thank you, Mr. Speaker. Loving and gracious God, we give you thanks for giving us another day in a state where freedom and opportunity are rights for all. Despite the challenges in leveling the playing field and reversing patterns and systems of disadvantage, we seek a society where difference is valued, and merit is appreciated, where justice is for all and liberty is not the privilege of the privileged, where reason prevails over fear and love defeats hate. To that end, we seek your blessing and assistance. May all that is done this day be for your greater honor and glory. Amen.

SPEAKER ARESIMOWICZ (30TH):

Thank you. Would Representative Linehan of the 103rd, please come to the Dais to lead us in the Pledge?

REP. LINEHAN (103RD):

(All) I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

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SPEAKER ARESIMOWICZ (30TH):

Is there any business on the Clerk's desk?

CLERK:

Yes, Mr. Speaker. There is communication from the governor judicial nomination, corrected letter for Steven D. Ecker.

SPEAKER ARESIMOWICZ (30TH):

Refer to the committee on Judiciary.

CLERK:

And, last is the daily Calendar.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Are there any announcements or introductions? Representative Zupkus of the 89th. Representative Ferraro of the 117th.

REP. FERRARO (117TH):

Thank you, Mr. Speaker. I rise for a point of privilege.

SPEAKER ARESIMOWICZ (30TH):

Please proceed, sir.

REP. FERRARO (117TH):

As many of my colleagues know, Veterans are

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unfortunately a class that has been afflicted disproportionately higher than the civilian average for suicides with an estimated 22 of them taking their lives each day. These service members, especially those that deployed to serve in harms way and having born witness to the full atrocities of war, deserve to be remembered and as recently as last week, two Veterans of the Connecticut Army National Guard's 118th Medical Battalion, both of whom deployed in support of Operation Iraqi Freedom, had their lives cut short tragically early -- tragically early, leaving fellow Veterans, family, and friends devastated by their loss. Juan Reyes and Magdalena Mockalis "Maggie" left this world entirely too soon and the invisible scars of war and the burdens they carried played a significant part in that. I ask my colleagues to join me in a moment of silence to honor their memory.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, Representative. We will observe that moment of silence [Silence]. (Gavel)
Representative Hennessey of the 127th, you have the

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floor, sir.

REP. HENNESSEY (127TH):

Thank you, Mr. Speaker for point of an introduction. Today, we have with us Brigadier General Daniel McHale beside me here and I would like to introduce him to the Chamber. General McHale began his military career as an enlisted Army diver and he served in Vietnam. Retiring with over 35 years of military service, he rose to the rank of Brigadier General Connecticut Army National Guard.

General McHale was Commander of the Connecticut famous 102nd Infantry Regiment and the National Guard's 85th Troop Command. He commanded and deployed a 700 Quick Reaction Force following the events of September 11, pulling security at critical infrastructure sites in Connecticut. He is co-chairman of the Connecticut Support Coordinator Committee and contributed to the FBI Joint Terrorism Taskforce from 2001 to 2005. He volunteers as a guardian for the American Warrior Honor Flight Program, which takes over 1000 World War II Veterans to Washington D.C. to view the national World War II

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memorial. He is a retired operations manager of the 12 Hartford area post office and former postmaster of Simsbury. Mr. Speaker, I would ask that the House all rise and give him our usual welcome and thanks for service. [Applause]

SPEAKER ARESIMOWICZ (30TH):

Thank you for your service, sir. Thank you, Representative. Representative Wilms of the 142nd, you have the floor, sir.

REP. WILMS (142ND):

Thank you, Mr. Speaker. I rise for purpose of an announcement.

SPEAKER ARESIMOWICZ (30TH):

Please proceed, sir.

REP. WILMS (142ND):

Thank you. To all my colleagues here, today is Norwalk day here in the Chamber, so it starts at 11 o'clock, so over the next couple of hours, please come up to Old Judic and sample some of Norwalk's hospitality. Thank you.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir, and we will.

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Representative McCarty of the 38th, you have the floor, madam.

REP. MCCARTY (38TH):

Thank you, Mr. Speaker. For purpose of an announcement.

SPEAKER ARESIMOWICZ (30TH):

Please proceed.

REP. MCCARTY (38TH):

Thank you. I would just like to remind everyone that tomorrow is intern recognition day and would kindly ask legislatures to make time to come down to the north lobby around 2:15 to have photos taken with the interns and hopefully, tomorrow's program will allow us to meet all of the interns and their families here in the Chamber. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, Representative. Are there any other announcements or introductions? Will the Clerk please call House Calendar 413?

CLERK:

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Representatives, April 24, 2018. On page 5, House Calendar 413, Senate Joint Resolution No. 40, RESOLUTION CONFIRMING THE NOMINATION OF LAURA CORDES OF WEST HARTFORD TO BE REAPPOINTED A MEMBER OF THE CONNECTICUT COMMUTER RAIL COUNCIL. Favorable report of Joint Standing Committee on Executive and Legislative Nominations.

SPEAKER ARESIMOWICZ (30TH):

Representative DiMassa of the 116th, you have the floor, sir.

REP. DIMASSA (116TH):

Good morning, Mr. Speaker. I move acceptance of the Joint Committee's favorable report and adoption of the resolution, sir.

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is on acceptance of the Joint Committee's favorable report and adoption of the resolution. Representative DiMassa, please proceed.

REP. DIMASSA (116TH):

Thank you, Mr. Speaker. Ms. Cordes is from West Hartford, currently the executive director of

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the Connecticut Alliance to End Sexual Violence, and I would urge all my colleagues to vote in favor, and I move adoption, sir.

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is on adoption of the resolution. Representative Perillo of the 113th.

REP. PERILLO (113TH):

Thank you, Mr. Speaker and good morning.

SPEAKER ARESIMOWICZ (30TH):

Good morning.

REP. PERILLO (113TH):

Just want to concur with the gentleman's comments. This individual is very qualified and performed very well in answering our questions before the committee, and I would urge support.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Will you remark further on the resolution before us? If not, let me try your minds. All those in favor please signify by saying aye.

[Ayes heard].

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Those opposed. Nay. The aye's have it. The resolution is adopted (Gavel). Will the Clerk please call House Calendar 414?

CLERK:

House Calendar 414, Senate Joint Resolution No. 41, RESOLUTION CONFIRMING THE NOMINATION OF DOUG HAUSLADEN OF NEW HAVEN TO BE A MEMBER OF THE CONNECTICUT COMMUTER RAIL COUNCIL. Favorable report of the Joint Standing Committee on Executive and Legislative Nominations.

SPEAKER ARESIMOWICZ (30TH):

Representative DiMassa.

REP. DIMASSA (116TH):

Thank you, Mr. Speaker. I move acceptance of the Joint Committee's favorable report and adoption of the resolution, sir.

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is on adoption of the resolution. Will you remark? Representative DiMassa.

REP. DIMASSA (116TH):

Thank you, Mr. Speaker. Mr. Hausladen is from

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New Haven. He's currently the executive director of the New Haven Parking Authority, an excellent all-around candidate, and I move adoption, sir.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Will you remark further on the resolution before us? Representative Perillo.

REP. PERILLO (113TH):

Mr. Speaker, the gentleman is absolutely correct. Very qualified for the position and I also would urge adoption of the resolution.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Will you remark further on the resolution before us? If not, let me try your minds. All in favor signify by saying aye.

[Ayes heard].

Those opposed. Nay. The aye's have it (Gavel). The resolution is adopted. Will the Clerk please call House Calendar 244?

CLERK:

On page 27, House Calendar 244, House Bill No. 5438, AN ACT CONCERNING MINOR AND TECHNICAL CHANGES

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TO COMMERCE-RELATED STATUTES. Favorable report of
the Joint Standing Committee on Commerce.

SPEAKER ARESIMOWICZ (30TH):

Representative Simmons of the 144th.

REP. SIMMONS (144TH):

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

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is on acceptance of
the Joint Committee's favorable report and passage
of the bill. Representative Simmons, you have the
floor, madam.

REP. SIMMONS (144TH):

Thank you, Mr. Speaker. This is purely a
technical bill that we do every year. LCO noticed
some minor technical changes that needed to be made,
and I urge my colleagues to support this bill.

Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, madam. Will you remark
further on the bill before us? My very good friend

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of the 87th District, Representative Yaccarino, you
have the floor, sir.

REP. YACCARINO (87TH):

Good morning, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Good morning.

REP. YACCARINO (87TH):

It's what the good chairwoman had described.
It's very technical by nature but I do have one
question.

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Simmons, please prepare
yourself. Representative Yaccarino, please proceed,
sir.

REP. YACCARINO (87TH):

Thank you, Mr. Speaker. Is there a fiscal note
to this bill?

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Simmons.

REP. SIMMONS (144TH):

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There is no fiscal note.

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Yaccarino.

REP. YACCARINO (87TH):

Thank you, and that will -- this will be an annual report is it January 1 of each year or does it give a date?

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Simmons.

REP. SIMMONS (144TH):

Thank you, Mr. Speaker.

Through you, Mr. Speaker, it will be effective October 1 of this year.

SPEAKER ARESIMOWICZ (30TH):

Representative Yaccarino.

REP. YACCARINO (87TH):

Thank you for that answer. Thank you, Mr. Speaker. No more questions.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Will you remark

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further on the bill before us? Will you remark
further on the bill before us? If not, staff and
guests please come to the well of the House, members
take your seats, the machine will be open.

CLERK:

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

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

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

CLERK:

Bill No. 5438

Total number Voting	144
Necessary for Passage	73
Those voting Yea	144
Those voting Nay	0

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Absent not Voting 6

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Bill passes (Gavel). Clerk, please call
Calendar 262.

CLERK:

On page 52, Calendar 262, House Bill No. 5148,
AN ACT CONCERNING PREGNANT PATIENTS EXERCISING
LIVING WILLS. Favorable report of the Joint
Standing Committee on Judiciary.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg of the 136th.

REP. STEINBERG (136TH):

Good morning, Madam Speaker. I move for
acceptance of the Joint Committee's favorable report
and passage of the bill.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Will you remark? The question before the
Chamber is on acceptance of the Joint Committee's
favorable report and passage of the bill. Will you
remark, sir?

REP. STEINBERG (136TH):

Thank you, Madam Speaker. This bill seeks to

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address an anomaly in state statutes that exempts women who are pregnant from the ability to create living wills or advanced directives. The bill repeals the old statute and instead, now allows pregnant women to put together advanced directives and living wills. It also removes from liability practitioners who are in a situation where they may have to cease to provide care, and I'm glad to elaborate further. I move passage.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, sir. (Gavel) Members, please take your conversations outside. Some of the Chamber cannot hear the dialogue on this very important bill. Representative Betts of the 78th.

REP. BETTS (78TH):

Thank you very much, Madam Speaker. Good morning. A few questions, if I may?

Through you to the good chairman of Public Health?

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg, please prepare yourself.

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REP. BETTS (78TH):

What is the reason or why is this bill before us now? We had a very extensive public hearing on it and I think we were very surprised to hear the basis for introducing this proposal, and I'm not sure many members of the Chamber know why that is.

So, through you Madam Speaker, why are we considering this bill now?

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. Thank you for the question. This is really an archaic bit of statute in the Connecticut general statutes that probably with good intentions many years ago did not include women who are pregnant with the ability to put together advanced directives and living wills. We've progressed quite a bit in the intervening years and virtually, everybody has that right to create a living will, and there's simply no reason why pregnant woman should not be afforded that same right, particularly in extreme circumstances where

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their situation is dire or terminal to be able to express their own wishes over their remaining days.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Betts.

REP. BETTS (78TH):

Thank you, Madam Speaker, and at the public hearing, there was quite a bit of testimony given on this proposal. Could you sum up or give the Chamber an idea of who supported it and the breath of the support and was there any opposition to this proposal?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. Thank you for the question. We were very impressed by the widespread and virtually universal support by all sorts of organizations from, as you might expect, Planned Parenthood and NARAL, but also, the Association of Gynecologists and Obstetricians, the ACLU, the Chief

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of Neonatal and Prenatal Medicine at Yale School of Medicine. Everyone who testified felt very strongly this was a statute that needed to be updated in terms of fairness to women who are pregnant, and the bill also passed unanimously out of committee.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Betts.

REP. BETTS (78TH):

Thank you very much and thank you for those answers. I just want to concur with the chairman and the committee that voted unanimously to support this. This is a commonsense bill. It's certainly something that women should have the right to do and I was very surprised to hear that they did not, so this is a good bill, ought to pass. No opposition given to the bill and I ask the Chamber to ask any questions they have but this is a very, very good bill, very important, and I ask everyone to support it. Thank you, Madam Chair.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, sir. Representative Srinivasan of

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the 31st.

REP. SRINIVASAN (31ST):

Thank you, Madam Speaker, and good morning,
Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Good morning.

REP. SRINIVASAN (31ST):

Thank you, Madam Speaker. This is definitely a
great bill. It had to pass and I'm in strong
support of that, and to you, Madam Speaker, just
one question for clarification to the chairman of
the Public Health Committee.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg, be prepared.

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Through you Madam Speaker, as I understand
this, there was an unfortunately a carveout -- if
that's a choice of word one could use -- in our rare
pregnant women who were not allowed to have this and
that's what we're trying to rectify in this bill?

Through you, Madam Speaker.

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ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. I would not use the phrase carveout in this context, but yes, that's the general situation.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Thank you, Madam Speaker, and so moving forward as other than what we have here with pregnant women, are there any other conditions that the good chairman is aware of where they're not capable of having their -- exercising their will?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. Really not, I guess with the exception of being competent to make decisions on their own, and ideally, a living will

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or advanced directive is executed well in advance of the circumstances so there's never any confusion on that score, but other than that, Madam Speaker, there would be no other circumstances.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Through you Madam Speaker, those situations that the good chairman eluded to that they would be applicable to everybody so there's no specific group of people that are being excluded because of that?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. The good representative is correct. We are basically restoring women who are pregnant to the same status as everybody else in their ability to execute advanced directives and living wills.

Through you, Madam Speaker.

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ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Thank you, Madam Speaker, and I stand in strong support of this bill. Thank you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, sir. Representative Candelora of the 86th.

REP. CANDELORA (86TH):

Thank you, Madam Speaker. If I may, a couple of questions to the proponent?

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Go ahead, Representative Candelora.

REP. CANDELORA (86TH):

Thank you, Madam Speaker. Just to clarify for some hypotheticals cause I think there -- we did have a lot of discussion in our caucus and I do believe this bill was supported unanimously, and a couple of hypotheticals. Under current law right now, because pregnant woman cannot have a living will, my understanding is that hospitals are put in the position regardless of whether or not the baby

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is viable that they do not have the ability to make a determination of whether to stop care in a situation where the family or the patient no longer wants that directive?

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. The good representative is correct. Currently, they are constrained in the choices they would have for any other patient, and they are not in the position to execute the wishes of the patient, in particular.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Candelora.

REP. CANDELORA (86TH):

Thank you, Madam Speaker, and if the family is in agreement that a pregnant woman is terminally ill -- like may have -- you know be -- you know braindead on a ventilator or having extraordinary care to keep them alive -- how would a family under

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current law go about trying to fulfil the directive of termination?

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. I will say I'm not precisely confident that I can give you the current process. It is difficult. It's complicated. It is not fair, which is why we are doing this change to the statute.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Candelora.

REP. CANDELORA (86TH):

Thank you, Madam Speaker, and then there were some questions and I don't know if the representative could answer but in a situation where a woman could be injured - maybe being 8 months pregnant the baby is viable -- there is a directive to not keep the woman on life support and if the surviving spouse would want that child saved, do we

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know how the hospital would handle that type of hypothetical?

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. That is a particularly thorny scenario. This bill simply addresses the rights of the pregnant woman. It does not get into the -- any of the other issues with regard to the pregnancy, so we have not really changed any of that and I don't feel confident that I could, again, tell you exactly how that would be dealt with and it may vary depending in the circumstance.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Candelora.

REP. CANDELORA (86TH):

Thank you, Madam Speaker, and I would guess in those type of situations the couple when they're sitting down to do their living wills likely would

have the ability to have that conversation, and I guess the -- getting back to the original point of this -- under current law, a pregnant woman does not have the ability to have a living will at all.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. Yes, I would agree with that and that really underscores the importance of having those conversations and executing a living will or an advanced directive in advance to the circumstances so that the woman's express, intent, and wishes are respected. Waiting until the circumstances are dire, makes it a challenge for everyone involved, particularly the family, so that's why we want to make sure that this is on the books and that people are aware of it and that they will consider living wills and advanced directives in case they ever find themselves in these unfortunate circumstances.

Through you, Madam Speaker.

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ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Candelora.

REP. CANDELORA (86TH):

Thank you, Madam Speaker, and I appreciate the answers to my questions. Thank you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, sir. Representative Frey of the 111th. Is Representative Frey in the Chamber? Representative Steinberg, will you remark further?

REP. STEINBERG (136TH):

I move passage.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you. Will staff and guests please come to the well of the House? Members please take your seats. The machine will be open.

CLERK:

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

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Have all the members voted? Have all the

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members voted? Members please check the board to determine if your vote is properly cast. If all the members have voted, the machine will be locked, and the Clerk will take a tally. Clerk will please announce the tally.

CLERK:

House Bill 5148

Total number Voting	148
Necessary for Passage	75
Those voting Yea	148
Those voting Nay	0
Absent not Voting	2

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

(Gavel) bill passes. Are there announcements or introductions? Representative Ohler of the 64th.
REP. OHLER (64TH):

Thank you, Madam Speaker. I rise for a purpose of introduction.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Please proceed, sir.

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REP. OHLER (64TH):

Thank you, Madam Speaker. If I could indulge the Chamber's attention for a few minutes. I have with me Major Dan Eddinger of Torrington, Connecticut. Major Eddinger is the department chair for the Military Order of the Purple Heart, a life member of which I'm proud to say I'm also a brother and fellow comrade, and we are here today to talk about Veterans' issues regarding the funding -- increased funding for the Veterans' hospital and more specifically to Torrington. We are proud to say next month we will be making Torrington an official purple heart city, and Major Eddinger is a silver star recipient, purple heart recipient from a year served in Vietnam and 26 years total in the United State Army in the 25th Infantry Division. He is a true hero and someone I look up to. I am proud to call him a brother and a comrade. On behalf of the Torrington delegation, could the Chamber please welcome Major Eddinger? [Applause]

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you for your service, sir. It's an honor

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to have you here today. Representative Abercrombie of the 83rd.

REP. ABERCROMBIE (83RD):

Thank you, Madam Speaker, for the purpose of an announcement.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Go ahead, madam.

REP. ABERCROMBIE (83RD):

Thank you. I think it's very appropriate to announce this after the gentleman that was just here. This Chamber year in and year out is very generous when it comes to dress down day, so next Friday, May 4, will be dress down day and the money that we raise will go to the Veteran's Home in Rocky Hill. Representative Zupkus and myself will be collecting the money and just so all you suits in the room know, \$5 dollars to dress down, \$10 dollars if you want to wear your suits. Thank you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, madam. Are there any other announcements? If not, we'll return to the call of

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the Calendar. Clerk, please call Calendar 208.

CLERK:

On page 23, House Calendar 208, Substitute
House Bill No. 5297, AN ACT CONCERNING CONTINUING
MEDICAL EDUCATION IN COLONOSCOPIES AND ENDOSCOPIES.
Favorable report of the Joint Standing Committee on
Public Health.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg of the 136th, you have
the floor, sir.

REP. STEINBERG (136TH):

Good to see you again, Madam Speaker. I move
for acceptance of the Joint Committee's favorable
report and passage of the bill.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

The question is on acceptance of the Joint
Committee's favorable report and passage of the
bill. Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. You know, physicians
are required by law to complete 50 hours annually of
continuing medical education or as we call it CMEs.

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Current law requires physicians as part of their requirements to complete 1 hour of risk management training or education during their first license renewal period and at least once every 6 years.

This bill adds to these requirements of training to address screening for gastrointestinal cancers.

Madam Speaker, the Clerk has an amendment, LCO 3527.

I would ask the Clerk to please call the amendment and that I be granted leave of the Chamber to summarize.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Will the Clerk please call LCO 3527, which will be designated House Amendment Schedule "A"?

CLERK:

House Amendment Schedule "A", LCO No. 3527, offered by Representative Steinberg, Senator Gerratana.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

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

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summarization.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. This bill seeks to expand the potential training for risk management in the context of the CMEs for physicians. He amendment makes two changes. One is very importantly it changes the requirement in the context of the specific disorders to a permissive as opposed to a required, so this basically makes this an opportunity for a physician to satisfy their 1-hour requirement by studying any one of the conditions indicated, and it makes one further change. It adds inflammatory breast cancer to the list of cancers that are currently part of that grouping of potential education topics. I move passage of the amendment.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

The question before the Chamber is adoption of House Amendment Schedule "A". Will you remark on the amendment? Will you remark further? Will you remark further on the amendment before us? If not, I will try your minds. All those in favor, please

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signify by saying aye.

[Ayes heard].

Opposed. Nay. The aye's have it. the amendment is adopted (Gavel). Will you remark further on the bill as amended? Representative Betts of the 78th.

REP. BETTS (78TH):

Thank you, Madam Speaker. A few questions to the proponent, if I may?

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Prepare yourself, Representative Steinberg.

REP. BETTS (78TH):

I'd like to start off by saying this is not quite as simple and easy as it seems on the face of it. If the good chairman -- just to validate that point -- if the good chairman could share with the Chamber what the committee vote was on this bill?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

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REP. STEINBERG (136TH):

Thank you, Madam Speaker. It was a rather narrow majority. I believe 14 to 13.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Betts.

REP. BETTS (78TH):

Yes, I believe it was 14:13, that is passed by 1 vote. Would the good chairman -- I could ask you a lot of questions. Let me do it through this way. You had mentioned that there is a lot of required hours now for doctors. Does this new requirement -- if it's passed -- apply to anybody or everybody in the medical field?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker and I thank the representative for an excellent question. It's important for people to understand that this only apply within the specific discipline of practice of

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a physician, so if this is not their area of practice, this is not going to be anything that's going to affect them. It's not going to be a requirement for them.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Betts.

REP. BETTS (78TH):

And, by taking -- thank you for that -- and by taking this CME requirement for what is a rare, rare disease, could the good gentleman tell me what that 1 hour of training is going to accomplish? Will they be able to better diagnose or to treat this rare disease?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, Madam Speaker. Yes, that's precisely what we intend with this bill is that it may be a rare cancer but if we can save even one life because a physician has been brought up to speed with the latest understanding about these types of cancers, that would be a tremendous

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advantage. We're in the business of helping the physicians save lives and that is the intent of this bill.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Betts.

REP. BETTS (78TH):

So, should I assume that by taking this course that the person that's completed it is going to be qualified or expected to be able to diagnose this disease having taken this 1-hour course and how often does this course have to be taken?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. It's a good question. Certainly, the assumption is that this would make them more sensitized at the very least to look for this cancer. They would know what the signs are. They would be more likely to spot it even if it is rare because they would have had the

training. As far as how often they need to update themselves in the training, they'd have to do it once in that first relicensing period and subsequently once every 6 years.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Betts.

REP. BETTS (78TH):

Thank you very much. I find that a little bit inconsistent with the intent of the legislation. If this is designed to help prevent this terrible tragedy happening and you take this 1-hour course and then the next time you take it is 6 years from this, what does that say in terms about the importance and the need for taking this? Is it realistic to expect somebody to take a 1-hour course and 3 years or 4 years from now retain the same knowledge, skill, and ability to diagnose this for 6 complete years? Through you Madam Speaker, and does this leave the doctor's open to any type of liability for failure to make a diagnosis as a result of taking this course?

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. That's a good question. You know, we do ask a lot of medical practitioners to stay abreast of the ever-changing medical landscape, the latest advances in knowledge, in therapies, in technology. This is standard practice. This is consistent with what we ask of physicians every year, is to stay abreast of a whole variety of subjects, and to date, it has worked effectively to require them to update themselves periodically. It's conceivable that in a given period there may not be a lot of change to the thinking about a specific disease, but one never knows. There could be an amazing advance in a period of time, which is why we require them to stay abreast. Certainly, it does not change any of the liability aspects here. It is simply an opportunity for physicians to become better aware of the symptoms and the issues related to some very

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specific rare cancers and is consistent with the CME methodology we've used for many, many years and has worked to our benefit.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Betts.

REP. BETTS (78TH):

Thank you. Thank you for that answer. Neither you nor I are a doctor, but I'm curious is there more than one type of gastric cancer and when somebody says it's rare, that means to me that it's a very, very small number. Was there any testimony that indicated how many people have been afflicted with this rare type of cancer, and again, is there more than one type of gastric cancer?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. It's a good topic. Obviously, cancers as we describe them are anything but monolithic. There are so many different ways

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cancers form and in a variety of parts of the body. I am not -- it's above my paygrade to know about these various types -- if there are -- of gastrointestinal cancers, which is all the more reason why doctors ought to know instead of me. As far as the rareness goes, the incidence is relatively low, and again, we ask physicians to be aware of all sorts of -- [Background Talking] Madam Speaker, could I get a little bit --

REP. BETTS (78TH):

Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Betts, please hold for a second. (Gavel) (Gavel) Members, it's really hard to follow this debate. Too many conversations going on in the Chamber, in the well, and near the doors. Members please take their conversations outside so the two legislators engaged in debate can hear each other's questions. Thank you.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. To conclude my response, yes, this is indeed a relatively rare form

of cancer but there's so many form of cancers that have varying incidences we do ask physicians to be up-to-speed on a whole variety of them whether they're rare or otherwise so that they can ideally save a life. Again, this may be a relatively rare cancer but if an hour's worth of training every period of years might be enough for them to catch it, wouldn't it be worth it? and, that's a rhetorical question.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Betts.

REP. BETTS (78TH):

Thank you, Madam Speaker, and obviously, anything we can do to save people's lives we would all support, but I'm just talking about being fair and realistic about this. If this is such a critical need and so important, I'd ask the good chairman why was the language changed from required to may and thus, making it voluntary and permissive as opposed to if this is really urgent and you want physicians and doctors to be knowledgeable and

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qualified by this rare disease, why the change?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. It was -- my understanding it was intended to not make it overly onerous in that context but getting back to some of the debate we had earlier on this subject, I spoke about how over a period of years there might not be any major significant changes in the status of our knowledge about a specific type of cancer but then all of a sudden we have a tremendous advance. This would afford a physician the opportunity once that happens to satisfy their CME requirements like getting up to speed when there is a significant change. In the beginning, perhaps, everybody needs -- all the practitioners who provide these kind of services need to get up to speed but subsequently, it may be a matter of maybe it's time to get an hour's worth when we know something more than we did before.

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Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Betts.

REP. BETTS (78TH):

Thank you very much and thank you for that answer. Is there anything preventing the Connecticut Medical Society or any physician that is interested in learning more about either this disease or other rare disease -- is there anything that prohibits them from pursuing continuing education to do that or do we have to pass a law for each and every single disease that we come across?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. It's a good question the representative brings up. One wonders whether doctors would necessarily stay up to speed on everything if government did not assist them by strongly encouraging them through CME credits. It's a system that has worked for us over the years.

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Doctors ideally would be keeping up to speed on a whole variety of things but because of the CME process, we assure ourselves that they are as well-schooled and up-to-speed as they can possibly be, so I would suggest this systems works and all we're doing is expanding the opportunity for them to satisfy the credits that we require them to have to be up to speed.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Betts.

REP. BETTS (78TH):

Thank you very much, so does the proponent of this bill then as a public policy support the idea of mandating CMEs onto physicians in general?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. I am proud of the system that we have here in the state of Connecticut. From my understanding -- and my father

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was a physician -- CMEs are a very important part of the picture when it comes to education. It's only one component obviously. There are many other means by which physicians stay up to speed and are talking to colleagues and a lot of other types of reading, but I believe CME is an important component of that overall education.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Betts.

REP. BETTS (78TH):

Thank you and I thank the good chairman for his answers. My heart went out to the person who went through this and it was very moving testimony; however, I really have major concerns, not minor concerns, of building up false expectations and increasing the chance for liabilities of physicians. Let me ask the good chairman before I carry on. I had one other question. If physicians do not participate in this CME program, is there any penalty or consequence to failing to do this and in doing so, how much time do they have to take before

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they take this exam?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. The CME requirement is part in parcel of a practitioner maintaining their license to practice, so this is of significance. There is an expectation they are going to stay abreast of the latest advances so that they are able to provide the best care possible, to recognize symptoms, to recommend good therapies, so it is a very important part of their practicing well, so yes, we do expect them to fulfil that obligation and they put their licensure at risk if they fail to do. I'm sorry, if the good representative could repeat the second part of the question?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Betts.

REP. BETTS (78TH):

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I said, is there any punishment, consequence, or penalty for failing to take this CME?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Yes, thanks, Madam Speaker. Yes, they would put their license at risk if they fail to fulfil their requirements, which is why physicians really do fulfil their CME requirements.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Betts.

REP. BETTS (78TH):

Thank you very much, and I thank the chairman for answering those questions. Again, I think the expectation is very unrealistic to ask a doctor to come in and take a CME on an extreme rare gastric cancer, and let's say in year 1 they took that -- they took that CME. In year 4 -- now they don't have to take it for 6 years -- in year 4, there could be some major changes in the diagnosis of

gastric cancer. Well, the person who already took it in year 1 is not required to do it until year 7, but yet, there's been some major changes in that area. I think that that is very misleading and putting the doctor in a very difficult spot because they fulfilled the requirement but there have been changes that have been made to this field. The second thing is how realistic -- how many people really are specialists in gastric cancer? I would submit to you a very, very small group of people. To have other people that might have some kind of ancillary relationship with that such as just an internist -- for example -- I think is asking or expecting more than is realistic. I know that -- even though I'm not a doctor -- with something of this magnitude, it's incredible for me to believe that a 1-hour CME course would qualify me to really be able to diagnose or detect this rare gastric cancer, and I think because of that and for the potential liability to these doctors and raising what I think are unrealistic expectations for patients and given the closeness of the committee

vote of 14:13, I will be opposing this regrettably even though I know that what the person went through that testified had a terrible, terrible situation. It just doesn't seem to me to make common sense or good public policy to address this problem this way, so for those reasons, I will be opposing it, and I thank the good gentleman for the answers and thank you, Madam Speaker.

REP. STEINBERG (136TH):

May I respond, Madam Chair -- Madam Speaker?

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

I just want to clarify one point regarding the comments should there be advances in the understanding of a specific cancer, I'm highly confident that through medical journals and talk with colleagues and whatever setting a physician is in, they will be aware of it, and that may be just the incentive they require to avail themselves of that hour of CME training. All this is doing is allowing them to satisfy the requirement for that

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CME hour, and I would believe that if there was such an advance, they would want to take such training, and this is their opportunity to do so, and let me just add that when we call it a rare cancer, I do have some statistics now at my beck and call. There have been over 26,000 designate -- identified cases in the United States. The incidence in men is only 1 in 95, so it may sound rare compared to other major cancers but if you're one of those 26,000, you certainly want somebody to be able to diagnose that cancer as quickly as possible and ideally, save your life, so rare is relative. It matters if you've got the cancer.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, sir. Will you remark further?

Representative Petit of the 22nd.

REP. PETIT (22ND):

Thank you, Madam Speaker. Question for the proponent of the bill, please?

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg, please prepare

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yourself. Representative Petit.

REP. PETIT (22ND):

Thank you, Madam Speaker. Mr. Chairman, can you let the rest of the House know what the current CME requirements are for physicians?

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. If the good representative wouldn't mind clarifying? Are you talking about all CME requirements or those for the risk management component -- that 1 hour?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Petit.

REP. PETIT (22ND):

Thank you, Madam Speaker. CME required by the state over the 6-year period that have to be repeated every 6 years.

Madam Speaker, through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. I can say that they are required to fulfil 50 hours over that interval period of which the risk study period that we're talking about is only 1 hour, and that's what we're really focused on here today, which are those particular diseases which qualify to be something they could study under this to satisfy that 1-hour requirement. I'm certain I am not as well versed as the good representative on all the other requirements of those 50 hours of CMEs.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Petit.

REP. PETIT (22ND):

Thank you, Madam Speaker. I would concur with the chairman though. I often have to refer to the statute to remind myself [Laughing] exactly what they are, and I have it in front of me and it's at least 1 contact hour in infectious disease, not limited to acquired immunodeficiency syndrome, some

risk management concerning sexual assault, domestic violence, cultural competency, and behavioral health.

I have many of the same concerns as my ranking member in that at some level we are attempting to micromanage the system for which physicians have cared for very well for many years and in fact, most national and local medical societies have opposed mandated requirements unless they "encompass a compelling and unmet societal need" and I would suggest that rare conditions be that cancer or otherwise do require some sort of exposure to the practitioner to recognize that the possibility exists and that is often done through the typical grand rounds that people attend at their local institutions through continuing medication education symposium that go on throughout the state and in this day and age, a lot of times via our iPads and laptop computers at home.

Through you Madam Speaker, for the proponent, I -- I under -- I understand the -- why this bill was put forward but I'm just -- I'm not sure how the

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language currently will have a significant impact upon public health and unmet societal needs. So, if the proponent could again tell me how he feels that -- that this bill will meet an unmet societal need that's not already met by the current education that the people obtain?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. It's a good question. I believe that the intent of the bill is to enumerate some specific cancers that are particularly of interest and may not be necessarily one of the cancers that a practitioner may choose to study to fulfil that risk management requirement; yet, as I mention to a previous questioner, an incidence as high as 26,000 in the American population is still significant and given that it is permissive and they can choose to avail themselves of satisfying their requirement by studying this, particularly, there should be some advance in our

knowledge. It seems like a good thing to raise awareness, to increase sensitivity, and to provide them with an opportunity to be up to speed on this cancer, as well as the many other types of diseases and conditions we ask physicians to be up to speed on.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Petit.

REP. PETIT (22ND):

Thank you, Madam Speaker. I thank the proponent for that answer. I wonder if it places us on the slippery slope of attempting to micromanage professional continuing education in that perhaps next year or the year after there will be another uncommon condition or rare cancer that someone will champion the cause of and whether we need to put that statute -- that concept into statute as opposed to leave it -- leave it in the hands of the expert. I would suggest that in my practice and in my training the requirements by the facilities -- the hospitals with which I was associated with,

insurance plans I was associated with, societies that I belonged to had far greater requirements than imposed by the state, so I was far beyond the requirements that the state asked for by fulfilling my day-to -- day-to-day duties at -- at local hospitals and with national societies and I would -- I would ask the good proponent of the bill whether or not he -- he would concur that the societies and the people that do this on a day-to-day basis would not be more well-positioned to determine what education is reasonably presented on a regular basis to practitioners? Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. The representative brings up a good point. As I said previously, I believe that the CME process is a critical component for physicians to be able to practice well and stay up to speed. This is not intended as a substitute. It's not intended as a replacement for all the other good things that we have put in place so physicians

can practice well, but it does seem to be appropriate, particularly if the state is going to be in any way responsible for the outcome of some of its citizens, particularly those under their insurance plans, to look out for the interests of all those involved, and this simply is making it possible to satisfy a CME requirement by studying a disease that could save a life, so I -- the good representative and I may agree or disagree precisely on whether or not this is the best use of a particular hour, but I submit if we know more about one of these cancers at some given point, that would be an excellent way to spend that hour on risk management.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Petit.

REP. PETIT (22ND):

Thank you, Madam Speaker. Through you Madam Speaker, to the proponent. I -- I do not recall specific testimony to this point in committee. I wonder if the proponent knows the status of this

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specific type of requirement in the other 49 states?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. As the good representative, I do not call specific testimony to this point. I would not be surprised if we are not the first, but I would venture to guess that probably not all states have the same CME requirements. There's a lot of state variations.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Petit.

REP. PETIT (22ND):

Thank you, Madam Speaker. I guess I would end with a comment. I -- I -- I heard -- I heard the testimony -- the testimony was heart wrenching and I understand the impetus for the bill. I would suggest to the proponent and the remainder of the House that perhaps the needs in this situation might be better met by having a rare -- rare cancer --

rare condition day to highlight this specific condition to get the word out, to have the medical societies join in, to publicize this in a very -- in a very public way at the LOB or the Capitol to get the word out to the public at large and physicians at large, and I think that might serve the purpose better in -- in terms of furthering the intention of this legislation, which is to make as many people and physicians specifically aware of this condition such that it's less likely to be missed in the future, and I would -- so I don't have a formal amendment on that. I think it's -- it's difficult for me to pass the bill -- to support the bill as written, but I think actually a special -- a special day to create an educational venue for this topic would actually serve the purpose in a far superior manner than a small change in statute and attempting to mandate, if you will, continuing education for people across the state. So, I thank you, Madam Speaker, for your time and would be happy to hear a comment from the proponent on that suggestion if he -- if he had one. Thank you.

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ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Madam Speaker. Uh, I -- I think that what makes the practice of medicine successful is to offer a variety of modalities to become educated. This is simply providing an opportunity for one more, so again, I think it's important that we make it possible in as many ways for a physician to be able to treat a patient, to identify a rare disease, to identify the symptoms, to know how to treat it. This is not a requirement that is onerous. It is an opportunity to fulfil a requirement. Why wouldn't we want to promote the prospect of it saving even one life if we could?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, sir. Will you remark further on the bill as amended? Representative Urban of the 43rd.

REP. URBAN (43RD):

Thank you. Thank you, Madam Speaker, and I would like to be sure that the Chamber knows that

this bill also adds inflammatory breast cancer to the list of subjects that doctors can study to earn their CEUs, and I would also like them to know that that is hardly ever diagnosed until it's too late for treatment to take place, so that we should add that to this bill and pass it, which gives the doctors the opportunity to really study it and by studying it, also earn their continuing education units, and I think people remember Representative Tony Tercyak. He and I sat together in these Chambers, and it was his daughter, Marian, who died from inflammatory breast cancer in the year 2000, and I'm simply reminding the Chamber of this because it's very important that we be able to reward -- in a sense -- doctors for their efforts to study something that is so difficult to diagnose and gets going too fast for us to save the patient. Thank you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, madam. Will you remark further on the bill as amended? Will you remark further on the bill as amended? If not, will staff and guests

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please come to the well of the House? Members
please take your seats. Machine will be open.

CLERK:

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

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

(Gavel) Have all the members voted? Members
please check the board to determine if your vote is
properly cast. If all the members have voted, the
machine will be locked, the Clerk will take a tally.
Clerk, please announce the tally.

CLERK:

House Bill 5297 as amended by House "A"

Total number Voting	148
Necessary for Passage	75
Those voting Yea	78
Those voting Nay	70
Absent not Voting	2

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Bill is amended as passed (Gavel). Clerk,

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please call Calendar 269.

CLERK:

On page 2, Calendar 269, Senate Joint Resolution No. 12, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE THOMAS J. CORRADINO OF MADISON TO BE A STATE REFEREE. Favorable report of the Joint Standing Committee on Judiciary.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Tong, honorable chairman of Judiciary.

REP. TONG (147TH):

Good afternoon, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Good afternoon.

REP. TONG (147TH):

I move acceptance of the Joint Committee's favorable report and adoption of resolution.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Question before the Chamber is acceptance of the Joint Committee's favorable report and adoption of the resolution. Representative Tong, you have

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the floor.

REP. TONG (147TH):

Thank you, Madam Speaker. We're considering this afternoon the re-nomination of Judge Corradino to be a state referee. He's a graduate of Yale and Harvard Law School and served in the Army Reserve from 1964 to 1970, has served for a good long time since 1986 on our state's bench here in Connecticut, and his current assignment is in the civil division, and I urge adoption.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, representative. Representative Rebimbas of the 70th.

REP. REBIMBAS (70TH):

Thank you, Madam Speaker. Madam Speaker, I rise in support of the nominee before us. Certainly, for all of the reasons that the good chairman just enumerated. Also, the nominee indicated that he continues to enjoy his work, his professional experience, and long dedication to the judicial branch. I think he will continue to be an

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asset for us, and just want to take an opportunity again to thank him for his service to our country, so I rise in his support.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, madam. Would you care to remark further? Would you care to remark further on the resolution before us? If not, will the staff and guests please come to the well of the House.

Members please take their seats. The machine will be open.

CLERK:

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

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

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

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CLERK:

Senate Joint Resolution 12 in concurrence with
the Senate.

Total number Voting	146
Necessary for Adoption	74
Those voting Yea	140
Those voting Nay	6
Absent not Voting	4

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

The resolution is adopted in concurrence with
the Senate (Gavel). Clerk, please call Calendar 35.

CLERK:

On page 5, Calendar 35, Substitute House Bill
No 5130, AN ACT CONCERNING THE SEWAGE SPILL RIGHT-
TO-KNOW ACT AND EXPANDING CONTINUING EDUCATION
PROGRAMS FOR WASTEWATER OPERATORS. Favorable report
of the Joint Standing Committee on Environment.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes of the 75th.

REP. REYES (75TH):

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Good afternoon, Madam Speaker. Thank you very much.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Good afternoon.

REP. REYES (75TH):

I rise, Madam Speaker, to advise the Clerk has an amendment, LCO 3755.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Will you move adoption?

REP. REYES (75TH):

Oh, I'm sorry. I move for acceptance Joint Committee favorable report and passage of the bill.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

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

REP. REYES (75TH):

Madam Speaker, the Clerk has an amendment, LCO 3755. I would ask the Clerk to please call that amendment and that I be granted leave of the Chamber to summarize.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

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Will the Clerk please call LCO 3755, which will be designated House Amendment Schedule "A"?

CLERK:

House Amendment "A", LCO No. 3755 offered by Representative Demicco, Representative Harding, et al.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

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

REP. REYES (75TH):

Thank you, Madam Speaker. An act concerning the sewage bill Right-To-Know is a strike everything after the enacting clause and substitute the following language that has been submitted out by the Clerk. It's a bipartisan unanimously voted out of Environment. It's a -- it is a -- it is a matter of record that we're trying to make sure that it's about accountability, responsibility, and clear communication up and down, along our rivers, lakes,

and our recreational areas, madam. The spills that have occurred can be a threat to public health and the environment. DEEP has supported the enhanced notification techniques and transparency and also, the second part of this is a very important piece, which speaks about educating our operators and we have an educational piece to this that's very important to the -- to our environment, so it's a very, very important piece of legislation and I will move that we pass adoption.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

You move adoption of the amendment. The question before the Chamber is adoption of House Amendment Schedule "A". Will you remark on the amendment? Representative Harding of the 107th.

REP. HARDING (107TH):

Thank you, Madam Speaker. Good morning, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Good morning.

REP. HARDING (107TH):

Through you Madam Speaker, just a few questions

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to the proponent of the bill -- or the amendment.

Excuse me.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes, prepare yourself.

REP. HARDING (107TH):

Through you Madam Speaker, so my understanding, Representative, is that there -- this amendment provides for continued learning education. Is that true?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Yes, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Harding.

REP. HARDING (107TH):

Thank you, Madam Speaker, and through you Madam Speaker, that is primarily the only change to the bill in regard to this particular amendment.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

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Representative Reyes.

REP. REYES (75TH):

Yes, Madam Speaker. On the educational piece,
yes.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Harding.

REP. HARDING (107TH):

Thank you, Madam Speaker, and so through you
Madam Speaker, the question that I have is in
regards to the education. What type of education is
the -- is DEEP and is the industry looking to
collaborate here?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Thank you, Madam Speaker, and that's a great
question by the ranking member. What -- what's
happening right now is that there is no requirement
or mandate for training and what's happening is any
legislation that we pass will only improve the
operators -- the waste treatment operators and the

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associations that these operators work for are also in the -- are in -- supporting this training, so it is -- it's -- it's a piece that's going to make everybody more responsible and give us more educated operators.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Harding.

REP. HARDING (107TH):

Thank you, Madam Speaker, and through you Madam Speaker, it's also my understanding that the industry was having some trouble securing different training programs here in the state of Connecticut because there was a requirement. Is that true and does that have any component to this particular amendment?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Thank you, Madam Speaker. That is absolutely true and the beauty of this is that the training

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will be supplied not only by DEEP but also by the associations and up to and including sponsoring some of the training.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Harding.

REP. HARDING (107TH):

Thank you, Madam Speaker, and through you Madam Speaker, it's further my understanding that this is actually a component that the industry is asking for, so they -- they are looking to have requirements for continued learning.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Through you Madam Speaker, that is correct.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Harding.

REP. HARDING (107TH):

Thank you, Madam Speaker, and through you Madam Speaker, looking at the -- the continued learning

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education aspect of this amendment, through you, is there any idea what type of cost impact this would have on the industry or whoever would be paying for this?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Through you Madam Speaker, the cost is roughly about \$100 dollars per training and most of it has - - will be covered through sponsorship and as I said earlier, DEEP and other associations have willing to either discount or cover some of those expenses.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Harding.

REP. HARDING (107TH):

Thank you, Madam Speaker, and it's further my understanding that there was some discussions on regard to this bill prior about a possible fiscal note and some concerns about that fiscal note, and now, I understand that that fiscal note has been

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eliminated. Could the good proponent please explain why -- if that is true for one and number two, what was eliminated in order to eliminate the fiscal cost? Thank you.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Thank you, Madam Chair, so the -- our OFA analysis with the amendment that strikes the underlying bill has come back with an associated -- zero associated fiscal impact to this bill and basically the training that we're talking about in the educational pieces will be the cosponsor by DEEP and/or the associations that the wastewater treatment associates work for and/or possibly the municipalities, but that's to be determined.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Harding.

REP. HARDING (107TH):

Thank you, Madam Speaker, and through you Madam

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Speaker, I'm very happy with the good proponent and his hard work on this to make sure to eliminate the fiscal cost in this very difficult budget that we're facing currently. So, through you -- through you Madam Speaker, in regards to -- in regards to the continued learning education, it's my understanding that their records are not gonna be kept by DEEP. Is that correct?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, the records will be kept by the municipalities and towns.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Harding.

REP. HARDING (107TH):

Thank you, Madam Speaker, and through you Madam Speaker, so it's my understanding that there's not gonna be a requirement by DEEP to maintain records or requirement by DEEP to have the sewage plant

operators send their records to them or anything like that? It's gonna be an independent audit essentially or the sewage plant operators will be certifying themselves, that they're taking this continued learning. Is that correct?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Through you Madam Speaker, the -- the responsibility still is maintained by the certified operators of the facility and the towns and municipalities that it effects.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Harding.

REP. HARDING (107TH):

Thank you, Madam Speaker, and so that is a component of this amendment that I'm in full support of. I understand that DEEP did have some concerns in regards to record keeping, and I think it's going to be somewhat similar to attorneys with the

continued learning education. The records do not have to be sent to the Bar Association, but you do have to certify that you did take these classes and that you keep records of that. It's probably going to be somewhat of a similar setup and won't be a mandate or a fiscal cost that will be placed on DEEP, which is a positive thing. In regards a little bit -- if I may Madam Speaker? Or, just a comment on the amendment. I do support the amendment. This again is something that has been requested by the industry. They're looking for continued learning requirements and the biggest reason that I heard from the proponents is that they cannot get the different training programs to come to the state because we don't have a requirement, so hopefully, this will help them to secure continued learning education.

The other positive aspect as it seems to be the cost is somewhat nominal and that the associations will be looking to subsidize or even in some instances pay the full amount of the continued learning education fee, which will also be helpful

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to the operators and any other individuals that may be footing the bill for this, so for those reasons, along with the reasons that most importantly it's important for these sewage plant operators, particularly what we've seen over the past year to be properly educated and -- and -- and how to properly operate these plants. For those reasons, I will be supporting the amendment and I ask my colleagues to do the same. Thank you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, sir. Will you remark further on the amendment before us? Representative Butler of the 72nd.

REP. BUTLER (72ND):

Thank you, Madam Speaker. I'd like to -- I have a couple questions for the proponent and a comment.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Prepare yourself, Representative Reyes.
Representative Butler.

REP. Butler (72ND):

Madam Speaker, I think it is very important that we pass the language in this amendment. I would like to thank the proponent for bringing this forward. I just have a couple questions. The first is we talked a little bit about what's in this amendment and we mentioned that there is a training component and there's a reporting component. Could the good proponent talk about the thresholds that would be required to actually report on this by DEEP?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Thank you, Madam Speaker. Thank you very much for the question, so right now, it is not mandated for electronic reporting and any spills that are 5-thousand gallons or greater will be mandated to be reported within 2 hours of said spill. It's a very important piece that -- that will help the accountability and the communication up and down the -- the waterways.

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Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Butler.

REP. BUTLER (72ND):

Thank you, Madam Speaker, and also, just to get an idea of who is gonna be on the hook for doing this reporting. Are we -- what are the various sewer treatment -- water treatment plants that are going to be required to do this reporting? Are these plants that are just on rivers or on the coast or could the good gentleman just explain the scope of the -- of the plants that have to do the reporting?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Thank you, Madam Speaker. The reporting will be done by the actual operators at these wastewater treatments, and they will also communicate to their selectman or mayor of the actual town or municipality.

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Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Butler.

REP. BUTLER (72ND):

Thank you and thank the good gentleman for his answers. I just wanted to stand because it's -- and speak on this because it's very important, and we will take up a lot of bills in this session, but I think this is one of the more important bills and I thank the good representative from Waterbury for bringing this forward. It's so important that I could tell you in just reference to my memory of how our rivers used to be polluted. Living in Waterbury, I remember traveling down route 8, going through Naugatuck and watching the color of the river just being turned whatever. You could tell the color of the sneakers that Uniroyal was making because they could freely just dump the dye into the river, and you know, it was just so sad as a kid to see how much pollution could just be put in our rivers. We've made great strides since then. We've had Clean Water Act, and I could tell you that the

strides that have been made actually now is taking a river that's been polluted in that manner and we actually stock the river with fish now, so people can actually fish in this river.

So, having said that, it's very important that we actually do whatever we can to make sure that we keep these rivers fresh and vibrant. We are -- we are just stewards of this planet and for our time here, especially in this general assembly, we need to do all we can to make sure that our water supply actually is as clean as we can do the best possible to actually maintain our safe and clean water systems, so that's why I rise in strong support of this legislation because it -- it is that important, so again, I'd like to thank the proponent for bringing this forward and hopefully, we can get a unanimous vote on this bill that means so much to our -- the health and safety of our water systems here in Connecticut. Thank you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, sir. Will you remark further on the amendment before us? Representative Ackert of the

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8th.

REP. ACKERT (8TH):

Thank you, Madam Speaker, and just to start with a comment. About a decade ago plus, a mandate came on to other occupational licenses out there that they needed to take continuing education; and unbeknown to them, these occupations had to scramble to bring in training, develop training that was approved by the state, and the occupations that had to take the class did not get any support financially, so it became a -- not only a mandate on the tradespeople but also a mandate on municipalities that had people that had to take the training, so it's laudable goal to think that some money is going to appear from DEEP or other areas, especially if it's not in their budget already, that they're going to all of a sudden say, Yeah, we're going to make sure that these people are trained in these areas. I believe when you are in these departments already that the municipalities, the individuals that have these plants are expecting to have very well-qualified individuals doing these

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jobs, so through you Madam Speaker, the training component that we're talking about here and the mandate on these operators to take these continuing education classes -- is it going to be a program that's approved by DEEP or exists in another state?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, could you please have the good proponent repeat the question? It is a little loud here.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Oh, hold on, sir. I'll try to quiet down the Chamber. (Gavel) Members, please take your conversations outside. You're interfering with the debate. Representative Ackert, could you repeat the question?

REP. ACKERT (8TH):

Thank you, Madam Speaker, and I'm not trying to create a debate. Just some knowledge for me [Laughing]. No -- so -- but thank you, Madam

Speaker [Laughing]. Just to the good gentleman -- the courses that we are looking to mandate that these individuals take. Are they already existing approved courses that I could look up and see that they're there or that they're -- that they're already, you know, being used but not mandated that these individuals would be taking?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Thank you, Madam Speaker. The associations associated with the wastewater treatments already have the training courses and are willing to help continue the education through them.

Through you, ma'am.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Madam Speaker, and are they available now for these individuals to take the courses?

Through you. I did hear that they're -- they don't -- they're not here training because it's not mandated, and I think that's great if you think about the private sector saying okay well we offer the classes, the people aren't taking them cause we haven't mandated people to spend money on these courses. So, right now, are they available for people to take these courses if they so choose?

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Through you, Madam Speaker. Yes, they are available right now.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Madam Speaker. I struggle with this because for decades -- over a decade now, tradespeople have been mandated to take a course, which means we have told those individuals that you gotta come -- you gotta get this training even

though you work in a trade or a job and I just -- we just had a discussion on continuing education for doctors, and I struggle with that and maybe it's a laudable goal, and there's some other good parts to this legislation, but when you make somebody take out of their pocket \$100 or \$125 dollars to pay to take a class that they have the opportunity to take as they may or a town that then has to have their individuals take the class, then it is a charge that we're making them take, and that's where I struggle with this legislation. There's a lot of good components that I'm sure are required -- maybe the reporting thing, but I do struggle with the piece that mandates someone to take training, that's it's already available to them and we're now saying okay for the good of, you know, the town, whatever it may be, the waterways a good friend mentioned earlier about being in clean waters. I think Connecticut does a great job with clean waters. I understand that. I just struggle with the fact that we continue to make people -- make people take money out of their pocket to pay for a class, and that's

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what's gonna happen. There is no money gonna come to support this. There is no money gonna come to support this cause the budgets are tight already and that's where I struggle, and so I'll listen to the dialogue on this one but because of the piece in there, I may have to vote no on this legislation -- on this amendment. Thank you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, sir. Will you remark further on the amendment before us? Representative Delnicki of the 14th.

REP. DELNICKI (14TH):

Good afternoon, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Good afternoon.

REP. DELNICKI (14TH):

I have a couple of questions for the proponent of the bill.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes, prepare yourself.

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Representative Delnicki.

REP. DELNICKI (14TH):

Thank you, Madam Speaker. I have a few questions pertaining to lines 87 through 94 that address the issue of notification, and specifically, the operator of a sewage treatment plant or a collection system shall notify the chief elected official of the municipality where the sewage spill occurred. As soon as practicable after receiving such notification, such municipality shall inform the public and downstream public officials as appropriate. My question is this. The chief elected official receives the notification from I'm assuming the plant superintendent or plant manager or whoever's in charge at the plant. At that point, is it the responsibility of the chief elected official to make the notification to the public and downstream public officials?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, yes. Once it's communicated to the first selectman or the mayor of the particular municipality, it is his or hers responsibility.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Delnicki.

REP. DELNICKI (14TH):

And, again, through you Madam Speaker, can the chief elected official designate a designee to make that notification or is it a mandate on the chief elected official to do the actual notification?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, he or she may substitute with whomever they please, but it has to be communicated.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Delnicki.

REP. DELNICKI (14TH):

So, through you Madam Speaker, if I understand

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it correct, the chief elected official could designate an individual other than themselves to receive the notification and the pass the information on? Is that a correct assumption or correct understanding of that answer?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, the gentleman is correct, through you.

REP. DELNICKI (14TH):

And, getting to the --

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

[Cross Talking] Representative Delnicki.

REP. DELNICKI (14TH):

Through you Madam Speaker, getting to some of the other aspects of what's talked about in here, the as soon as practicable -- what is that timeframe to be considered as soon as practicable?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

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Representative Reyes.

REP. REYES (75TH):

Madam Speaker, that language is indicating in a worst-case scenario where maybe a power maybe loss and the communication may have to come through via telephone or some other means, so it's basically trying to get ahead of an act of God or something so that -- but we want to make sure that we communicate it properly.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Delnicki.

REP. DELNICKI (14TH):

Thank you, Madam Speaker, and again through you, I did not get a good feel for what the term meant from a timeframe because typically a timeframe is assigned and reporting anything to someone else as is in the lines above 83 through 86, and again, through you Madam Speaker, what timeframe are we talking when we're looking at line 83 and you have not later than 2 hours after becoming aware of any sewage spill referred to in there to the DEEP; yet,

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we don't have that pertaining to the public official who then could easily get into a situation where they become a target of whatever -- conceivably a lawsuit, what have you?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Thank you, Madam Speaker, through you. So, the term soon as practical, again, we're only talking about those rare cases where maybe a plant will have lost power and the telephone communication may come and again, it's -- it's again what I would determine using best judgement and getting the best practice to get the information -- it's all about clear, concise, transparent communication, so I would say this term would only be used in the case of where a complete power loss situation occurred.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Delnicki.

REP. DELNICKI (14TH):

Thank you, Madam Speaker, and again, through you just moving on to some of the language here. Such municipality shall inform the public and downstream public officials as appropriate. What would be an appropriate methodology for informing the public and the public officials downstream? And, when you look at the term the public, does that refer to the public in the municipality that has the spill or the public downstream or both?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, if I could just have one moment please?

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

The Chamber will stand at ease.

REP. REYES (75TH):

Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Thank you. The best answer for that is using your best judgement and commonsense practice to notify the public.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Delnicki.

REP. DELNICKI (14TH):

Thank you, Madam Speaker, and thanks to the proponent for that answer but again, going back to the heart of the question. The public in that phrase does that mean the public in the municipality, the public downstream, or both? Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, the public in the municipality, through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Delnicki.

REP. DELNICKI (14TH):

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Okay. Thank you, Madam Speaker. Again, through you, downstream public officials as appropriate and just to -- just to clarify that. If you had a spill in Hartford, would that include all the communities on the east and west side of the Connecticut River, going all the way down?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Through you Madam Speaker, yes.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Delnicki.

REP. DELNICKI (14TH):

Thank you, Madam Speaker, and thank you for the answer on that, and I just want to touch on the as appropriate part. Again, would that be accomplished through a press release notifying the media, a phone call? What sort of methodology there? Just to get a full appreciation of how you would go about doing the notification.

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Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, the best -- whatever those individuals believe is the best means to get the clear, concise, transparent communication is what's acceptable.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Delnicki.

REP. DELNICKI (14TH):

And, hopefully the last question I have. Again, through you Madam Speaker, would there be any penalties assessed or would there be any liability incurred by the chief elected official if someone were to challenge whether it was done appropriately or not? Could they find themselves in court? Could they find some kind of a penalty assessed to them? Because, obviously, we want to make sure the information gets reported in a timely fashion. We want to make sure we've got our bases covered and we

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want to make sure the public gets the information that they need. Again, I'm just concerned about how the informing is done.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, through you, there is no fees that will be levied with this particular legislation.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Delnicki.

REP. DELNICKI (14TH):

Again, thank you to the proponent of the bill. So, then if I understand it correctly, for the record, if a mayor or first selectman for whatever reason could not get the information out for say 2 hours, 6 hours, 8 hours, there would be no penalty assessed on the chief elected official there?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

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Representative Reyes.

REP. REYES (75TH):

Madam Speaker, can you please have the good representative repeat the question, please?

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Delnicki.

REP. DELNICKI (14TH):

Thank you again, Madam Speaker. Okay, my question is this. Since we're really not assessing penalties, then would there be any -- just -- just have this verified that there would be no penalty if a chief elected official was not able to within say 2, 4, 6, 8 hours make the notifications there would be no recourse upon that chief elected official. Am I correct in that assumption?

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Through you Madam Speaker, that is correct, through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

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Representative Delnicki.

REP. DELNICKI (14TH):

Just a couple comments. That area I have to admit I have some concern having been a chief elected official and the levels of negotiation -- notification I should say. If there is the ability to have a designee and say the designee was the plant superintendent and the chief elected official could make that the designee, then that would probably be the best way to handle it. although, the chief elected official who is typically the tip of the spear has to know everything that's going on in the community and I would expect them to be informed in a timely manner. The problem occurs in having the chief elected official then passing the information on when you already have the DEEP receiving a report within a fairly short period of time as defined that they have to produce that report. That's the concern that I have about the legislation proposed here -- the amendment proposed here. Thank you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

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Thank you, sir. Will you remark further on the amendment before us? Representative Polletta of the 68th.

REP. POLLETTA (68TH):

Good afternoon, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Good afternoon.

REP. POLLETTA (68TH):

I rise in support of this amendment and the overall language as proposed. I have a few quick questions for the proponent here, and then I'd like to make a brief remark. Through you Madam Speaker, recently in the greater Waterbury area, as I'm sure many of you have heard, we did have an instance in which there was a sewage spill. For those of us residents, legislators, people that live in this area, we were affected by it. The businesses were affected by it. The people were affected by it. The community itself spent years cleaning up this river and only to find and wake up one morning to find an awful sewage spill. My question, through you Madam Speaker, is how long did it take before

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this sewage spill was reported to the chief elected official or whomever it was reported to?

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Thank you, Madam Speaker, and I want to thank the good representative for that question. So, the situation that we had in the city of Waterbury, which happened on -- in October, took over 9 days to report to the mayor of the city.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Polletta.

REP. POLLETTA (68TH):

Madam Speaker, thank you to the good proponent for his answer. So, 9 days to report a sewage spill, 9 days to affect businesses downstream, residents downstream, and who knows what was in -- in that spill. So, today and all days we spend a lot of time debating a lot of bills, but I think, in my humble opinion, this is a good bill. This is a

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good bill for the greater Waterbury area. This is a good bill across the state of Connecticut, but for our area in particular that was directly affected by the sewage spill, we would benefit from this bill and if I am -- I know it's been said and forgive me for repeating myself -- but the industry supports the bill so why wouldn't we as legislators buy into this and support it? I stand in support of this.

Thank you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, sir. Representative Fishbein of the 90th.

REP. FISHBEIN (90TH):

Thank you, Madam Speaker. Good afternoon.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Good afternoon.

REP. FISHBEIN (90TH):

As you know in our exchanges, I'm very protective of our environment to a level. I just wanted to ask the proponent some questions as well. If I may? Through you Madam Speaker, I see this bill as being two things. It's education and

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reporting, and I just want to center around the education for a moment. If I could -- if I could ask, what is a certified operator? Is it one individual? Is there a requirement as to how many a plant has? If you know?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Thank you, Madam Speaker. We're talking about a certified operator. We're talking about an individual - individual.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Fishbein.

REP. FISHBEIN (68TH):

Thank you, Madam Speaker. So, am I to understand that a plant -- does the proponent have knowledge as to any plant in the state of Connecticut and how many certified operators that that particular plant has? Just so I can put this into perspective.

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Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Thank you, Madam Speaker. There are somewhere in the neighborhood of up to 800 operators in the state of Connecticut and some of the plants may have up to 6 associates.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Fishbein.

REP. FISHBEIN (68TH):

Thank you, Madam Speaker. That's helpful. Does the representative know as to any particular plant how many -- you know, what plant and how many operators that particular plant has? Just so that I can put this into perspective.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Thank you, Madam Speaker. I can speak about

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the Waterbury plant, sir, and there are 6 operators there.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Fishbein.

REP. FISHBEIN (68TH):

Thank you, Madam Speaker. That is helpful, so next question, through you Madam Speaker. Are these certified operators required to have some sort of license I would think issued by DEEP?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, absolutely. They do have licenses.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Fishbein.

REP. FISHBEIN (68TH):

Thank you, Madam Speaker. So, I noticed that the languages before us does not require when that

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license is renewed for this continuing education to happen or at the next renewal of the license. Am I reading that correctly?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, that's correct.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Fishbein.

REP. FISHBEIN (68TH):

Thank you, Madam Speaker. So, one is currently employed by -- like in Wallingford we have a plant, so employed by the municipality as a certified operator we would require that current employee to get the certification. It's not tied to their license. We would require them to get that after the July 1, 2018 date.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

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REP. REYES (75TH):

Madam Speaker, that is correct.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Fishbein.

REP. FISHBEIN (68TH):

Thank you, Madam Speaker. So, when a current employee of a municipality is required to get training and although the language says or it's implied that the employee of the municipality is going to pay for such training, am I to understand that cost is ultimately going to be born by our municipalities?

Through you, Mr. Speaker -- Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, I'm sorry. Could you please repeat the question?

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Fishbein.

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REP. FISHBEIN (68TH):

Thank you, Madam Speaker. So, when we have a current employee of a municipality and we are mandating that that employee have some sort of education and -- at least it's been represented to us here today that the employee is supposed to pay for that education -- am I to understand that ultimately it will be the municipality that will have to reimburse the employee for that education?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, the way that the legislation reads right now, there is no requirement for the associate to pay for it. The association could pay for it or it could be another individual but there is no requirement.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Fishbein.

REP. FISHBEIN (68TH):

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Thank you, Madam Speaker. You know, I particularly note that when we had the amendment there's a document that OFA put together and it clearly says it is anticipated that the training would be paid for by the employees directly. Am I to believe that official document or -- or not? Is that refuted by the proponent?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, the -- the amendment, which was a strike all -- the underlying bill did show zero associated fiscal impact to this amendment. What I will say though is it's anticipated that the training would be paid for by employees directly and it isn't indicating that it's mandated to be paid for. It could be paid through another association, through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Fishbein.

REP. FISHBEIN (68TH):

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Through you Madam Speaker, just to clear that up. My understanding is to clear up the fiscal note that is not a fiscal impact to the state. The document is silent as to a fiscal impact to the municipality.

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, through you, yes. There is no impact to the state.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Fishbein.

REP. FISHBEIN (68TH):

Thank you, Madam Speaker. Then am I to understand that if we have a current employee of the municipality who is required to now take this training and under the document before us to pay for that training, that the municipality is going to be saddled with this unfunded mandate for 800 or so operators around the state?

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Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Through you Madam Speaker, that is a possibility.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Fishbein.

REP. FISHBEIN (68TH):

Thank you, Madam Speaker. You know, I too laud the intent of the bill, but I am not here to pass unfunded mandates, so certainly, if it said if the operator had it through available appropriations, which is the language that we use up here to couch fiscal impact, I would be more supportive, but as it stands here today, I cannot support this. Thank you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, sir. Will you remark further on the amendment before us? Representative Cummings of the 74th.

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REP. CUMMINGS (74TH):

Thank you, Madam Speaker. Good afternoon.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Good afternoon.

REP. CUMMINGS (74TH):

A question for the proponent of the bill,
through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Go ahead, Representative Cummings.

REP. CUMMINGS (74TH):

Through you Madam Speaker, would you be able to
describe how the public first came to know about the
spill that happened last year?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Thank you, Madam Speaker, and it's a great
question. The -- the public in general was notified
by the findings by a reporter that actually was
reviewing the DEEP site and he was the first one to
actually communicate this to the public in general,

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through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Cummings.

REP. CUMMINGS (74TH):

Through you Mr. -- Madam Speaker, so is it my understanding that the municipality did not notify its constituency as would be required under this bill?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, part of the -- the biggest part of this bill is transparency and I'm advocating for timely communications to all the public, not only for general health but it's good practice to be a good neighbor and communicate up and down the -- the rivers or waterways but to the good representative's question, the time lapse was way too much.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Cummings.

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REP. CUMMINGS (74TH):

Through you Madam Speaker, and isn't true that there was another spill that was then discovered only through the due diligence of an alderman, Roger Sherman, who discovered that there had been another spill months earlier that went completely unnotified to the citizens of Waterbury?

Through you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Reyes.

REP. REYES (75TH):

Through you Madam Speaker, that is absolutely true and again, it was by the due diligence of an alderman actually reviewing the DEEP history and actually communicating that to the constituency in the city of Waterbury, and that's why, again, this bill is so important for communication, transparency, and accountability.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Cummings.

REP. CUMMINGS (74TH):

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Thank you, Madam Speaker. Madam Speaker, I urge my colleagues to support this bill. It does, as my good colleague said, increase transparencies for our communities, especially those of us who are located on waterways and it helps protect our constituencies from any unknown danger, so I do encourage my colleagues to support this amendment. Thank you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, madam. Will you remark further on the amendment before us? Representative Altobello of the 82nd.

REP. ALTOBELLO (82ND):

Thank you, Madam Speaker. Madam Speaker, through you, a question to the proponent of the amendment.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Go ahead Representative Altobello.

REP. ALTOBELLO (82ND):

Thank you very much. Current law defines a sewage spill as a diversion of waste, portion of

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sewage treatment, so on and so forth. It doesn't say what size the spill is. Evidently, the amendment covers any spill greater than 5,000 gallons, I believe, but I guess for legislative intent there are things as mechanical spills where a pump breaks and untreated waste goes into our streams and rivers, unfortunately, and there are rather frequent occurrences where we have a deluge of rain and the treatment plans are not able to fully treat the sewage that's in there. I think they call it blow by and its millions of gallons on the storm and even if your system is tight and not - not leaky at all. So, I guess for the purposes of the intent is would a rainstorm trigger a sewage spill, which would then trigger a downstream notification?

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Reyes.

REP. REYES (75TH):

Madam Speaker, to the good representative's question, that is a yes. We was -- we're not

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covering how or why it happens. We're just covering if it's 5,000 -- a threshold of 5,000 gallons is exceeded, it's (inaudible - 2:28:43) that we start the communication right away.

Through you.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Representative Altobello.

REP. ALTOBELLO (82ND):

Thank you very much. So, I may -- well, I'm not gonna recommend anything at this point but it seems to me that sewage -- the definition of sewage bill going forward should include in the language that includes other than mechanical failures. Thank you very much and I thank the proponent.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, sir. Will you remark further on the amendment before us? Will you remark further?

Representative Reyes.

REP. REYES (75TH):

Madam Speaker, I ask that when a vote is taken that the amendment is taken by roll.

Through you.

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ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

The question for the Chamber on the roll call.
All in favor of a roll call please say aye.

[Ayes heard]

Twenty percent has been met. When the vote is taken, it will be taken by roll. Will you remark further on the amendment before us? If not, will staff and guests please come to the well of the House. Members please take your seats. Machine will be open.

CLERK:

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

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

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

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CLERK:

LCO No. 3755, designated House "A"

Total number Voting	150
Necessary for Adoption	76
Those voting Yea	143
Those voting Nay	7
Absent not Voting	0

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Amendment is adopted (Gavel). Will you remark further on the bill as amended? Will you remark further? If not, staff and guests please come to the well. Oh, Representative Demicco of the 21st. REP. DEMICCO (21ST):

Thank you very much, Madam Speaker. I just wanted to acknowledge the hard work and diligence of Representative Reyes on this particular piece of legislation and also acknowledge the cooperation of the ranking member of the Environment Committee, Representative Harding. Thank you, Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, sir. Will you remark further? If not, staff and guests please come to the well of the

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House. Members, please take your seats. The machine will be open.

CLERK:

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

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

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

CLERK:

House Bill 5130 as amended by House "A"

Total number Voting	150
Necessary for Passage	76
Those voting Yea	142
Those voting Nay	8
Absent not Voting	0

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

The bill as amended is passed (Gavel). Are there announcements or introductions?

Representative Yaccarino of the 87th.

REP. YACCARINO (87TH):

Thank you, Madam Speaker. Point of personal privilege.

Through you Madam Speaker.

ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Yes, Representative Yaccarino. Go ahead.

REP. YACCARINO (87TH):

Here in the well of the House is a constituent of mine and a friend from North Haven, Connecticut, Hunter Pageau and his mom, Sharon Pageau. Hunter is here. He's a representative for NORD, National Organization for Rare Disorders. He's also the president of the YES, Youth Empowerment Society, in North Haven, Connecticut, and we've passed a couple years ago SMARD, Spinal Muscle Atrophy Rare Distress, and I would like to give him a warm welcome. He's an amazing young man, great inspiration, and give him a warm welcome from the House. [Applause]

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ASSISTANT DEPUTY SPEAKER MUSHINSKY (85TH):

Thank you, Hunter and Sherry. We're glad you're here to advocate. Are there any other announcements? If not, we'll return to the call of the Calendar.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Hello. Will the clerk please call Calendar 143?

CLERK:

On page 50, Calendar 143, House Bill No. 5283,
AN ACT CONCERNING NEIGHBORHOOD REVITALIZATION ZONES.
Favorable report of the Joint Standing Committee on
Appropriations.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Chair of the Planning and Development
Committee, Representative Lemar.

REP. LEMAR (96TH):

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

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Question is on acceptance and passage. Will

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you explain the bill please, sir?

REP. LEMAR (96TH):

Yes. Thank you, Mr. Speaker. Mr. Speaker, the legislation before us provides indemnification protections to community members who serve on neighborhood revitalization zone committees and currently, neighborhood revitalization zone committee members and residents are potentially exposed to lawsuits and legal battles when assisting their communities by serving on these committees. Occasionally, there is opposition from local developments within their neighborhoods and good community members who want to be a part of their planning process feel as if they may be exposed personally by serving on these committees, and all we're simply doing in this bill is proposing extension to section 7-601 of our general statutes and requiring that municipalities extend the legal counsel to NRZ members regarding any defense they need in civil actions and provide restitution to the committee or affected members in the result of an imposed settlement. Mr. Speaker, the members who

will be protected must be acting in coherence with the obligations of the NRZ, and this is a good bill backed by local community members who are trying to advance projects within their communities and are just feeling a little bit exposed doing to the current framework in which they are not protected. That -- in the same way that similar community members are protected if they serve on any other municipal board, commission, or legislative body. I move adoption.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. The distinguished ranking member of the Planning and Development Committee, Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. This bill passed the House last year or something very similar to it. It only impacts towns that have neighborhood redeveloping zones. Nothing forces a town to have a neighborhood redevelopment zone and it -- and it makes it a lot easier for our municipalities to be able to get volunteers to serve on these boards.

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It's a good bill and I recommend that my colleagues approve of it. Thank you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, ma'am. Representative Ziobron.

REP. ZIOBRON (34TH):

Thank -- thank you very much, Mr. Speaker. I have a few questions to the proponent of the bill, please.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed.

REP. ZIOBRON (34TH):

Thank you very much, Mr. Speaker. To the good colleague, I'm looking at the fiscal note. It talks about how there would not be necessarily a state mandate if you didn't already have a neighborhood revitalization zone, so my question, through you Mr. Speaker, is how many of these zones exist in the state? Which municipalities in fact have these enacted neighborhood revitalization zones?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

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Representative Lemar, do you care to respond?

REP. LEMAR (96TH):

Yes. Thank you, Mr. Speaker. Mr. Speaker, through you, it has been indicated to us that there are fewer than a dozen communities across the state of Connecticut that have neighborhood revitalization zones. This issue was highlighted by members of the Bridgeport delegation who recognized a need in their community to ensure that folks in their community could serve on these boards and planning commissions without being subjected to personal liability.

Through you, Madam Speaker -- Mr. Speaker. Mr. Speaker, thank you very much. [Laughter]

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, Chairman Lemar [Laughing].

Representative Ziobron, you still have the floor.

REP. ZIOBRON (34TH):

Thank you very much, Mr. Speaker. So, this was referred to the Appropriations Committee and we took this bill up last week and one of the reasons it was a little bit of a conversation was understanding that in fact it would not be a mandate because most

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of our communities do not already participate in this zone, and in fact, this bill would only affect the municipalities who are already a revitalization zone, and I just want to make sure that that's confirmed for the record for my colleagues. Once it is confirmed, I can speak a little bit further.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Mr. Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, through you, yes. It is true that the establishment of a neighborhood revitalization zone is entirely optional on a municipality's behalf and it would only impact those communities that currently have a neighborhood revitalization zone.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ziobron.

REP. ZIOBRON (34TH):

Thank you very much, Mr. Speaker, and I appreciate that clarification for my colleagues

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because I think it's important, especially as we're looking at legislation that may have an unfunded municipal mandate that we understand that this bill is only for those who already exist and have this zone before them. There is nothing in this legislation that forces a municipality to in fact adopt this zone for themselves, and for that reason, I'll be in support. Thank you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you. Gentleman from Easton,
Representative Dunsby.

REP. DUNSBY (135TH):

Thank you, Mr. Speaker. Just a couple of questions for the proponent of the bill, through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed, sir.

REP. DUNSBY (135TH):

So, I'm looking at section 1e(C) and it lists the things the board would have to do to get the indemnification and (C) says in a manner consistent with the advice provided by the municipality's legal

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counsel. So, my question is -- my first question is what would happen if the -- this board committed some act without the seeking of the advice of a town's legal counsel and the town's legal counsel had -- had offered no advice. Would that -- what would be the indemnification at that point?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, municipalities need not indemnify any planning committee members or their members if their acts, errors, or omissions constitute reckless, willful, misconduct, or the community members are acting in direct contrast to the guidance they're provided by their counsel. If they're acting consistent with the advice of their counsel and if there is no advice, I think in that circumstance there would be no indemnification protections required.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Dunsby.

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REP. DUNSBY (135TH):

Thank you, Mr. Speaker. Is there any power for the municipality or the chief elected official of -- either the municipality or the chief elected of the municipality to remove members from the neighborhood board?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, through you, I must admit I am not sure what constitutes an action of a removal process in any individual town removing a member from an NRZ board. I would highlight that in section b and c you will see some of the requirements of an NRZ to officially act in their capacity. In that -- in those subsections, there isn't direct reference to how a chief executive would remove a member, but I can provide that information subsequent to passage. Thank you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Dunsby.

REP. DUNSBY (135TH):

Thank you, Mr. Speaker. Okay, I'll just end with a comment. I mean I'm certainly very supportive generally speaking of indemnifying volunteers. I obviously want to encourage people to -- to come out and volunteer. What I'm typically used to seeing in boards or commissions or organizations that are not elected, that are formed or appointed in some way, there is some process for removal and that's very important because what can a town -- the town in this case would now be responsible for the actions of the members of this board; yet, even if the town observes something that it thinks should not be occurring, it does not appear -- to me anyway -- that the town would have any -- any recourse to remove members and typically, you do see that in something like this, so I'll continue to -- to listen to the discussion today, but that's something I find very concerning. Thank you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Will you remark further on the bill? Will you remark further on the bill?

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REP. LEMAR (96TH):

Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

If I could provide some clarification -- in these types of neighborhood revitalization zones, there will often be articles of incorporation or specific bylaws that would constitute the provisions of which someone would be elected to, appointed to, and removed from. It wouldn't be a state law or state statute that would define that process. It would operate similarly to a municipally-developed commission or board of directors, volunteer organizations that you'll find across our state. It's just these specific NRZs do not have the indemnification protections that you'd find in other places. I hope that clarifies in greater context where you might find the mechanism for removal and appointment to the clarification of the good representative's concerns.

Through you.

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Will you remark further on the bill? Will you remark further on the bill? If not, staff and guests please come to the well of the House. Members take your seats. The machine will be open.

CLERK:

[Bell] 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 PRO TEMPORE GODFREY (110TH):

Have all the members voted? If all the members have voted, the machine will be locked, clerk will take a tally, and the clerk will announce the tally.

CLERK:

House Bill 5283

Total number Voting	150
Necessary for Passage	76
Those voting Yea	149
Those voting Nay	1
Absent not Voting	0

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The bill is passed (Gavel). Will the clerk please call Calendar 359, please?

CLERK:

On page 38, House Calendar 359, Substitute House Bill No. 5414, AN ACT CONCERNING THE ESTABLISHMENT OF A TASK FORCE TO STUDY THE JUROR SELECTION PROCESS. Favorable report of the Joint Standing Committee on Judiciary.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The distinguished chair of the Judiciary Committee, Representative Tong.

REP. TONG (147TH):

Good afternoon, Mr. Speaker. I move acceptance of the Joint Committee's favorable report and passage of the bill.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Question is on acceptance and passage. Will you explain the bill please, sir?

REP. TONG (147TH):

Mr. Speaker, the U.S. constitution, the 6th amendment guarantees the right to a trial by jury --

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an impartial jury, and that right is safeguarded at the federal level by ensuring that we have a fair cross section of jurors from the community to serve on juries at the federal level. At the federal level, they have --

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Excuse me, Representative Tong. (Gavel)
Getting a little noisy in here. If you'd settle down please or take your conversations outside, we'd all appreciate it. Thank you so much.
Representative Tong.

REP. TONG (147TH):

At the federal level, they are required to collect information about the demographic makeup of their jury pools. We at the state level attempt to collect that information but it is not required and so this is an effort to understand the best way to get information about whether our state's comport -- whether our state's juries comport with the 6th amendment guarantee of an impartial jury, and I urge support of this measure. Thank you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

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Thank you, sir. The distinguished ranking member of the Judiciary Committee, Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker, I rise with some concern regarding the task force that's before us, so if I can, a few questions to the good chairman?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Certainly, proceed.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker, through you to the good chairman, I'm noticing that there's a variety of different designees to this task force. Can you tell me how those designees were established?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Tong, would you care to respond?

REP. TONG (147TH):

Through you Mr. Speaker, I think there was a fair bit of discussion at the committee level. This

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effort was led by the office of the chief public defender. I think that the office reached out to various stakeholders and legislators and solicited feedback as to who might serve on such a committee or task force. The language of the task force looks a lot like other organizations that we've put together for this purpose, reflecting all of the necessary stakeholders, so I think it was a collaborative effort to get the language before us. Thank you, Mr. Speaker.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker, I notice that on page 2 of the proposal I have, specifically line 21, it designates the South Asian Bar Association, George W. Crawford Black Bar Association, Connecticut Hispanic Bar Association, Connecticut Asian Pacific American Bar Association. Through you Mr. Speaker, does the good chairman know whether or not there's other types of bar

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associations out there?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Tong.

REP. TONG (147th):

Through you Mr. Speaker, I am sure that there are a number of other bar associations and what are commonly referred to as affinity bar associations or associations of lawyers of color or from the LGBTQ community. I think there was an effort here to include as many of those organizations as possible, but I don't have any guarantee that we got them all.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Through you Mr. Speaker, is the good chairman aware that there is a group that is organized and meets that is the presidents of the various bar associations including the affinity bar associations?

Through you.

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Tong.

REP. TONG (147TH):

Through you Mr. Speaker, I am aware that there is the Lawyers Collaborative for Diversity, which includes the leaders, I think, of the affinity bar associations and also most of the state's major law firms. I have heard that the presidents of these associations meet. I don't know if it's in any organized capacity.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Well, Mr. Speaker, I'd like to inform the good chairman and everybody else in the Chamber that there is a collaborative effort of regular meetings established by all the presidents or representatives of the variety of different Connecticut bar associations including the affinity bar associations. If we're gonna have a task force that's supposed to represent the makeup

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of the state of Connecticut, in order to properly examine jury selection and selection pools, we should have each and every person at that table. At the very least, if not each and every person represented at that table, then it should be amongst those leaders of those various bar associations then to decide collaboratively who should be at that table.

So, Mr. Speaker, unless the good chairman would like to entertain an amendment as to the designees that would be serving on this task force, at this time, I would not support this. This is not a collaborative effort to correct the -- what's already been evident that there was some objection to this legislation in the Judiciary Committee. There were 6 no votes. Once again, a task force with the very laudable purpose but if we're gonna get it right, let's do it equally and fairly for all types of associations throughout the state of Connecticut. So, unless there's an amendment -- and I'll inquire through you Mr. Speaker -- if there's a willingness to do an amendment that would fairly

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allow every individual at least the opportunity to have a voice, to be either represented or have a selection, a proper representation on this task force, then I would be a no vote. Is there -- is there a willingness to amend that?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Tong.

REP. TONG (147TH):

Through you Mr. Speaker, if the good ranking member with whom I spent many, many hours yesterday is offering language, we're always open to have a conversation about improvements to any piece of legislation. I don't think there's an amendment pending. If the ranking member is suggesting that we have a conversation about changes to the bill, I'm always happy to have that conversation. I will note the ranking member is correct. There were 6 no votes but the bill did pass overwhelmingly in its current form out of the Judiciary Committee, so before I arose to do the bill today, I was not aware of a desire on the part of the ranking member to amend the bill, but always happy to have a

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conversation.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker, and I want to thank the chairman for that willingness, and certainly, if the good ranking member had more than less than a minute notice that this bill was going to be called on the floor of the House, I would have been more than happy to have reached out and explained to the good chairman why there was objections to the legislation that obviously had at least 6 no votes in the committee and worked collaboratively as we always have on legislation. So, certainly, only merely as the ranking member I will defer to the good chairman, the leadership of the Chamber, and Mr. Speaker as to how to proceed.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The House will stand at ease. Representative Albis.

REP. ALBIS (99TH):

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Thank you, Mr. Speaker. Good afternoon.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Good afternoon.

REP. ALBIS (99TH):

Mr. Speaker, I move we pass this bill temporarily.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Is there objection? I'm hearing none. This bill is passed temporarily (Gavel). Mr. Clerk, Calendar 247, please.

CLERK:

On page 52, Calendar 247, House Bill No. 5442,
AN ACT CONCERNING THE PARTICIPATION OF NONPROFIT
ENTITIES IN WORKER COOPERATIVES. Favorable report
of the Joint Standing Committee on Judiciary.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Chairperson of the Planning and Development
Committee, Representative Lemar.

REP. LEMAR (96TH):

Thank you, Speaker Person. Mr. Speaker Person
[Laughing] I move the Joint Committee's favorable
report and passage of the bill.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Mr. Speaker Person to you [Laughing]. Question is on acceptance of passage. Will you explain the bill please, sir?

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, the bill before us allows nonprofit organizations to qualify as members of worker cooperatives and own membership shares in such arrangements. Nonprofits desire the ability to qualify for worker cooperatives and participate in unique business model that is taking place across the country. Connecticut's outdated cooperative laws prohibit nonprofits from joining in and developing neighborhood revitalizations projects, programs, and other activities within a local community. We've seen great experience across the country, namely in places like Ohio and New York, New Jersey, where these types of modernized cooperative laws are allowing for innovative and strategic partnerships between local persons and nonprofit entities who wish to see expanded economic development opportunities in their towns.

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Through you Mr. Speaker, I move passage.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Will you remark further on this bill? Will you remark further on this bill? If not, will staff and guests please come to the well of the House. Members take your seats. The machine will be open. Oh, wait -- wait, Mr. Clerk. Representative Candelora, were you seeking the floor? You weren't on the board when I inquired. Yes? No? Maybe?

REP. CANDELORA (86TH):

Thank you, Mr. Speaker. Mr. Speaker, if I may ask a question to the --

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Of course.

REP. CANDELORA (86TH):

My first question is I guess this bill -- is it my understanding it originated out of the Commerce Committee?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

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REP. LEMAR (96th):

Through you, Mr. Speaker. Yes, this bill originated in the Commerce Committee.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Candelora.

REP. CANDELORA (86TH):

Thank you, Mr. Speaker, and could the gentleman just give us a little bit of a summary of the intent behind the bill?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Yes, Mr. Speaker. I shall provide an in-depth summary of the background of this bill so as to provide enough time to understand in great detail the merits of this. Mr. Speaker, what this was -- was a submission on behalf of the city of New Haven in collaboration with the Economic Development Corporation of the city of New Haven working with numerous nonprofit partners and potential worker cooperatives in the city who wished to establish

under a model that they've seen work in other communities across the country. Under such a model, Mr. Speaker, nonprofit entities would enter into a cooperative with local persons who wished to establish drycleaner -- like a nonprofit cooperative drycleaner or other activities, economic development building and businesses within a community. Right now, our outdated co-op rules only allow specific individuals to do so. Under the Evergreen Cooperative Corporation in Ohio, which we seek to model, nonprofit partners can provide the investment stake to get these up and running, can work with neighbors and community members to establish governing rules and share in the profits and proceeds amongst a broader set of individuals.

Mr. Speaker, this type of cooperative arrangement has been made available in numerous states around us and across the country. It would bring Connecticut's cooperative establishment laws up-to-date with surrounding neighbors. At the Commerce Committee's initial public hearing, there was testimony provided from numerous nonprofits and

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impacted individuals who wish to see this type of development because they believe it will help with neighborhood economic development and expansion opportunities in their community.

Through you, Mr. Speaker, I hope that was in depth enough.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Candelora.

REP. CANDELORA (86TH):

Thank you, Mr. Speaker. I don't have any further questions. Thank you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Gentleman from North Haven, Representative Yaccarino.

REP. YACCARINO (87TH):

Thank you, Mr. Speaker. A couple of questions to the good chair of P&D, I believe?

Through you Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed.

REP. YACCARINO (87TH):

I sat through the testimony with this and I --

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I mean it sounds like a good concept but my concern was the nonprofits getting involved with for-profit and how would that affect our tax policy?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, through you, since -- in a series of rulings since the 1970s, the IRS has blessed economic development as a charitable purpose and what you'll find is that the types of entities that we're concerned about or thinking about are for example large universities with substantial economic development opportunities and desires in a host community. They wish to engage with a local co-op that's establishing itself, and this will allow those nonprofit entities to establish themselves as part of that -- that co-op board. Similarly, there are organizations that are models around childcare facilities who are helping individuals start, establish their own childcare facilities and if they enter in as the

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nonprofit entity, they can provide the technical experience, the sort of legal supports, and the necessary structural supports to all of those communities and all of those nonprofit members who are establishing that co-op.

Through you, Mr. Speaker, there are numerous examples of these co-op laws being used across the country and numerous economic development 4As that will provide immense direct benefit to our surrounding communities. It does not jeopardize our tax base in any way.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Yaccarino.

REP. YACCARINO (87TH):

Thank you for that answer, but when I did ask the question, it hasn't -- it's been prohibited because of our tax policy, so -- and that's my concern, and I did vote for it hoping we can make some clarification, but there are -- really the intent of the bill, if I'm not mistaken, is to take nonprofits and merge them with for-profit. Is that -- through you, Mr. Speaker.

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker and through you, no that is not -- the intent is to allow nonprofits to develop a for-share model with these co-op businesses. Now, this is the only way that you'll see a number of these businesses start. Cooperative businesses are full tax-paying members of our communities and are often times organized in such a way in which the proceeds of their net profits are shared amongst cooperative members. Now, right now, our rules specify that any person can establish a co-op, but we're prohibiting nonprofit entities who in no way will sacrifice their charitable missions through this establishment that will in no way compromise our tax policy moving forward. All this does is conform our outdated co-op rules with IRS blessed economic development purposes defined as charitable purposes in numerous rulings since the 1970s. Again, there are numerous examples of this happening across the country. I would highlight the

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Evergreen Cooperative Corporation out of Cleveland, Ohio. Similarly, the Mandela Food Cooperative, which is a worker co-op operating grocery stores in Oakland, California. They have nonprofit members. In that specific case, the Mandela Marketplace, which provides all the technical experience and help in establishing it, and if it weren't for these unique development tools and this unique structure, we would not have those fully functional operating businesses in many communities. You've seen testimony from the cities of Bridgeport and New Haven where there's an incredible opportunity with the number of nonprofits that we have in our communities to take their technical, legal, and tremendous experience and blend those with individuals who are seeking to start a cooperative. This enjoys tremendous support in almost all communities across the country because of its unique model and its widespread economic benefits.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Yaccarino.

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REP. YACCARINO (87TH):

Thank you. Thank you, Mr. Speaker, and thank you for the chair for that answer. When I did ask the other examples, there was only one example in the country and it was Cleveland, Ohio, so I don't think it's really widespread. I'm not against this but I don't think it's that widespread and so you had mentioned a cleaners -- well, they're out of business -- but Jet Cleaners is in New Haven. If there was a model like Jet Cleaners, a private owned business, how would that work with this?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (87TH):

Thank you, Mr. Speaker. Mr. Speaker, this -- I mean it wouldn't impact Jet Cleaners at all. This model would just allow someone to form a cooperative and it updates who those members of the cooperative can be. Right now, you could establish a cooperative that does dry cleaning in New Haven or any other place in the state of Connecticut

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tomorrow. You could -- any group of individuals could establish that cooperative and provide whatever service or business they want. This just opens the door for nonprofits who are focused on economic development to be partners in that establishment and forgive me if you only heard of one example in Ohio. There are also numerous examples, again, I would mention the Mandela Food Cooperative operating out of -- operating grocery stores in Oakland, California. There are a few others as well. New York, New Jersey also have this ability to organize under the language that we're offering here today.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Yaccarino.

REP. YACCARINO (87TH):

So, basically, if there's a group of folks at Yale or anybody -- anywhere in New Haven Southern and they want to open a dry cleaner, a comic book shop, any kind of business, they would come together. Would they have to get a 501(3)(c) to

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open this business as a nonprofit?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. No, you would -- the worker cooperative would be a cooperative business like any other cooperative business model. The only time the 501(c)(3) interacts with it is that a 501(c)(3) could also be a partner in that. It does not change the underlying status of the business that they are establishing. I think that might be where the confusion is. The business that they're establishing is treated like any other for-profit cooperative in state statute. The only thing we're doing is we're opening up the doors for a nonprofit to be a partner in the establishment of said co-op. It should not provide for any limitations on the taxability or change in tax status of that business as established.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

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Representative Yaccarino.

REP. YACCARINO (87TH):

Thank you, so basically, they're for-profit. The business -- the co-op is for-profit like any other business. They're just joining together, different -- just on-the-spot I guess to form a small corporation.

REP. LEMAR (96TH):

Through you Mr. Speaker, that's right. I mean this -- the nonprofit will be making small investments in the for-profit business, which will remain a for-profit business entity in this purpose a for-profit cooperative. This -- the nonprofit investment does not challenge the tax status of the underlying business itself. It just, again, allows for that nonprofit to be a partner in it.

REP. YACCARINO (87TH):

Thank you for that answer. [Cross Talking]

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Yaccarino.

REP. YACCARINO (87TH):

Thank you for the answer and the

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clarifications. I'm sorry, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Yaccarino.

REP. YACCARINO (87TH):

As long as -- you know, my concern was it's not mandated. It's voluntarily. I don't want to have X business having somebody saying we want to join you. Obviously, that's a private company. If that's the case, I'm fine with it. I just -- obviously, it's going to be up to the individuals who join and create business, so with that, thank you for the answers and thank you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Gentleman from Wallingford,
Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. I too had some questions for the proponent. If I may?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. Sir, to be a portion

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of this cooperative, how many individuals is required?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, could I have leave for a moment to research the answer to the individual's question?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Of course. Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, the certificate of incorporation defines how a worker cooperative shall be established and the qualifications and methods for acceptance and termination of members. It does not specify the exact number of members to establish a worker's cooperative, but it does outline how they are to be governed and how members are to be added and removed.

Through you, Mr. Speaker.

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. So, am I to understand that a cooperative can be a legitimate under this scenario maintaining 2 members?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, through you, I believe that is an accurate statement.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. So, my understanding is these cooperatives is a for-profit entity and a nonprofit entity coming together to do business.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

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Thank you, Mr. Speaker, and Mr. Speaker, all this bill allows is for nonprofits to also join into a worker's cooperative. It doesn't require that a nonprofit be a part of it. It doesn't require they even consider nonprofit membership as a part of it. All they are doing is saying that if a nonprofit wishes to engage in the development of a worker's co-op that they have the right to do so like any other private citizen.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. Perhaps, I misunderstood. I thought what we were doing here today is we were allowing a nonprofit to now become part of a cooperative, which given the good representative's prior response could be one nonprofit and one for-profit.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

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REP. LEMAR (90TH):

Mr. Speaker, yes. We're opening up the door for nonprofits to become members of cooperatives. It does not require them to do so. Cooperatives can still establish in any mechanism and manner which they wish with whatever individuals they wish. It just allows for nonprofit entities to also be one of those individuals who are considered.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. So, my understanding of these cooperatives, you know, it could be a house cleaner or somebody who is a single member LLC that has a house cleaning business would perhaps be one member and this fictional nonprofit whatever it might be could be the other member. Is that a fair scenario under this language?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

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Thank you, Mr. Speaker. Mr. Speaker, yes, that is a fair scenario and the one that you see play out in numerous other states, again, including Colorado, Wisconsin, California, Ohio, and other states.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. So, I'm just trying to figure out as my colleague, prior to my asking questions, was inquiring about the tax code and how this could not violate some portion of the tax code when we have a for-profit merging so-to-speak with a nonprofit and they're sharing the benefits of the investment of the nonprofit in the cooperative.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (90TH):

Again, thank you, Mr. Speaker. Mr. Speaker, in a series of rulings starting in the 1970s, the IRS has blessed economic development as a charitable purpose. That charitable purpose must be defined.

There are numerous examples of this type of structure working positively in communities across the country. For example, there is something called Vision Spring, which is organized to distribute eyeglasses to low-income countries. It is an organized cooperative in which there is a one for-profit and one nonprofit member. The use of sustainable profits in which, you know, they give traditional matches to things like Goodwill and Girl Scout Cookies. I brought up Mandela Food Cooperative, which is operating a grocery store with Mandela Food Cooperative, which is a co-op in Oakland, California that has the nonprofit member Mandela Marketplace, which serves as its chief organizer and which has helped sustained and build that cooperative model and helps share all of those proceeds with all cooperative members.

These have been blessed, again, by the IRS over numerous times. There are numerous nonprofits that are engaging in economic and community development work across our country and they're structured in this manner. Right now, you could incorporate in

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the state of New York and run this model internal to Connecticut. You could establish this business in New York and run its operations -- day-to-day basis in Connecticut just with a -- with a -- like that's why businesses will sometimes incorporate in places like Delaware or New York or New Jersey and still do business in the state of Connecticut. Our laws and our rules make it difficult to establish this Connecticut-based, Connecticut benefitting co-op model in our state, so instead, they'd be forced to incorporate in another community entirely.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. That's all the questions I have at this time. Thank you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Gentleman from Plainville,
Representative Petit.

REP. PETIT (22ND):

Thank you, Mr. Speaker. A couple questions for

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the proponent, sir.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed.

REP. PETIT (22ND):

Perhaps, along the -- the same lines as my -- my colleague from Commerce, I'm just having trouble understanding concretely the proposal, so if I can -- if I could give you a concrete example of a cooperative setup and it requires \$10 dollars and they're able to get \$5 dollars from employees and they need \$5 dollars from a nonprofit. Does the nonprofit then hold 50 percent of the votes or 50 percent of the shares of access to 50 percent of the profit?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (90TH):

Thank you very much, Mr. Speaker, and Mr. Speaker, the incorporation documents would cover the direct manner in which the corporation documents and

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the bylaws as defined would cover who shares and how they share based upon the percentage of -- of resources they provide and those resources could be defined as legal resources, financial resources, technical resources, so it would depend upon the exact articles and bylaws as drafted by that co-op before I could begin to answer that question. Under a simple construct that you outlined, I think that's probably an accurate depiction of how it might play out.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Petit.

REP. PETIT (22ND):

Thank you and I guess to follow up with what the proponent suggested, so the same process would be in place for a gift in kind so to speak if the nonprofit provided legal support or expertise in the dry-cleaning business or the restaurant business. That would then be valued at a certain amount to make a determinant in the corporation documents what percentage they would be -- have access to in terms of profits?

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Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Yes, Mr. Speaker. Mr. Speaker, section -- if the good representative wanted to check out section 2, section 33.418? It outlines the protections in place for each individual member and the process by which the bylaws can be adopted and the types of shares that can be offered based upon the amount of investment each partner makes, but on a baseline answer to the question, is yes. The answer is yes.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Petit.

REP. PETIT (22ND):

Thank you, Mr. Speaker, and one final question. So, if in this type of relationship if the nonprofit had a -- made a monetary investment donation or gift in kind that was an excessive 50 percent and they were the majority owner, majority partner so to speak, could they then close or change the direction of the cooperative business if they held greater

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than 50 percent interest in the business.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, I believe the answer to that is no based upon my understanding and guidance from our attorneys.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Petit.

REP. PETIT (22ND):

That's all. Thank you very much, Mr. Speaker. Thanks to the proponent.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

For the second time, Representative Yaccarino. If I could see you -- no net yet. Now.

REP. YACCARINO (87TH):

Thank you for the second time. I just want for legislative intent to clarify something, just so I feel comfortable and I think we all feel comfortable. I'm going to use an example of a New

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Haven business since this bill is basically based on New Haven. Say Elm City Social -- it's a nice place in New Haven. It's a privately-owned company. If I'm the owner of that company, now we have 5 people that are hired at this company and they want to start a co-op. See, I don't think that should be allowed. I just want to make sure that's not allowed, that's all. Because, I think it will clarify a lot of confusion. Is that allowed?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, I think I understand the concern now. No, this does not authorize any group of workers to fundamentally turn a private, for-profit business into a cooperative. Workers cannot organize and take over the business. That is not envisioned or even I think possible under a series of state and federal laws, so I -- I hope to address that concern strongly with no. No group of individual workers can collectively organize and take over the business in that manner.

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REP. YACCARINO (87TH):

Yeah, that's all. I just wanted to clarify and thank you for your answers and thank you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Will you remark further on the bill? Will you remark further on the bill? If not, staff and guests please come to the well of the House, members take their seats, and the machine will be open.

CLERK:

[Bell] 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 PRO TEMPORE GODFREY (110TH):

Have all the members voted? Have all the members voted? If all the members have voted, the machine will be locked, clerk will take a tally, and the clerk will announce the tally.

CLERK:

House Bill 5442

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Total number Voting	149
Necessary for Passage	75
Those voting Yea	149
Those voting Nay	0
Absent not Voting	1

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Bill is passed (Gavel). Mr. Clerk, Calendar
59.

CLERK:

On page 8, Calendar 59, Substitute House Bill
No. 5230, AN ACT HONORING CONNECTICUT NATIONAL GUARD
MEDAL OF HONOR RECIPIENTS. Favorable report of the
Joint Standing Committee on Veterans' Affairs.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The distinguished chair of the Veterans'
Affairs Committee, Representative Hennessy.

REP. HENNESSY (127TH):

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

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Question is on acceptance and passage. Will

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you explain the bill please, sir?

REP. HENNESSY (127TH):

Thank you, Mr. Speaker. Mr. Speaker what this bill does is official recognize the heroic deeds of the two National Guard Medal of Honor recipients. The Medal of Honor is the highest award, valor, in action against an enemy force, which can be bestowed upon an individual. Mr. Speaker, the National Guard has two major training facilities, one is in Windsor Locks and the other one's in Niantic. Mr. Speaker, the National Guard also has two Medal of Honor recipients and they are Lee Hartell and Robert Burton Nett. What this bill will do is officially name these two training facilities Hartell Camp -- Camp Hartell is already named but this will -- that was through executive order and this will set it in statute, and we will change the name to Camp Nett at Niantic. This is a military agency bill supported by Veterans throughout the state. I move adoption.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Will you remark further on this bill? Representative Cheeseman.

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REP. CHEESEMAN (37TH):

Thank you, Mr. Speaker. The clerk has an amendment. It's LCO No. 3750. Would you please ask the clerk to call it and I'd be allowed to summarize?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Clerk is in possession of LCO No. 3750, which will be designated House Amendment Schedule "A", Mr. Clerk.

CLERK:

House "A", LCO No. 3750 offered by Representative Cheeseman.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The gentlewoman asked to leave the Chamber to summarize. Is there objection? I'm hearing none. Representative Cheeseman.

REP. CHEESEMAN (37TH):

Thank you, Mr. Speaker. The change with the existing legislation would strike Nett at Niantic and replace it with Camp Niantic. Nett -- hyphen Nett.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

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[Laughing] Dot Nett that would be --

REP. CHEESEMAN (37TH):

Dot Nett -- I know.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

That would be a URL. Okay.

REP. CHEESEMAN (37TH):

Exactly.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

[Laughing]

REP. CHEESEMAN (37TH):

Camp Niantic-Nett, and I move adoption of the amendment.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

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

REP. CHEESEMAN (37TH):

Yes, please. In 2010, the legislature and Governor Rell signed into law Public Act 10-69. To refresh the memories of some who may not know, prior to that date, the camp in Niantic changed its name each time there was a new governor, so we had Camp

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Dempsey, Camp Rowland, Camp Rell. It was decided that this was both expensive and confusing as National Guard members would train there and then meet after -- Oh, where did you train? Camp Rowland, Camp Rell, Camp O'Neill. There was no continuity, so to provide that continuity and to save dollars, Public Act 10-69 indicated that the camp -- National Guard Camp in Niantic would be renamed Camp Niantic in perpetuity. Flashforward to last year and this year when the proposal was made to rename it Camp-Nett. My constituents in East Lyme, my members of the VFW, the American Legion were taken back by this. As far as they were concerned, the camp had been named in 2010 in perpetuity, and I can explain to them as long as I may that this legislature says things and does things and laws are passed but nothing is forever and certainly, not the name of the camp. It is as you enter the camp the first building you see is in fact Camp-Nett. It's very prominent and my constituents felt this provided enough honor for the very, very esteemed Colonel, and I go back to what

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the legislation said that this was in fact names in perpetuity.

Surely, one of the issues the citizens of our state have with us and with what goes on that we make a commitment to them and then we do not live up to that commitment, so I understand their misgivings. On the other hand, I know the value and the honor of Colonel Nett. I know that throughout the rest of the state and the National Guard members there would very much like to see him honored. For that reason, I am going to bow to their request. I am going to explain to my constituents. I thank you for letting me make the case, and Mr. Speaker, I'd like to withdraw my amendment.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The gentlewoman has asked to leave the Chamber to withdraw her amendment. Is there objection? I'm hearing none. The amendment is withdrawn. Will you remark further on the bill? Representative Storms.

REP. STORMS (60TH):

Thank you, Mr. Speaker. I rise to support this bill. Camp Hartell has been a significant base in

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the town of Windsor Locks. I think it's fitting and appropriate that we honor our two Medal of Honor winners by naming our military installations after these very distinguished Army National Guard people, and I would ask the Chamber to support this bill.

Thank you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Will you remark further on the bill? Will you remark further on the bill? If not, staff and guests please come to the well of the House, members take your seats, and the machine will be open.

CLERK:

[Bell] 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 PRO TEMPORE GODFREY (110TH):

Have all the members voted? If all the members have voted, so the machine will be locked, and the clerk will take a tally, and the clerk will announce the tally.

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CLERK:

House Bill 5230

Total number Voting	149
Necessary for Passage	75
Those voting Yea	121
Those voting Nay	28
Absent not Voting	1

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The bill is passed (Gavel). For an announcement, Representative McCarthy Vahey from Fairfield.

REP. MCCARTHY VAHEY (133RD):

Thank you, Mr. Speaker. For the purposes of an introduction.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

For an introduction, ma'am, please proceed.

REP. MCCARTHY VAHEY (133RD):

Thank you, Mr. Speaker, so with me today from Fairfield, constituents of mine who are wonderful advocates are Tom Griffin and his dog, Sterling, and Steve Kennedy who is here today on behalf of our Veterans and working very hard on Senate Bill 284,

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along with my intern from Sacred Heart University,
Nicki Bettonelli. So, I would ask the Chamber to
give them all a warm welcome. [Applause]

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

We're delighted to have you as our guests here
today. I'm Navy -- 7 years before you were born. I
joined the Navy to see the world and wound up in
Newport, Rhode Island, but anyway, thank you for
being here and thank you for all your work you have
done on behalf of all of our Veterans. I really
appreciate it. The House will stand at ease.

(Gavel) House will come back to order. We will
return to the call of the Calendar. Mr. Clerk,
please call Calendar 374.

CLERK:

On page 39, House Calendar 374, Substitute
House Bill No. 5252, AN ACT CONCERNING REVISIONS TO
THE CONNECTICUT ANTITRUST ACT AND DISCOVERY
CONDUCTED BY THE ATTORNEY GENERAL IN WHISTLE-BLOWER
AND FALSE CLAIMS ACTIONS. Favorable report of the
Joint Standing Committee on Judiciary.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

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The distinguished chairman of the Judiciary Committee, Representative Tong.

REP. TONG (147TH):

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

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Question is on acceptance and passage. Will you explain the bill please, sir?

REP. TONG (147TH):

Thank you, Mr. Speaker. I want to thank the attorney general for bringing this bill to our attention. Last year, we did part of this bill. It's a so-called Illinois brick repealer. Other states have repealed what is essentially the law as set forth by the U.S. Supreme Court in the Illinois Brick Decision that says in antitrust cases, particularly price-fixing cases, that indirect purchasers, meaning ultimately consumers, cannot receive recovery unless state statute says otherwise, so a variety of other states have made those changes by passing so-called Illinois Brick

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Repealer statutes. Last year, we did it for medical devices and for pharmaceuticals. This year's bill expands it to all markets in which there may be antitrust violations and price fixing. This bill passed unanimously, I believe, in the Judiciary Committee, and I urge support. Thank you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. The distinguished ranking member of the Judiciary Committee, Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker I rise in favor of the bill that's before us. Certainly, we did hear the testimony and also the good chairman indicated that this is an expansion of what had previously been done and in fact, there is a possibility that this may also be a positive fiscal impact because depending on the type of cases that are pursued it could have a positive fiscal impact, but just for clarification purposes, through you Mr. Speaker, a question to the good chairman.

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed, ma'am.

REP. REBIMBAS (70TH):

Thank you. Through you Mr. Speaker, does this legislation also make a slight clarification change regarding the service on subpoenas for whistle-blowers?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Tong, do you care to respond?

REP. TONG (147TH):

Through you, it does.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker, and that change is consistent with service that we have in other matters. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Tong.

REP. TONG (147TH):

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Through you Mr. Speaker, I'm sorry, I couldn't hear the ranking member.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Well, let me try and fix that. (Gavel) The chair and ranking member can't hear each other, so if you'd please take your conversations outside and be a little quieter in the Chamber, we'd all appreciate it. Representative Rebimbas, could you kindly repeat your question?

REP. REBIMBAS (70TH):

Certainly, thank you, Mr. Speaker. Mr. Speaker, the change regarding the service when it comes to the whistle-blowers for subpoenas is consistent with the practice in other similar types of matters. Is that correct?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Tong.

REP. TONG (147TH):

Through you, I would say it's generally consistent. I can't say that it matches every procedure for service in our state, but from lines

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25 through 31 of the Substitute file No. 562, yes.
It provides for service by in-hand service or by
registered or certified mail.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. I want to thank the
good chairman for his response and certainly, I saw
a representative for the Attorney General's Office
also nodding his head in affirmative, so I do rise
in support of the legislation before us. It's a
good one.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, madam. Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. If I may, some
questions for the proponent?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Certainly, sir.

REP. FISHBEIN (90TH):

Thank you, sir. Sir, not having a background

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in antitrust litigation, can I just learn more about how this changes -- it appears to have something to do with maybe product liability or something like that?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Tong.

REP. TONG (147TH):

Through you Mr. Speaker, with due respect, I'm not sure I understand the question as posed, through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fishbein, could you please restate your question?

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. I'm looking at the language that appears to expand the utilization or the lack of utilization of the defense that one cannot assert -- that they do not deal directly with the individual who purchased the product or something like that, which I recognize from product reliability litigation. Is that how this is to be

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applied, or? You know, I don't understand how this expansion is to be applied.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Tong.

REP. TONG (147TH):

Through you, Mr. Speaker. If the question is how this applies to our antitrust laws and how it applies to indirect purchasers, this legislation is an expansion of what we did last year where we did a partial repeal -- so-called repeal of the Illinois Brick Decision by the U.S. Supreme Court that provides that under federal antitrust law that indirect purchasers cannot recover directly but states through their state antitrust laws can determine otherwise, and so we did that with respect to medical devices and pharmaceuticals last year. This simply removes the limitation as to medical devices or drugs, basically.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fishbein.

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REP. FISHBEIN (90TH):

Thank you, Mr. Speaker, so am I to understand, does this have anything to do with product liability law?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Tong.

REP. TONG (147TH):

Through you, yes, broadly speaking. Price fixing and antitrust violations with respect to products and to the extent that results in liability, yes.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. Just to clarify, you know, I look at product liability -- if let's say someone buys an iron directly from the manufacturer and then sells that iron as a tag sale and is damaged by that, usually on a product liability claim one can claim that they didn't purchase it

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directly from the manufacturer. Does this in any way affect that sort of relationship?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative. Tong.

REP. TONG (147TH):

So, through you, the general concept of products liability generally relates to actions that sound untoward or negligence actions that result in personal injury. I don't want to say that antitrust violations and price fixing don't result in personal injury, but this is a different nature than I think what Representative Fishbein commonly -- or refers to what is commonly known as products liability.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you. That just answered my question.

Thank you, Mr. Chairman.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Will you remark further on

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this bill? Will you remark further on this bill?

If not, staff and guests please come to the well of the House, members take your seats, the machine will be open.

CLERK:

[Bell] 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 PRO TEMPORE GODFREY (110TH):

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.

CLERK:

House Bill 5252

Total number Voting	148
Necessary for Passage	75
Those voting Yea	148
Those voting Nay	0
Absent not Voting	2

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

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The bill is passed (Gavel). Mr. Clerk, kindly
call Calendar 334.

CLERK:

On page 33, House Calendar 334, Substitute
House Bill No. 5211, AN ACT CONCERNING JUDICIAL
PROCEDURES RELATING TO INITIATION OF AN ACTION FOR
DISSOLUTION OF MARRIAGE, DISSOLUTION OF CIVIL UNION,
OR LEGAL SEPARATION. Favorable report of the Joint
Standing Committee on Judiciary.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Distinguished chair of the Judiciary -- no.
the distinguished vice-chair of the Judiciary
Committee, Representative Stafstrom.

REP. STAFSTROM (129TH):

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

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Question is on acceptance and passage. Will
you explain the bill please, sir?

REP. STAFSTROM (129TH):

Thank you, Mr. Speaker. Mr. Speaker, the bill

before us comes to us from the Judicial Branch and makes two related changes to our civil dissolution statutes. Section 1 of the bill would require that when a plaintiff in an action for annulment, dissolution of marriage, or dissolution of a civil union or legal separation files the action, they need to include a blank appearance form to make it easier for the defendant to file their appearance in the action. The second section of the bill provides a process by which the normal 90-day waiting period in dissolution and legal separation cases can be shortened by a judge after 30 days when an appearance has not been filed by the defendant in the action. The judge would have to hold a hearing, a motion. An affidavit would have to be submitted and the statute sets forth the criteria under which the judge could limit the 90-day -- waive the 90-day waiting period. I urge support of the Chamber.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Distinguished ranking member of the Judiciary Committee, Representative Rebimbas.

REP. REBIMBAS (90TH):

Thank you, Mr. Speaker. Mr. Speaker, I rise in support of the legislation -- proposed legislation before us. I think the judicial branch has done an excellent job in the past few years in expediting services and certainly, where parties agree, then there's the option to waive the 90-day waiting period for a dissolution action or the other actions, as the good vice-chairman just indicated on the record. This is just one more step in the right direction in regards to a position where the individual has been abandoned or that the other party truly is not participating in the process. I think the requirement and I've certainly consulted with many other different practitioners in the family court of including an appearance form with the original package of service is a very good one and a positive one. Again, it's informative to the individual that's receiving it in order to expedite the process of entering an appearance if they were to choose to file an appearance in the case. So, Mr. Speaker, I do rise in support of the legislation before us. There was no opposition submitted to

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this, and I did also consult with my very good
colleague, Attorney Fishbein, who also supports this
[Shout] so I ask support for this legislation.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

[Laughing] Well, that got a reaction
[Laughing]. Will you remark further on this bill?
Will you remark further on this bill? If not, staff
and guests please come to the well of the House,
members take your seats, the machine will be open.

CLERK:

[Bell] 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 PRO TEMPORE GODFREY (110TH):

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 the
tally, and the clerk will announce the tally.

CLERK:

House Bill 5211

Total number Voting

149

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Necessary for Passage	75
Those voting Yea	149
Those voting Nay	0
Absent not Voting	1

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The bill is passed (Gavel). The House will stand at ease. (Gavel) The House will come back to order. We will return to the call of the Calendar. Calendar 251, Mr. Clerk.

CLERK:

On page 28, House Calendar 251, House Bill No. 5487, AN ACT CONCERNING THE CONTINUANCE OF A NONCONFORMING USE, BUILDING OR STRUCTURE. Favorable report of the Joint Standing Committee on Planning and Development.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The distinguished vice-chairman of the committee on Planning and Development, Representative Conley.

REP. CONLEY (40TH):

I move acceptance of the Joint Committee's favorable report and passage of the bill.

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Question is on acceptance and passage. Will you explain the bill please, madam?

REP. CONLEY (40TH):

Through you Mr. Speaker, this is a bill that passed out of P&D, and it's a good bill. It ought to pass. I move for adoption.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Can't get anymore succinct than that [Laughter]. Will you remark further on this bill that passed P&D unanimously and is a good bill and ought to pass? If not, staff and guests please come to the well of the House, members take your seats, we're gonna give Representative Conley a gold star, and the machine will be open.

CLERK:

[Bell] 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 PRO TEMPORE GODFREY (110TH):

Have all the members voted? Have all the

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members voted? Is your vote properly recorded? If so, the machine will be locked, and the clerk will take a tally, and the clerk will announce the tally.

CLERK:

House Bill 5487

Total number Voting	149
Necessary for Passage	75
Those voting Yea	148
Those voting Nay	1
Absent not Voting	1

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The bill is passed (Gavel). Mr. Clerk, would you be so kind as to call Calendar 221?

CLERK:

On page 24, Calendar 221, House Bill 5045, AN ACT ESTABLISHING ACCOUNTABILITY FOR FAIR AND AFFORDABLE HOUSING THROUGH ZONING REGULATIONS. Favorable report of the Joint Standing Committee on Planning and Development.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The distinguished chair of the Planning and Development Committee, Representative Lemar.

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REP. LEMAR (96TH):

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

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Question is on acceptance and passage. Will you explain the bill please, sir?

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, the bill before us is the work of multiple months and multiple partners across multiple different backgrounds. We brought together a Fair Housing workgroup with members of multiple committees from both Chambers from both sides of the aisle. We met with Fair Housing advocates, members of local municipalities, and experts in the field, and we came up with a series of recommendations voted through the Fair Housing workgroup. This bill is actually one of those recommendations. It amends the Enabling Zoning Act. It allows for -- under current state statute passed in 1993, all municipalities are required to have standing zoning

ordinances in place for multifamily, which means two or more family homes in mixed income housing.

As of 2018, several municipalities remain not in compliance with this statute, so this bill incentivizes the passing of multifamily housing ordinances in the state. It also makes needed technical and clarifying changes and updates zoning and enabling statute. What we do is we require the regulations to provide for rather than encourage a variety of housing development opportunities to meet local and regional needs. The requirements need to be designed to firmly further fair housing and it eliminates a requirement that the regulations be made with reasonable consideration as to the character of a district, which was undefined in statute. It prohibits regulations from imposing any mobile manufactured homes and associated law conditions that are substantially different from those imposed on other residential developments. This bill has tremendous support, both from the Home Building community, Fair Housing community, and enjoy terrific support out of the Fair Housing

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workgroup, and I urge adoption.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. The distinguished ranking member of the Planning and Development Committee, Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. This bill does three main things. It does reorganize existing zoning statutes and does clean them up quite a bit. It also requires towns to report every 5 years on their compliance with the state's fair housing laws, and number 3 it imposes penalties on those towns that do not comply. It is important for a state to have affordable housing for our residents, for our existing residents, and those which you may care to attract here. Expensive, inaccessible housing only adds to the cost of living here in Connecticut. We're a high state of -- we have a high cost of living overall between high taxes, high utility costs, and high housing costs, whether you own or rent your home, and it's something that impacts all ages. And, I absolutely get it that we need to have

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affordable housing, and in many areas that we do have it, we have towns that have very affordable single-family homes, but they just don't happen to be deed restricted, so some of these communities are -- are very affordable but just don't meet those criteria. Mr. Speaker, a few questions for the proponent of the bill, if I may?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Please proceed, madam.

REP. ZAWISTOWSKI (61ST):

Through you Mr. Speaker, how many towns are currently not in compliance with Connecticut's fair housing laws?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar, do you care to respond?

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, for point of clarification on that answer, there's not a -- it does not apply to the numerous issues that have been brought up before us in past years regarding conformance with 8-30g. This has nothing to do with any -- it does not require the production of any

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units, nor does it put a community on the line for any units. All it does is say that somewhere within a community you must make available the ability to construct multifamily homes. As of now, there are maybe -- it's hard to know for sure because we have to evaluate every town's zoning code -- but it appears to be the case that only -- out of 169 towns, at least over 130 of them are compliant, maybe as many as 140 to 145 are already compliant.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Zawistowski, would you be so kind just to yield the floor to Representative Ritter?

REP. ZAWISTOWSKI (61ST):

Absolutely, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you. Representative Ritter.

REP. RITTER (1ST):

Thank you, Mr. Speaker, and I appreciate the representative yielding the floor. I move that we pass this item temporarily. Thank you.

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Question is on passing this item temporarily.

Is there objection? I'm hearing none. The item is
passed temporarily, and the House will stand at ease
(Gavel). House will come back to order (Gavel).

Mr. Clerk, Calendar 300, please.

CLERK:

On page 29, House Calendar 300, Substitute
House Bill No. 5262, AN ACT CONCERNING THE REPORTING
OF THE TRIENNIAL AUDIT OF STATE CONTRACTING AGENCIES
BY THE STATE CONTRACTING STANDARDS BOARD. Favorable
report of the Joint Standing Committee on Government
and Administration and Elections.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The distinguished vice-chairman of the
committee on Government and -- on Government
Administration, and Elections, Representative
Winkler.

REP. WINKLER (56TH):

Yes, Mr. Chair. I move for acceptance of the
Joint Committee's favorable report and passage of
the bill.

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Question is on acceptance and passage. Will you explain the bill please, sir?

REP. WINKLER (56TH):

This bill explicitly sets timeframes for the issuance of compliance reports. It says in 30 days after completing the audit the state Contracting Standards Board will issue the report. The report will go to the agency. They have 60 days to reply. Then, the report and the response, if any, will go the Appropriations and Governmental Administration and Elections Committee, the Appropriations Committee, and the Committee of Cognizant over the contracting agency. And, those are the only changes to existing statutes, and I move adoption.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. The distinguished ranking member of the Government Administration and Elections Committee, Representative Devlin.

REP. DEVLIN (134TH):

Thank you, Mr. Speaker. Just a couple of questions for the proponent of the bill?

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed, ma'am.

REP. DEVLIN (134TH):

Thank you very much. So, just to clarify to the good representative. Nothing in this bill changes the provisions enacted in the budget that would allow the Committee of Cognizant to hold a public hearing on the auditor's findings. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Winkler, do you care to respond?

REP. WINKLER (56TH):

Through you, Mr. Speaker, that is correct.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Devlin.

REP. DEVLIN (134TH):

Excellent. Thank you. And, just to affirm, as well, there's no fiscal impact with this bill?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Winkler.

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REP. WINKLER (56TH):

Yes. There is no fiscal impact.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Devlin.

REP. DEVLIN (134TH):

Excellent. Thank you. Mr. Speaker, I have no further questions. I encourage my colleagues to support this legislation.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, ma'am. Representative Ziobron.

REP. ZIOBRON (34TH):

Thank you, Mr. Speaker, and good afternoon to you. I just have a few questions please to the proponent.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed.

REP. ZIOBRON (34TH):

Thank you so much. Mr. Speaker, I am currently looking at the agenda and the minutes from the last meeting of the Contracting Standards Board, and it's my recollection in previous years when we've had

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them come before us on the Appropriations Committee that they were not able to make their quorum. Through you Mr. Speaker, does the proponent know if they're gonna be able to take action within a reasonable time period given the adjustments in this bill if they are not able to make quorum and if they aren't, how is the bill then going to move forward within those time limits?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Perhaps, representative you would rephrase that question. You seem to be -- to me to be asking his opinion, which is not allowed. If you can perhaps re -- re -- restate it as an actual -- as a question of fact, please?

REP. ZIOBRON (34TH):

Sure, so the factual --

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thanks.

REP. ZIOBRON (34TH):

-- Question that I asked originally was in the case of a not -- in the case of a lack of a quorum,

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given that the bill has the kind of exacting parameters 30 days and 60 days, how are they going to in fact be able to act upon those recommendations if the quorum is not met?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Much better. Thank you, ma'am. Representative Winkler.

REP. WINKLER (56TH):

Yes. The existing legislation omits that given the small staff of the commission, which I believe is one person -- State Contracting Standards Board, which I believe is one person, and they're a volunteer board, that they can only get to each agency once every 3 years. We believe that once they have this structure and once they know what the time limits are, that they will address those issues and be able to obtain a quorum.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ziobron.

REP. ZIOBRON (34TH):

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Thank you, Mr. Speaker, and will this Contracting Standards Board be utilizing the good work already completed by our public auditors of accounts?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Winkler.

REP. WINKLER (56TH):

That, Mr. Speaker, I do not know.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ziobron.

REP. ZIOBRON (34TH):

Thank you, Mr. Speaker, and if they aren't going to be using the work of the public auditors, would they be engaging the public auditors to in fact meet the -- the deadlines set forth in this legislation?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Winkler.

REP. WINKLER (56TH):

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That would be up to the State Contracting Standards Board.

Through you, Mr. Chair.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ziobron.

REP. ZIOBRON (34TH):

Thank you very much, Mr. Speaker. Mr. Speaker, I am a little concerned just about the ability to get the job done based on the testimony from this board specifically over the last few years. I'm going to continue to read it, continue to listen. It's very important that we make sure that when we're passing legislation that it's not just based on good intentions but also the results of that work, and that's why I'm raising my concerns today. Thank you very much.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, madam. Will you remark further on this bill? Will you remark further on this bill?

REP. WINKLER (56TH):

Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

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Representative Winkler.

REP. WINKLER (56TH):

Just two things. One this passed 17:0 in committee and also, this bill came about as a result of a conversation with Representative Delnicki, and I wanted to express a debt of gratitude to him. Thank you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Will you remark further on the bill? Will you remark further on the bill? Representative Delnicki. Your name was just mentioned.

REP. DELNICKI (14TH):

Good afternoon, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Good afternoon, sir.

REP. DELNICKI (14TH):

I couldn't help but my ears started to burn there for a second.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

It happens.

REP. DELNICKI (14TH):

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This did come out of a conversation, not just with Representative Winkler but with the sole member of the board, discussing the fact that there are so many contracts that are basically given out as no bid. Think about that. No bid contracts in government. That it's certainly an opportunity for monetary savings and at least, we can get some information, so we know whether there's an opportunity for savings there, and that's why I'm supporting it. Thank you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Are you ready for the question? I'm seeing none. Staff and guests please come to the well of the House, members take your seats, the machine will be open.

CLERK:

[Bell] 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 PRO TEMPORE GODFREY (110TH):

Have all the members voted? Have all the

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members voted? If so, the machine will be locked, and the clerk will take a tally, and the clerk will announce the tally.

CLERK:

House Bill 5262

Total number Voting	148
Necessary for Passage	75
Those voting Yea	148
Those voting Nay	0
Absent not Voting	2

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The bill is passed (Gavel). Mr. Clerk, kindly call Calendar 221.

CLERK:

On page 24, Calendar 221, House Bill 5045, AN ACT ESTABLISHING ACCOUNTABILITY FOR FAIR AND AFFORDABLE HOUSING THROUGH ZONING REGULATIONS. Favorable report of the Joint Standing Committee on Planning and Development.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The distinguished chair of Planning and Development, Representative Lemar.

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REP. LEMAR (96TH):

Thank you, Mr. Speaker. I shall return again.
Mr. Speaker, as we mentioned early, this bill is the
product of tremendous work --

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar, how about moving
acceptance and passage?

REP. LEMAR (96TH):

I'm sorry. I shall -- I once again move
acceptance of the Joint Committee's favorable report
and passage of the bill.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Question is on acceptance and passage. Now,
please explain the bill, Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, this bill
is the biproduct of tremendous work of the preceding
9 months by administration officials, agency
officials, Fair Housing advocates, legislatures from
both sides of the aisle in both Chambers, Home
Builders Community, representatives of local
planning and zoning commissions across the state of

Connecticut, and affiliated interest groups. What we have here today represents comprehensive work and one of the recommendations of this Fair Housing workgroup. It amends the Enabling Zoning Act that regards town zoning, an undercurrent statute that was passed in 1993. All municipalities are required to have standing zoning ordinances in place for multifamily and mixed-income housing.

As of 2018, several municipalities remain not in compliance with the statute. Again, this has nothing to do with other housing bills we've seen in this Chamber regarding the production of units or other sections of code. All this is relating to is the Zoning Enabling Act in which we say communities must allow for multifamily zoning somewhere in their community, either by right or by special permit. Similarly, the bill also makes needed technical and clarifying changes and updates 8-2 in its entirety. Through that, I move adoption.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. The distinguished ranking member, Representative Zawistowski, I believe you

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were asking some questions last time we were
visiting this bill.

REP. ZAWISTOWSKI (61ST):

Yes, Mr. Speaker. Where I left off, I had some
questions. I also was emphasizing that yes, we do
need to have affordable housing in our state, but I
think this may not be the way to go about it. First
question that I have, through you Mr. Speaker to the
proponent of the bill, is how many towns currently
do not have multifamily or mixed-use housing?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar, do you care to respond?

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, yes,
through you, as of 2015, the last time we did a
comprehensive review of municipality zoning
regulations, it appears as if about out of 169 towns
in the state of Connecticut, about 25 of them do not
allow by right or special permit anywhere in their
municipalities multifamily zoning.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

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Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

And, I appreciate that answer. It squares pretty much with a list that I've received as well. A follow-up question on the bill itself. Through you Mr. Speaker, this bill requires that towns report to the Department of Housing every 5 years whether or not they meet their requirements of -- of what this would be if this bill becomes law. Is that the case?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Through you, yes. That is the requirement and it's a simple requirement in which they can just forward their local zoning code.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Zawistowski.

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REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker and conforming the local zoning code means what exactly?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Through you, it's just evidencing that local community has adopted at least one zoning district in that town that allows for multifamily housing or 3+ units by right or special permit or showing that they've adopted at least one zoning district that allows for mixed-use development by right or special permit or that they've adopted at least one zoning district that allows for accessory dwelling units by right. We expect that all municipalities -- the 145ish municipalities in the state of Connecticut are already fully compliant and it is only those few dozen communities that we feel might not be compliant. In fact, it may be even fewer than 25 because we just haven't updated our information to correspond with any local zoning changes they may

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have made.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. Several of the towns on the list, especially those in the Eastern part of the state have what you would probably consider fairly affordable housing right now. This would be single-family residences that -- that are -- are, you know, fairly low median home price.

Unfortunately, they do not meet the qualifications of being multifamily housing as -- as put in this bill and they don't necessarily -- they are not deed restricted under 8-30g or anything like that. Some of these towns are in locations that do not have a lot of local employment, they are not anywhere near any public transportation, and may not be terribly suitable for workforce housing, so some of these towns it may not make a whole lot of sense for them to further change their zoning laws for -- for multifamily or mixed-income housing.

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Through you, Mr. -- Mr. Speaker, what are the options for the Department of Housing when a town is not compliant?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, through you, again, this bill has nothing to do with 8-30g or affordable housing regulations. All it has to do is with local zoning regulations allowing for the development of multifamily units or mixed-use zoning or accessory dwelling units. And, in fact, all we're asking these communities to do is become complaint with what already is the law. These communities have already been required for over 25 years to find somewhere in their municipality, not their entire municipality, not the bulk of their municipality, just somewhere in their community that they can allow as of right multifamily zoning.

Through you, Mr. Speaker, I think the answer to this question is if these communities are not likely to see multifamily zoning, it won't matter that it's

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allowed by right or not and so they should just allow the market to determine that rather than government constraint that we've already said at the state level is unacceptable.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker, and I just want to repeat my question. What are the Department of Housing options when a town reports -- they're supposed to report every 5 years -- that they have not decided to include multifamily housing in their zoning?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

The options are that the commissioner can determine that they're -- through OPM -- sorry -- can determine that they're ineligible for some discretionary state fundings.

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Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker, and what exactly are those penalties. You mentioned discretionary state funding. Could you please elaborate on what discretionary state funding may be used to punish these towns?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Through you, Mr. Speaker. Mr. Speaker, if towns have still after 25 years -- and again, this is a very few number of towns. People presume that their town is not compliant. I encourage you to come by and I'll show you and I'll make available to you a list -- a map. Almost every town in this state is already compliant and if a town is not compliant, the discretionary funds, which are defined in statute, are things not limited to like

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Urban Action Program or some historic preservation, brownfield remediation, farmland preservation programs, but again, the overwhelming majority of communities in this state would remain eligible for these funds. It also should be highlighted that this would not apply to statutory formula grants like ECS or Pilot or things like that. Again, no town would actually be punished if they complied with the state law that's been on the books for over 25 years.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. I do have the list of -- of what is actually discretionary state funding here in front of me. I'm going ahead and read the examples. These examples include but are not limited to the Urban Action Grant Program; the Small Town Economic Assistance Program, which is STEAP grants; the Clean Water Fund; Drinking Water State Revolving Fund; as well as various housing, historic preservation, brownfield remediation, open

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space and farmland preservation. These are all discretionary state funding that a town could lose if they decide -- if they decide not to -- not to put in multifamily zoning. I also have with me here the list of towns that are currently in noncompliance, and I would like to read those. If I may? The list of towns: Andover, Bethany, Bozrah, Canaan, Canterbury, Clinton, Columbia, Easton, Franklin, Goshen, Hampton, Killingworth, Lisbon, Lyme, Middlebury, Pomfret, Prospect, Putnam, Roxbury, Sherman, Sterling, Warren, Washington, Weston, and Woodbridge. And, I'd like to add that one of the reasons the town of Goshen does not have any multifamily zoning is because they have no zoning regulations to begin with.

Mr. Speaker, does this bill, through you, allow for an appeal to the decision of the Department of Housing or OPM?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you very much, Mr. Speaker. Through you,

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I would also recognize that I will not for the sake of time and expediency read the 144 towns in the state of Connecticut that are already compliant, nor will I go through the very simple procedures in which towns that are not currently compliant can easily become compliant. And, to answer directly the question that my good ranking member asked, yes. A town can apply for a waiver based on this finding and it can be granted by OPM.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. This bill really assumes a cookie-cutter approach to the state of Connecticut. Our municipalities differ quite a bit from item -- from piece-to-piece. Many of these towns that are -- are being asked to add multifamily housing are not affluent, they do not necessarily have local employment opportunities, and they don't have access to public transportation, and a lot of them do have affordable housing; and these are towns

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that could actually be heavily penalized through STEAP grants -- through withholding of STEAP grants and other funds from the state. Mr. Speaker, I have -- I have -- the clerk has an amendment. It's LCO No. 3758. Would you please ask the clerk to call it and I'd be allowed to summarize?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Clerk [Clearing Throat] -- Clerk is in possession of LCO 3758, which will be designated House Amendment Schedule "A", Mr. Clerk.

CLERK:

House Amendment Schedule "A", LCO No. 3758 offered by Representative Candelora.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The gentlewoman has asked to leave the Chamber to summarize. Is there objection? I'm hearing none. Representative Zawistowski, kindly summarize.

REP. ZAWISTOWSKI (61ST):

Mr. Speaker, thank you. I'd like to withdraw this amendment. We have another amendment that we have just filed. If you would just bear with me for a minute. Thank you.

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Not a problem. This amendment is withdrawn.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. I have -- I have the new amendment. It's LCO No. 4089. Would you please ask the clerk to call it and I'd be allowed to summarize?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Clerk is in possession of LCO No. 4089, which will be designated House Amendment Schedule "B", Mr. Clerk [Offline Discussion] -- Mr. Clerk.

CLERK:

House Amendment Schedule "B", LCO No. 4089 offered by Representative Candelora, Representative Zawistowski, et al.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Zawistowski has asked to leave the Chamber to summarize? Is there objection? I'm hearing none. Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. This is essentially the same amendment that I just withdrew just with

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additional co-sponsors on it. This -- this amendment basically removes the penalty and leaves the rest of the bill intact. I would like to ask the -- I move adoption of the amendment and would like to --

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The question is on adoption of House Amendment Schedule "B". Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Yes, I would like to move adoption and I would like to ask that the vote be taken by roll.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Question is on a roll call vote. All who is in favor signify by saying aye.

[Members Yell] Aye.

In the opinion of the chair, the 20 percent has been met and the vote will be taken by roll call. Representative Zawistowski, you have the floor, ma'am.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. This -- this amendment takes the -- I mentioned earlier when we -- when the

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bill was first discussed before it was PTD -- that the bill actually has three parts. 1) It reorganizes the existing zoning statutes. 2) Requires towns to report every 5 years about their compliance with the Fair Housing laws. Those are unchanged. What it does change, it removes the penalties for towns that do not comply.

SPEAKER ARESIMOWICZ (30TH):

Thank you, ma'am. Are you yielding the floor, ma'am? Or, do you have further remarks?

REP. ZAWISTOWSKI (61ST):

I do not really have further remarks on the amendment. It's pretty straightforward. It takes care of the penalties and it -- it takes care of a lot of the smaller towns that may not have affordable housing and really cannot afford to lose state grants or other -- other discretionary funding. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you, ma'am. Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, I would

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encourage my colleagues to vote against this amendment, and I understand that there are numerous reasons we would want to protect our communities and give them the time they need to adopt their local ordinances to comply with state law, but the reality is communities have had multiple decades to bring into line their local zoning ordinances, to recognize the 1993 law that we have as a state, incumbent upon our Zoning Enabling Act, which suggest that communities must allow for multifamily zoning somewhere in their communities, and what this does is exempt just a handful of towns -- just a handful of a few small towns from their local zoning requirements, and I would encourage those communities to recognize that there is great opportunity and evaluating the opportunities that multifamily housing, mixed-income zoning, accessory dwelling unit construction would actually have, and I do appreciate that many towns have not embraced that opportunity, but it is a state law that somewhere within a local jurisdiction they must allow by right or special permit the ability for

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multifamily housing to be constructed.

It does not require any community to produce said units. It does not require those units to be affordable. It has nothing to do with the home prices or economic activity. It just says your local zoning code cannot prohibit the construction of multifamily homes in all of its community. Again, Mr. Speaker, I encourage my colleagues to vote no on this amendment, not because this is seen as a punishment, but only because this is seen as our opportunity to ensure that towns are compliant with the state law that says that all of our 169 towns are open for everybody.

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you, sir. Gentleman from North Haven, Representative Yaccarino on House Amendment Schedule "B".

REP. YACCARINO (87TH):

Thank you, Mr. Speaker. I rise in support of this amendment. When I read the bill, to me, it's an indirect mandate with the penalty or lack of

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funds to a municipality. No all municipalities are cities. I come from a town with about 24,000 people. Some folks have 12,000, 3000, 8000. To me, it's an indirect mandate on municipalities. If you don't follow state law and state rule. Every town is different and -- so I rise in strong support of this amendment because it strikes out the really bad parts of the bill that mandates indirectly -- and you can correct me if I'm wrong -- on municipalities if they don't -- if you don't do it our way, you're not gonna get the money, and to me, that's strong arming, so I rise in support of this amendment.

Thank you.

SPEAKER ARESIMOWICZ (30TH):

Thank you, sir. Gentleman from New Fairfield, Representative Smith.

REP. SMITH (108TH):

Thank you, Mr. Speaker. I was actually going to speak on the underlying bill, but the amendment gives me an opportunity to talk about the town of Sherman. For those folks who haven't been to Sherman, you might want to take a little ride

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through the country one day and find out what a beautiful bucolic town Sherman is, and what this amendment would do would relieve the onerous punishment of losing its farmland grants and preservation funds, which is primarily Sherman. There are farms throughout the town of Sherman. They'd love to have it that way. It's beautiful character. Without this amendment, they would then lose the ability to have the funds from the state of Connecticut to maintain its character, so I support the amendment and I appreciate the fact that it's before us today. I would ask you to think about your town. If you have one of those little small towns as well and whether they will be harmed by it, whether they have multifamily zoning regulations or not. I think we all wish to have our towns remain the way they wish to remain and not have the hand of the state come down upon them and say no you must do this or you must do that, and if you fail to do this or that, we will penalize you. What does that sound like to you? It sounds like an onerous and burdensome government and that's what we're talking

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about, so thank you for bringing out the amendment and I ask my colleagues to support it.

SPEAKER ARESIMOWICZ (30TH):

Thank you. The distinguished deputy minority leader, Representative Candelora.

REP. CANDELORA (86TH):

Thank you, Mr. Speaker. I also rise in support of this amendment. I understand what the underlying bill is attempting to do and in the underlying bill, the reason why I'm supporting this amendment is the construct here is saying that every 5 years each municipality must adopt the provisions and submit a form to the Department of Housing that's in compliance with what the Department of Housing seeks, and so this is a rolling requirement every 5 years, and I think it is a bit draconian to say that if this form isn't filed every 5 years that municipalities therefore if they fail to demonstrate the compliance shall be ineligible for discretionary state funding. It's not a may but it is a shall, and I just think it's a bit -- it's a bit too draconian for our communities.

When I think about the underlying bill and what it's seeking to do, I think there should be cause and effect, and the punishment should sort of fit the crime, and this provision as it stands is a punishment that doesn't fit the crime because if a town for some reason doesn't submit a form every 5 years, and it could be, you know, you have a new town committee or a new first selectman that gets selected and there might be something that's more imperative that needs to be completed, they may have been compliant with these regulations and they may be in compliance with the spirit of the rags but because that form didn't get submitted, the municipality would then be subject to losing all of its discretionary spending and that could be relating to other things that -- that don't necessarily -- isn't associated with what we're trying to get to in the underlying bill.

So, I just believe that this provision is -- is too strong for what we're trying to accomplish and I would suspect if this bill passes without this amendment, there are gonna be many of us in the

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Chamber that are going to be dealing with the issues of towns missing this deadline and then we're getting a phone call from our first selectmen, our town council, or our mayor saying that OPM has withheld a certain grant or a fund because the for wasn't submitted, and so therefore, I would urge people to support the amendment. Thank you.

SPEAKER ARESIMOWICZ (30TH):

Thank you, sir. The gentleman from Chaplin, Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Mr. Speaker, the purpose of affordable housing is of course to have houses that people can afford. Well, if you go to some of the towns that are on the list that chairman -- Chairwoman Zawistowski read, many of those towns are struggling greatly. They have very few people in those towns. Some of those towns, including towns in my district, have under 2000 people, and they are struggling to maintain a budget partially because of what we do in this building and in this Chamber. They are struggling to ensure in some

instances that they can even remain as independent towns, and there's plenty of for sale signs in those towns. You drive around in my district and there's people trying to get out desperately and believe me, there's houses there that are affordable. Compared to most of this state, there's an awful lot of affordable housing in my district. Now, it may not be multifamily, but it is certainly affordable, and if any of you from the Western and Southwestern part of the state would like to come up and purchase some of our affordable housing, we would love to have you. Our towns are really struggling and what this bill would do would be impose yet another massive mandate on those towns.

Now, we talk about zoning as if it's some sort of a ethereal governmental function. Well, zoning in a town with 1700 people is generally an exercise in trying desperately to find enough people to sit on a zoning commission, trying to find enough people to staff a zoning commission so they'll be a quorum, and when you say they have to change their regulations otherwise they're gonna lose all of

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their discretionary funding from the state. Well, for one thing, any of my towns that lost all their discretionary funding in any given year would likely fold. They would -- the town would literally dissolve. You probably remember that last year there was a very strong possibility that the town of Scotland would simply cease to be and would have to be absorbed by some other municipality because of budget problems. So, what we're saying is that a zoning commission with -- that struggles just to find enough people to sit on it is going to be mandated to change the zoning regulations lest they be penalized with the loss of all discretionary funding from the state.

So, how does a zoning commission do that in a town with 1700 people? Well, they have to get enough people to show up at the meetings to have a quorum. They have to go through the regulations and figure out which ones might need to be changed. They need to try to come up with language that would change them, send that language to the town counsel who charges them money to review them, then they

have to send those proposed regulations to the cogs and all of the adjoining towns. Then they have to send them to a public hearing and they have to hear back from the constituents at the public hearing and be accountable to them. It -- it can take literally a year or more to change a simple zoning regulation in a small town like that, and what we're doing here is we're demanding that they do it just about immediately lest they lose all of their discretionary funding. This amendment would still allow for the encouragement of the towns to move in that direction but without the iron fist and the threat that if they didn't do it they would be at risk of literally dissolving and being wiped off of the map. So, I strongly support this amendment and I encourage all of my colleagues to do so. Thank you.

SPEAKER ARESIMOWICZ (30TH):

Thank you, sir. The gentleman from Killingly, Representative Rovero.

REP. ROVERO (51ST):

Good evening, Mr. Speaker. I recommend to all

my colleagues that they vote yes on this amendment, and I would like to explain to you why. One of the towns I represent does not meet the criteria required. The town is Putnam. It's a town that I was mayor of for 14 years. This town of Putnam is one of the 15 lowest income towns in the state of Connecticut. It has 5 senior housing developments sponsored by the government. It has one low-income housing project, and I know families in it that pay \$130 dollars a month heat and all. If this town does not meet the requirements, I'd like to know which town does. To say this town is gonna lose funding because they don't meet the requirements is probably as ridiculous as anything as I have ever heard, so folks, this is not a high-income area. This is a low-income town that has a lot of low-income property -- a low rental property and to think that we would penalize this town by taking away their funding because you not meet the standards that the state is setting I think is ridiculous. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

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Thank you, sir. Gentleman from Easton,
Representative Dunsby.

REP. DUNSBY (135TH):

Thank you, Mr. Speaker. I also urge support of this amendment. The town of Easton established its zoning regulations in the 40s, mostly 3-acre lots and there's a reason for that. Ninety percent of the town of Easton is public water supply watershed. Much of the rain that lands on Easton -- and Redding is similar too -- much of the land that lands in Easton comes out of the faucets in Bridgeport, comes out of the faucets in Fairfield, comes out of the faucets all the way down 95 toward the New York border. As a matter of fact, the town of Easton -- the zoning commission recently did deny a high-density housing development on the basis of protection of the public drinking supply watershed. That went to court and the rejection was -- was upheld.

It strikes me, Mr. Speaker, that just last week we were discussing a Newsday water plan, which talks about how important it is to preserve drinking water

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in the state of Connecticut and yet, here we are making a proposal, which says zoning commissions can't do that. They can't look out for public drinking water. Now, there is some provision here about -- there is some provision here about the water supply, but the town of Easton is on that list, so whoever making up that list isn't bothering to look at what percentage of watershed towns are. So, this is a bill I support the amendment but the underlying bill, which that would amend, will be very deleterious to the drinking water in -- in Connecticut. It's a bad environmental bill. I do support adoption of the amendment. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you, sir. The gentleman from Pomfret, Representative Boyd.

REP. BOYD (50TH):

Thank you, Mr. Speaker. I rise with some caution and some concerns where we are. I represent a largely rural agricultural region. One town, the town of Eastford, which has soundly defeated zoning

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regulations by referendum a dozen times in the last 35 years. The smallest town in the state, the town of Union, with just under 800 residents, and I also look at the struggle that the Planning and Zoning has on a regular basis trying to find the balance to make sure that commercial area is available, knowing that at the end of the day Windham County is the poorest county in the state with the lowest per capita income, and -- and that's kind of a concern being that a lot of residences, which are for sale, and there are more houses for sale in Windham County than had been in the last two decades. We rely strongly upon this "discretionary funding" and in a time where we're struggling for nondiscretionary funding, funding that the state provides and has not in the last budget cycle, it brings me great pause to think what we would do if we were to suddenly take away discretionary funding in areas that are designed to support small towns.

You know, this discussion comes up. You know, the number of people who live in my district is the same as my -- my good friend -- my neighbor here

from Bridgeport, but obviously, the demographics of the district, the structure of the district, the area of the districts are very, very different, and if I were to take a holistic approach and I look at the town of Pomfret where I live, which is one of the towns that are currently in violation, and then I look just to the town to our south, Brooklyn, which has quite a bit of affordable housing that's available, does the region as a whole have affordable housing? Absolutely, it does, but does every single town? It doesn't, so are the -- the residents -- the constituents being served properly? You know, it's -- it's there, and I just worry that the old saying that if you're a hammer everything you see is a nail, that this may not be a good one-size-fits-all, and I do think strongly that the background behind this bill, which is to have affordable housing in the state, is a noble goal and it's an important one. It's not one that I'm shuttering from, but I'm not quite sure that this does it. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

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For the second time, Representative Lemar.

REP. LEMAR (96TH):

Mr. Speaker, thank you very much. Mr. Speaker, I will accept the offer to amendment as a friendly amendment.

SPEAKER ARESIMOWICZ (30TH):

Will you remark further on this friendly amendment? Gentlewoman from Windham, Representative Johnson.

REP. JOHNSON (49TH):

Thank you, Mr. Speaker. I was going to rise and speak against the amendment, but since the amendment now [Laughter] has been accepted, I will just speak to the intent of the bill because I do think that there's a huge problem that we are -- that we are not facing and that is the fact that we have a situation in the state of Connecticut. If anybody read the Hartford Courant on Sunday, they compared the size of Connecticut to Seattle, which I've done numerous times when talking about some of the circumstances that we're in. In Seattle, they have one town government, they have one board of

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education, and they have a town -- a city that's the same size as Connecticut both geographically and with respect to population. Yet, in Connecticut, we complain bitterly about the fact that we don't have the money to pay for all the things that we have to pay for because we have 169 towns, 169 town administrations, 180 school districts, and hundreds and hundreds of taxing districts. We have lots to pay for here in administrative costs and we don't do anything to regionalize our expenses by working together. We put on the table federal funds through our councils of government that could be coming to us and in fact, that money doesn't come to us because we don't work together in the state of Connecticut. Each town -- each town has separate governments, they have separate forms of government, they have separate access to different types of funding, and they also are incredibly segregated by economics and race. So, we are not in compliance with the Fair Housing Act because we have not been working together as a state, and we will continue to suffer financially until we do work together. Thank

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you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you, ma'am. Gentleman from Southbury,
Representative O'Neill.

REP. O'NEILL (69TH):

Thank you, Mr. Speaker. I would -- I was going to get off the board until the last speaker spoke. Two of the towns that are referenced in the list of towns that are noncompliant are in my district. They happen to also be part of one single regional school district that was created to try to achieve the kinds of efficiencies that I believe the last speaker may have been eluding to. Those two towns are part of a 3-town school district and my hometown is part of a 2-town school district -- regional school districts, which basically account for about 70 to 80 percent of all of the local spending that goes on. Really? Our towns have been -- at least the ones in my area -- have been working very hard to try to achieve regional efficiencies and to provide the services that our communities need.

My doing regionalization of the most important

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functions of local government. In fact, one of the towns is also part of -- I think the only experiment we have in this state -- whereby they share, Bridgewater and Roxbury, one single resident state trooper. These are very small towns that are trying to achieve the efficiencies that we are being told have the keys to some sort of salvation financially of the state of Connecticut. The problem with the state of Connecticut, the problems of Bridgeport, Hartford, New Haven, and so many other communities are not caused -- are not caused -- are not caused by the people in Bridgewater, Roxbury, Washington, or Southbury. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you, sir. Representative Albis.

REP. ALBIS (99TH):

Thank you, Mr. Speaker. Seeing as how this amendment is now being accepted as a friendly amendment, I'd like to move to suspend the rules to do a voice vote rather than a roll call vote.

SPEAKER ARESIMOWICZ (30TH):

Is there objection? Seeing unanimous consent.

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The vote will be by roll call. Will you remark further on House Amendment "B"? By voice. I'll wake up here in a minute. I need more coffee or something. It will be a voice vote. Will you remark further on House "B"? If not, let me try your minds. All those in favor, signify by saying aye.

[Members] Aye.

Opposed. Nay.

[Member] Nay.

The aye's 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? If not, Representative Zawistowski, would you like to sum?

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. I would like to thank the proponent of the bill for accepting the amendment as a friendly amendment, and thank you too, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you. Representative Smith.

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REP. SMITH (108TH):

Just a couple questions, through you Mr.
Speaker to the proponent of the bill.

SPEAKER ARESIMOWICZ (30TH):

Proceed.

REP. SMITH (108TH):

Thank you. If a town does not have a zoning or
-- any zoning regulations, are they still then
required under this bill as amended to have
multifamily zoning regulations?

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, it is
understood that a town that does not have any zoning
regulations, but you know, would apply -- not apply
but the OPMS can grant a waiver in that
circumstance.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Smith.

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REP. SMITH (108TH):

I thank you, Mr. Speaker, and through you, I believe the waiver language was just deleted from the amendment, so I guess reiterate my question. If a town does not have zoning regulations, are they still required to have multifamily zoning regulations with this bill as amended?

REP. LEMAR (96TH):

[Laughing] Through you Mr. Speaker, that is -- that is fair. The waiver language that we envisioned has now been deleted. Yes, they would be required to allow as of right or by special permit the development of multifamily housing in their district. Again, zoning is not perceived in the way that -- it's not making much sense how we think of like local zoning is in fact granted to our communities by the state Enabling Act. That is not true for states across the country generally. Generally, there are a series of processes or local county governments that we have that we don't have here, so in fact, when we empower or local communities to enact their own zoning regulations,

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sometimes it is difficult to monitor or administer exactly what is allowed in each individual town, which is why we develop this way of ensuring that each community is compliant with a requirement that's already enshrined in state statute. That has already been enshrined for over 25 years, which you must allow for in some manner multifamily zoning either by right or special permit. If a community that has no local zoning can evidence that it does in fact allow by right or special permit multifamily zoning, they are in fact compliant with state statute, or they can -- like multiple towns across the state of Connecticut for the last 25 years, continue to remain noncompliant, but you know, the underlying bill has many positive adjustments to 8-2 that I think are worthy of consideration at this point even though we will not have the teeth that I would have otherwise envisions.

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Smith.

REP. SMITH (108TH):

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I thank the gentleman for his answer, Mr. Speaker. I understand in looking at general statutes section 8-1 that towns are permitted but not required to have zoning regulations, so we'll take the town of Goshen -- because I think that was one of the towns that has been mentioned and it is a town that does not have zoning and there may be a few others it sounds like from some of the conversation we had as part of the discussion of this bill -- as I read 8-1, it says a town may have zoning regulations and a zoning commission if they require -- if they decide to do that, but if they fail to do that, it seems to me under this bill even if they're not required to have zoning regulations, they are required to have multifamily zoning regulations and that's where I'm getting hung up, and I hate to be a stickler, but it seems to me that it doesn't really now work with our current regulations, and I'm wondering if the gentleman can address that?

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

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Representative Lemar.

REP. LEMAR (96TH):

Yes, Mr. Speaker. Through you, in that case, it does not appear as if the community is prohibiting multifamily zoning; so therefore, I believe that that town would be compliant, if I'm understanding correctly.

SPEAKER ARESIMOWICZ (30TH):

Representative Smith.

REP. SMITH (108TH):

Well, I would agree with the gentleman that not having zoning regulations would not be a prohibition in and of itself, and I guess those towns that do have zoning regulations under this bill -- if I understand you correctly -- would not require -- be required to have multifamily zoning regulation if this bill passes through the House and Senate. Is that correct?

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Lemar.

REP. LEMAR (96TH):

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Thank you, Mr. Speaker. Through you, no. I do not have that reading and I would like to establish that I don't think 8-2 applies to any towns that don't have zoning, so if they don't have zoning, 8-2 does not apply to them because they have not adopted a local zoning ordinance.

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Smith.

REP. SMITH (108TH):

And, if they do have zoning, then this bill will require that multifamily be part of the zoning regulations?

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Yes, if a town has adopted a local zoning code, they would in some portion of their town be required to allow by right or special permit multifamily housing or -- and/or accessory dwelling units, or mixed-use developments,

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through you.

SPEAKER ARESIMOWICZ (30TH):

[Clearing Throat] Representative Smith.

[Laughing]

REP. SMITH (108TH):

Thank you, Mr. --

SPEAKER ARESIMOWICZ (30TH):

I'm getting a little dry up here, sorry.

REP. SMITH (108TH):

I understand Mr. Speaker. It's that time of year and late in the day and I apologize to going back and forth. Just a few more questions, if I may, through you? I just lost my train of thought while you were trying to get some water in your mouth [Laughing]. Oh, I found my question. Thank you, Mr. Speaker, for the time. I assume multifamily housing is defined somewhere in our statutes. If the gentleman maybe could describe what that actually means?

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Lemar.

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REP. LEMAR (96TH):

Yes, thank you, Mr. Speaker. Mr. Speaker, it would have adopted at least one zoning district. Again, excuse me -- it would have -- the definitions that the bill envisions they would be -- a municipality would be in compliance if they have adopted two of the three following: Have adopted at least one zoning district that allows for multifamily housing of 3+ units by right or special permit, have adopted at least one zoning district that allows for a mixed-use development by right or special permit, or have adopted at least one zoning district that allows for accessory dwelling units by right.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Smith.

REP. SMITH (108TH):

I thank the gentleman for the response. I think I understand what's required now. Just one more question. A three -- a 3-unit multifamily housing would be what we used to call a triple-

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decker, so it's three -- three units of one house or does it require more than that?

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, I think the good representative has it right. Three units per -- in a dwelling unit -- I'm sorry. Three units in one structure is defined as multifamily for these purposes, yes.

SPEAKER ARESIMOWICZ (30TH):

Representative Smith.

REP. SMITH (108TH):

All right. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you, sir. Will you remark further on the bill as amended? Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker, for a second time. I would just like to say that as amended this bill does reorganize the existing zoning regs, which is

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something the building trades like and a lot of other -- other organizations do like because it does make the zoning regs a lot clearer. It also does require that towns that do have zoning to have -- to meet the criteria that is still in the bill. What it -- what it does change from the original bill is that the penalties are no longer in place. I would recommend to my colleagues to vote your district. It's really going to be up to you to see if it impacts your district, so I'm not making any particular recommendation up or down on this bill and just to live through your discretion. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you, madam. Will you remark further on the bill as amended? Will you remark further on the bill as amended? If not, staff and guests please come to the well of the House, members take your seats, the machine will be open.

CLERK:

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

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Representatives is voting by roll. Members to the Chamber.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Have all the members voted? Have all the members voted? If all the members have voted, the machine will be locked, and the clerk will take a tally. The clerk will take a tally -- I'm sorry. the Clerk will announce the tally.

CLERK:

House Bill 5045 as amended by House "B"

Total number Voting	148
Necessary for Passage	75
Those voting Yea	76
Those voting Nay	72
Absent and Voting	2

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The bill has passed (Gavel). Are there any introductions? Representative Urban, you seem to have a group of friends with you. [Laughter]

REP. URBAN (43RD):

Thank you, Mr. Speaker. I certainly do today, and Mr. Speaker, for the purposes of an

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introduction.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Please proceed, ma'am.

REP. URBAN (43RD):

Thank you, Mr. Speaker. With me today, are members of Desmond's Army. These are girls that helped us pass Desmond's Law. They have done an amazing job. They go to court representing animals who are victims of egregious abuse and we know that there is a connection between that and future violent behavior, Mr. Speaker, and we do indeed know that 80 percent of school shooters started with animal cruelty, so I'd like our legislature and my colleagues to give them a welcome for all the work that they do voluntarily, Mr. Speaker. [Applause]

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Delighted to have you all here with Representative Urban today. Thank you so much for coming to our Chamber. We will return to the call of the Calendar. Mr. Clerk, 228, please.

CLERK:

On page 24, Calendar 228, Substitute House Bill

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No. 5265, AN ACT REQUIRING THE PROMPT PAYMENT OF CONTRACTORS. Favorable report of the Joint Standing Committee on Government Administration and Elections.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The distinguished chair of the committee on Government Administration and Elections, Representative Fox.

REP. FOX (148TH):

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

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Question is on acceptance and passage. Will you explain the bill please, sir?

REP. FOX (148TH):

Thank you, Mr. Speaker. Mr. Speaker, the bill exempts parties of certain commercial and state set aside construction contracts with statutory prompt payment provisions if they explicitly agree to different payment terms and they're awaiting construction contract. Section 1 of the bill

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addresses contract with state agencies. Section 2 of the bill addressed commercial contracts. Conditions of the bill reduce the deadline for making prompt payments in certain cases from 30 days to 25 days. The bill has no fiscal note and passed unanimously in committee. I move adoption.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. The distinguished ranking member of the Government Administration and Election Committee, Representative Devlin.

REP. DEVLIN (134TH):

Thank you, Mr. Speaker. Through you, just a clarifying question for the good representative.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

One moment. (Gavel) (Gavel) Thank you. Proceed.

REP. DEVLIN (134TH):

Thank you. Just to clarify. This relates specifically to contractors and the single change is to reduce the timeframe of payment from 30 to 25 days unless the parties agree. Is that true?

Through you, Mr. Speaker.

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

That's correct.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Devlin.

REP. DEVLIN (134TH):

Excellent. Thank you very much. Mr. Speaker,
I support this legislation and I encourage my
colleagues to do the same.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, ma'am. Gentleman from Hartford,
Representative Hall.

REP. HALL (7TH):

Thank you, Mr. Speaker. I rise for a comment.
Thank you. So, prompt payment is one of the most
important issues for the construction especially
trades, contractors, and suppliers. The issue of
prompt payment has grabbed the attention of
legislators throughout the United States. As a
result, many jurisdictions across the country have

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passed Prompt Pay Acts. This is a good bill and it ought to pass. Thank you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Gentleman from New Fairfield, Representative Smith.

REP. SMITH (108TH):

Just a few questions through you, Mr. Speaker. Thank you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed.

REP. SMITH (108TH):

I just wonder if this provision applies to all contracts public and private or just private contracts?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox, do you care to respond?

REP. FOX (148TH):

Thank you, Mr. Speaker. Mr. Speaker, the -- the legislation provides to contract of state agencies, as well as private commercial contracts.

Through you, Mr. Speaker.

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And, I'm glad to hear that, Mr. Speaker, and I'm also very happy to hear that contractors will get paid quicker rather than later. The language in the bill that's drafted talks about unless otherwise agreed by the parties, so as I understand that, parties can by themselves agree to a longer period of payment if they so choose. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

That's correct, yes.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

I thank the gentleman for his answers. Thank you, MR. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

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Gentleman from Coventry, Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker.

Through you, a couple of questions to the
proponent?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed.

REP. ACKERT (8TH):

Thank you, sir. So, now is it -- they don't
have a specified contract, which is normally we
think about 30 days that you can apply a late fee to
a percentage to a bill if they haven't paid in that
timeframe, so if it's not stated by contract, is
that when they can do the late charge if it's at --
at that 25 days?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Through you, Mr. Speaker, the bill as proposed
does not address matters where there's no written
contract. The bill as proposed addresses the matter

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just where there is a written contract.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you and it was hard hearing, but -- so it doesn't specify any type of late fee or later charge. It just says that the prompt payment should be 25 days rather than 30. Is that correct, and that's all it speaks to?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

(Gavel) (Gavel) Thank you. Representative Fox.

REP. FOX (148TH):

Through you, Mr. Speaker, that's correct.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ackert.

REP. ACKERT (8TH):

So, if it's not paid within 25 days and there is no fee or percentage for late payment, what would encourage anybody to pay it sooner?

Through you, Mr. Speaker.

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Thank you, Mr. Speaker. Mr. Speaker, the legislation as proposed addresses written contracts and should be in agreement of the parties, the contract will be paid in 25 days as opposed to 30 days. Thank you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ackert.

REP. ACKERT (8TH):

And, it sounds wonderful. It does. Normally, what happens is in the 30 days with a contract a contractor could then impose a late fee, and unfortunately, in our state, the state is one of the bigger violators of the 30-day payment, which then incurs a 1.5, typically, percent late charge and 18 percent for the 12 months, so that's usually where the 30 days comes into play with contracts. It designates a timeframe when an additional charge can be applied to a legislation. Just saying, well you gotta pay it in 25 days without understanding that

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there is a late fee, as everybody knows typically a late fee is 30 days, so I'm -- I'm striked at the value of this legislation just saying well you should pay it in 25 days.

I believe though that we will find out that the -- it's when the contractor can then typically charge a late charge on the bill, so I don't know if there is going to be anymore discussion on this, but I believe that if that's the case and it's not stated anywhere that that's the prompt payment requirement, it's gonna be in the contract that it's 25 days, then there probably could be a fiscal note on this legislation and if I'm -- if I'm stating that incorrectly, please through the -- if the chair would like to correct me on that -- but I know it doesn't state it in here, but 30 days is typically a late time -- a time that you put a late -- late fee on, so I guess I'll ask again. In no manner is that the intent of the legislation?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

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REP. FOX (148TH):

Thank you, Mr. Speaker, and I thank the gentleman for this question. The -- the intent of the legislation is to reduce the payment time period within a payment will be made from 30 days to 25 days unless other -- unless expressed otherwise by the parties. I'm not sure that answers the question.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. So, if someone says in their contract -- like a standard contract says that, you know, payment is -- is -- can be received up until 30 days if it's in contract and then a late fee will be charged, then this does not -- then this legislation does not speak to that contract?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

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That's correct, Mr. Speaker.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ackert.

REP. ACKERT (8TH):

I'm not sure what contractors and -- and other parties don't have a contract, so in absence of a contract, does this legislation apply?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Mr. Speaker, my understanding of the legislation is that applies only in written contracts. Thank you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ackert.

REP. ACKERT (8TH):

Okay, Mr. Speaker. Thank you. I will stand confused. [Laughter]

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

This is a large club. Thank you,

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Representative Ackert. Gentleman from Winchester,
Representative Chase.

REP. CASE (63RD):

Thank you, Mr. Speaker, and a few questions to
the proponent of the bill --

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed.

REP. CASE (63RD):

-- Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed.

REP. CASE (63RD):

Through you Mr. Speaker, as the last good
representative spoke about, the concerns are does
this require the state of Connecticut to pay within
25 days?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Thank you, Mr. Speaker. Unless -- as indicated
in line 3 and 4 of the bill -- unless otherwise

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agreed by the parties in terms of to a written contract.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Chase -- Case, sorry.

REP. CASE (63RD):

It's okay, Mr. Speaker. Through you Mr. Speaker, so when a requisition is turned into the state, is the date of the 25 days from the date that the requisition is approved or the date that the requisition is received?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Through you Mr. Speaker, can the proponent please clarify what he means by requisition?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Case.

REP. CASE (63RD):

Through you Mr. Speaker, when there's a state

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project going on, the contractor that's on the job doing it has subcontractors who submit for payment. They take it, they submit their requisition to the state, the state has to approve the requisitions, usually 30 to 60 days the state will send a check out. Is that the procedure?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (8TH):

Through you Mr. Speaker, the -- as addressed in lines 6 through 7 of the legislation, no later than 25 days from the due date of any such payment on any such contract.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Case.

REP. CASE (63RD):

Thank you, Mr. Speaker. So, I do agree with my previous colleague who spoke on this. Is there an anticipated fiscal note?

Through you, Mr. Speaker.

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Through you Mr. Speaker, there is no fiscal note attached to this legislation.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Case.

REP. CASE (63RD):

Through you Mr. Speaker, so we have the confidence that the state of Connecticut is gonna pay contractors within 25 days when it is in the agreement?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Case, I believe you're asking a question of Representative Fox's opinion. Could you rephrase it, please?

REP. CASE (63RD):

Sure, Mr. Speaker. So, if their -- we're in a contract and it's to be paid within 25 days and the state does not do that -- the money does not reach

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the contractor within those 25 days, where does that money come from?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Through you Mr. Speaker, the change that's proposed in legislation is that unless otherwise agreed to by the parties in terms of a written contract, the 25 days down from the 30 days, the way that is it currently written, so I'm not sure where the money will come from but as drafted in the legislation, it simply changes it to 30-day requirement to 25 days.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Case.

REP. CASE (8TH):

Thank you, Mr. Speaker. So, when there's change orders on a project, through you Mr. Speaker, those change orders have an approval process, so a subcontractor does work on January 1, submits a

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change order for payment. The change order has to go to the contractor, which the contractor submits to the state. The contractor got the change order on January 1, so the contractor -- the subcontractor should look -- be looking for a payment on January 25?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Unless otherwise agreed to by the parties in the terms of the written contract, I presume the proponent is correct.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Case.

REP. CASE (8TH):

Thank you, Mr. Speaker, and I guess just a point here, no other questions. Majority of the contracts out in the state of Connecticut are by the state of Connecticut. When there is a contract, there's multiple subcontractors. The payment dates

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for those change variously depending on what work gets done, whether it's a contract issue or it's an extra work order and those takes time to process and they sometimes take more than 25 days. I understand that there might be an agreement that it'd be 25 days or 30 days within the agreement, but I find it hard to believe that we're gonna be able to stay within that. One more question, through you Mr. Speaker. Have all the agencies, especially DAS, signed off on signing a contract for 25 days?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Through you, Mr. Speaker. DAS testified in opposition to this bill at the committee level, but it was a much different bill at the time, so I'm not sure to what extent they've signed off on this current legislation, but the testimony they provided was in opposition to a much different bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

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Representative Case.

REP. CASE (63RD):

Thank you, Mr. Speaker. Should this bill pass, it is effective October 1. Is that for new projects or is existing projects that are going on?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Thank you, Mr. Speaker. My reading of the legislation is that it will be applying to written contracts entered into after the effective date.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Case.

REP. CASE (63RD):

Thank you, Mr. Speaker, and I thank the good representative for his answers. Folks, I think we're going down a real slippery slope here. I understand -- I'm in favor of getting our contractors paid in due time. I just I have to have a comfortable feeling that the state of Connecticut

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is gonna come up and we're gonna pay our -- our share within due time. I'll listen to what anybody else has to speak on and then wait and see how we vote for this, but please, you know, remember it's -- it's us that are paying the bills and there could be a fiscal note if it comes on later on. Thank you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Gentleman from Wallingford, Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. Good afternoon. I too had some questions for the proponent. If I may?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed, sir.

REP. FISHBEIN (90TH):

Thank you, sir. When is the 25 days supposed to start to run? If I may, through you Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Thank you, Mr. Speaker. Mr. Speaker, the 25

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days starts to run depending on our state agency or commercial contract. State agencies, as lines 4 through 7, shall receive payment on a contractor awarded to him or her under the provisions of section 4a60g to 4a69 inclusive no later than 25 days from the due date of any such payment on such contract.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. So, am I to understand that once the owner of the property pays the contractor, he's supposed to pay his subs within the 25 days. Is that a correct interpretation?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Through you, Mr. Speaker, I believe so, yes.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

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Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. So, how is the subcontractor supposed to find out that the owner has been -- has paid the contractor for the 25 days to start?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Through you, Mr. Speaker, I presume it will be somewhat different if it's a commercial contract as opposed to state agency contract. If it's state agency contract, I assume you can look at the public record -- public record.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Well, thank you, Mr. Speaker. So, if I owned a warehouse and I contracted for someone to build an addition and they had subs and I paid the general

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contractor, what public record would the sub be able to access to find out that I did pay my contractor, so the 25 days could start to run?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Through you, Mr. Speaker, I -- in terms of public records, I suppose one could FOI the items that are requested but getting back to the 25 and 30 days period -- because I don't understand the FOI process in and of itself there. The timeframes are much larger than 25 or 30 days -- but in terms of the due date, is the gentleman I presume getting the due date of these payments?

Through you, Mr. Speaker. Is that what he's getting at?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fishbein, do you care to rephrase the question, please?

REP. FISHBEIN (90TH):

Sure, Mr. Speaker. I'm merely starting with

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how does one know when the 25 days starts to run and my previous answer the good representative gave to me is that the subcontractor would have to go look at some public record, and I'm trying to establish what that is. So, I guess to restate my question. What public record would that subcontractor look at to affirm that I as the owner have paid the general?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Through you, Mr. Speaker. I presume they could contact, if it's a state agency, DAS for that information.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. I -- you know, I totally disagree. I don't think there's any way for a subcontractor to find out when that payment was made by the owner to the general contractor.

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There's no teeth in this. I don't even understand why we're changing this from 30 to 25. Thank you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Gentleman from New Fairfield, Representative Smith.

REP. SMITH (108TH):

Thank you, Mr. Speaker, for the second time. You know, the more I look at this bill the more confused. I join Representative Ackert in my confusion about this bill, so it's good to be a member of his club. If I recall, I think we had this bill last year. It came out of General Law, and we were trying to do a -- something for our subcontractors to make sure they were getting paid on a timely basis, and I think that was the impetus of the bill last year. I think this bill takes a step back and goes in the wrong direction because the current language of the statute requires payment within 30 days. It says shall be paid within 30 days. This bill says unless otherwise provided by contract payment shall be made in 25 days, so

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basically, it gives the parties the ability to opt out of the requirement that payment be made on a timely basis. So, I'm wondering, through you Mr. Speaker to the good chair and my friend over there, Representative Fox, what was the impetus behind this bill to change it from not only 30 to 25 but also to do away with the mandatory language that it be paid on a timely basis?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Fox.

REP. FOX (148TH):

Thank you, Mr. Speaker. Mr. Speaker, and I thank the representative for the question. The impetus was that this matter's been before us before as the gentleman indicated. There's been many bills before our committee addressing timely payments and prompt payments of contracts, particularly in state contracts. The idea was just to at the very least make a small change realizing that a much larger change may require much -- much more of a deep dive.

Through you, Mr. Speaker.

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DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

I thank the gentleman for his answer. I think the bill is going in the wrong direction. I think if we're really trying to help our contractors, we should keep the language that's currently in statute. I don't think the change of 5 days really helps them. I think it ultimately at the end of the day hurts them by the amendatory language that's in here now that gives the parties the option to agree to a longer-term payment, so I would oppose the bill at this time. Thank you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Will you remark further on the bill? Will you remark further on the bill? If not, staff and guests please come to the well of the House, members take your seats, the machine will be open.

CLERK:

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

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Representatives is voting by roll. Members to the Chamber.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

While the members are coming in, I have been asked to request that you stay very nearby cause we want to run a few bills before we leave, so please stay close by. Thank you. Have all the members voted? If all the members have voted, please check the board to ensure the vote has been properly cast. If all the members have voted, the machine will be locked, the clerk will take a tally. The clerk will announce the tally.

CLERK:

House Bill 5265

Total number Voting	147
Necessary for Passage	74
Those voting Yea	104
Those voting Nay	43
Absent not Voting	3

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

The bill passes (Gavel). Will the clerk please call House Calendar 359?

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CLERK:

On page 38, Calendar 359, Substitute House Bill
No. 5414, AN ACT CONCERNING THE ESTABLISHMENT OF A
TASK FORCE TO STUDY THE JUROR SELECTION PROCESS.
Favorable report of the Joint Standing Committee on
Judiciary.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom of the 129th.

REP. STAFSTROM (129TH):

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

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is adoption of the
Joint Committee's favorable report and passage of
the bill. Will you remark? Please proceed,
representative.

REP. STAFSTROM (129TH):

Thank you, Mr. Speaker, and Mr. Speaker, I
appreciate the opportunity to revisit this bill,
which we originally took up earlier today. As the
chairman had indicated, the 6th Amendment of the

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United State Constitution guarantees criminal defendants the right to an impartial jury of their peers. Connecticut statutes attempt to carry out that constitutional mandate; however, it's been sometime since those statutes have been looked at and whether those statutes on our books in fact are allowing individuals an opportunity of a jury of their peers in criminal cases based on race and ethnicity. The task force, which we seek to empanel here would be made up of various agencies and departments within the judicial branch, as well as the deans or their designees of our major law schools, and the presidents of various bar associations including affinity bar associations. Mr. Speaker, the clerk is in possession of an amendment, LCO 4065. I ask that the amendment be called, and I be granted leave of the Chamber to summarize.

SPEAKER ARESIMOWICZ (30TH):

Will the clerk please call LCO No. 4065, which will be designated House Amendment Schedule "A"?

CLERK:

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LCO No. 4065, designated House Amendment

Schedule "A" an introduced by Representatives Tong, Rebimbas, and Stafstrom.

SPEAKER ARESIMOWICZ (30TH):

Representative seeks leave of the Chamber to summarize the amendment. Is there objection to summarization? Is there objection to summarization? I'm hearing none. Representative Stafstrom.

REP. STAFSTROM (129TH):

Thank you, Mr. Speaker. Mr. Speaker, as the good ranking member had pointed out earlier in the day, there were two affinity bar associations that were not originally included in the list of members of the task force. This amendment adds those two bar associations, namely the Portuguese Bar Association and the Italian American Bar Association to the list of representatives on the task force. I urge adoption.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Will you remark further on the amendment before us? Representative Rebimbas, you have the floor, madam.

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REP. REBIMBAS (70TH):

Good afternoon, Mr. Speaker. I'd like to thank the vice-chairman, as well as the Connecticut Bar Association for including the two bar associations that were left off this list, and I wanted to thank them for this amendment and I ask -- urge support for the amendment. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is on adoption of the amendment. Will you remark? Will you remark? If not, I will try your minds. All those in favor please signify by saying aye.

[Ayes heard].

Those opposed. Nay. The aye's have it.

(Gavel) The amendment's adopted. Will you remark further on the bill as amended? Will you remark further on the bill as amended? If not, staff and guests to the well of the House, members take our seats, the machine will be open.

CLERK:

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

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Representatives is voting by roll. Members to the Chamber.

SPEAKER ARESIMOWICZ (30TH):

Have all the members voted? If all the members have voted, please check the board to ensure your vote's been properly cast. If all the members have voted, the machine will be locked, clerk will take a tally. The clerk will announce the tally.

CLERK:

House Bill 5414 as amended by House "A"

Total number Voting	146
Necessary for Passage	74
Those voting Yea	124
Those voting Nay	22
Absent not Voting	4

SPEAKER ARESIMOWICZ (30TH):

The bill passes as amended (Gavel).

Representative Ritter of the 1st district.

REP. RITTER (1ST):

Thank you, Mr. Speaker. Just for purposes of an announcement. We have two quick bills left and we'll be done for the day, 10:30 start time

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tomorrow, and also, for democrats, we're gonna have
a caucus after the two bills. Thank you, Mr.
Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Will the clerk
please call House Calendar 339?

CLERK:

On page 34, Calendar 339, House Bill No. 5407,

AN ACT ESTABLISHING A TASK FORCE TO PROMOTE
EFFICIENCIES IN THE FILING OF HABEAS CORPUS MATTERS.
Favorable report of the Joint Standing Committee on
Judiciary.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

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

SPEAKER ARESIMOWICZ (30TH):

The question before the Chamber is on
acceptance of the Joint Committee's favorable report

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and passage of the bill. Please proceed, sir.

REP. STAFSTROM (129TH):

Thank you, Mr. Speaker. Mr. Speaker, again, this is a task force that would be empaneled to take a look at another complicated and sometimes controversial area of our law and that is when folks file writs of habeas corpus claims and how we evaluate those. I urge support of the Chamber.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Will you remark further on the bill before us? Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. The good vice-chairman did a good job in enumerating what this task force does. It's certainly one that would be appropriate and efficient, and I support it.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, madam. Will you remark further on the bill before us? Will you remark further on the bill before us? If not, staff and guests to the well of the House, members take your

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seats, the machine will be open.

CLERK:

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

SPEAKER ARESIMOWICZ (30TH):

Have all the members voted? If all the members have voted, please check the board to ensure your vote's been properly cast. If all the members have voted, the machine will be locked, the clerk will take a tally. The clerk will announce the tally.

CLERK:

House Bill 5407

Total number Voting	146
Necessary for Passage	74
Those voting Yea	146
Those voting Nay	0
Absent not Voting	4

SPEAKER ARESIMOWICZ (30TH):

The bill is passed (Gavel). Will the clerk please call House Calendar 128?

CLERK:

On page 14, Calendar 128, House Bill No. 5181,
AN ACT EXTENDING THE MUNICIPAL REEVALUATION DEADLINE
FOR THE TOWN OF WILTON BY ONE YEAR. Favorable
report of the Joint Standing Committee on Planning
and Development.

SPEAKER ARESIMOWICZ (30TH):

Representative Lemar of the 96th.

REP. LEMAR (96TH):

Good evening, Mr. Speaker. Mr. Speaker, I move
the Joint Committee's favorable report and passage
of the bill.

SPEAKER ARESIMOWICZ (30TH):

The question before the Chamber is on
acceptance of the Joint Committee's favorable report
and passage of the bill. Please remark?

REP. LEMAR (96TH):

Yes, Mr. Speaker. Mr. Speaker, the bill allows
the town of Wilton to delay reevaluation schedule
for October 1, 2018. It allows the town to defer
the cost or evaluation estimated to be \$54,000
dollars. It also defers any changes in assessments

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of Wilton as a result of this reevaluation. I move adoption.

SPEAKER ARESIMOWICZ (30TH):

Will you remark further on the bill before us?
Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. Every once in a while, we'll have a situation where a town is -- is stuck with a problem that has to be solved by the legislature and can't be solved by themselves, and this is one of such instances having to deal with the town of Wilton. We have a situation where there was the -- an assessor that had left and they have a problem with trying to get everything done on time. If you just excuse me for a second, Mr. Speaker?

SPEAKER ARESIMOWICZ (30TH):

The House will stand at ease. The House will come back to order (Gavel). Representative Zawistowski, you have the floor, madam.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker for the indulgence. Mr. Speaker, the clerk has an amendment. It is LCO

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4116. Would you please ask the clerk to call it and
am I allowed to summarize?

SPEAKER ARESIMOWICZ (30TH):

Will the clerk please call LCO No. 4116?

CLERK:

LCO No. 4116, designated House Amendment
Schedule "A" and introduced by Representative
Sredzinski.

SPEAKER ARESIMOWICZ (30TH):

The representative seeks leave of the Chamber
to summarize the amendment. Is there objection to
summarization? I'm seeing none. Please proceed,
madam.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. I move adoption of the
amendment. Mr. Speaker, this is another situation
in which we're dealing with a municipal technical
issue where it's something that the town cannot
solve by themselves and needs a little bit of assist
from -- from the legislature. This has to do with
the town of Monroe.

SPEAKER ARESIMOWICZ (30TH):

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Will you remark further on the amendment before us?

REP. LEMAR (96TH):

Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Lemar.

REP. LEMAR (96TH):

Mr. Speaker, we do accept this as a friendly amendment.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Will you remark further on the amendment? Will you remark further on the amendment? If not, let me try your minds. All those in favor please signify by saying aye.

[Ayes heard].

Those opposed. Nay. The aye's have it (Gavel). The amendment's adopted. Will you remark further on the bill as amended? Representative O'Dea. Nope. Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you very much, Mr. Speaker. I just rise in very strong support of the bill, and I want to

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thank Representative Lemar and Representative Zawistowski for being of -- and all the members of the Planning and Development Committee of being of help to Wilton, which is in this situation really just due to the occurrence of an unanticipated circumstance which the town decided -- tried to deal with in as timely a manner as possible. So, I certainly urge everyone to join me in supporting it, and I -- with all of my thanks.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much. Will you remark further on the bill as amended? Representative O'Dea.

REP. O'DEA (125TH):

Thank you very much, Mr. Speaker. Good to see you. A few questions to the proponent if I may? Just kidding. It's a good bill. It ought to pass.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Will you remark further on the bill as amended? Will you remark further on the bill as amended? If not, staff and guests to the well of the House, members take your seats, the machine will be open.

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CLERK:

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

SPEAKER ARESIMOWICZ (30TH):

Have all the members voted? If all the members have voted, please check the board to ensure your vote's been properly cast. Have all the members voted? If all the members have voted, the machine will be locked, and the clerk will take a tally. The clerk will announce the tally.

CLERK:

House Bill 5181 as amended by House "A"

Total number Voting	144
Necessary for Passage	73
Those voting Yea	139
Those voting Nay	5
Absent not Voting	6

SPEAKER ARESIMOWICZ (30TH):

Representative Lesser, for what purposes do you rise, sir?

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REP. LESSER (100TH):

Thank you, Mr. Speaker. Mr. Speaker on the last vote, I ask that my vote be counted in the affirmative.

SPEAKER ARESIMOWICZ (30TH):

Journal will so note. Are there any announcements? Representative Albis. Is there any business on the clerk's desk?

CLERK:

Yes, Mr. Speaker. Favorable Reports and House Joint Resolutions to the table for the Calendar.

SPEAKER ARESIMOWICZ (30TH):

Representative Albis.

REP. ALBIS (99TH):

Thank you, Mr. Speaker. I move that we waive the reading of the list of resolutions and the resolutions be tabled for the Calendar.

SPEAKER ARESIMOWICZ (30TH):

So ordered (Gavel). Representative Betts of the 78th.

REP. BETTS (78TH):

Thank you, Mr. Speaker. Before everybody walks

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out, I just wanted to welcome back a member who just had a baby and she's over there in the blonde hair. She has bags under her eyes, but I just wanted to congratulate Representative Pavalock-D'Amato.

[Awing]

SPEAKER ARESIMOWICZ (30TH):

Representative Betts, while I would agree she may be tired, but I don't see any bags under her eyes. I think she looks great [Applause] [Cheering] but please proceed, sir.

REP. BETTS (78TH):

That was the worst effort I've ever seen to cover for me [Laughter]. Maybe it was makeup [Laughing]. Anyway, welcome back and congratulations to -- congratulations to her baby son, and can I now talk about for the Journal notations?

SPEAKER ARESIMOWICZ (30TH):

Yeah, let's try that, representative.

[Laughter]

REP. BETTS (78TH):

I'll hand this over to Representative Piscopo

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next time. Missed Votes: Representative Kokoruda was in district on legislative business, same for Representative Labriola, and the same for Representative D'Amelio, and I'm pleased to report Representative LeGeyt was away on medical appointments, but he had some very good news today, so [Applause] congratulations to Representative LeGeyt. We're all very happy [Applause]. Thank you so much.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Will you remark?
Representative O'Dea of the 125th.

REP. O'DEA (125TH):

Thank you very much, Mr. Speaker. I just want to announce the republicans are going to be caucusing in room 110, and I also want to distance myself from the remarks of Representative Whit's and associate my remarks with the Speaker. It's wonderful to have you back, Representative Pavalock. Thank you very much, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Any other

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announcements? Representative Santiago of the 84th.
REP. SANTIAGO (84TH):

Thank you, Mr. Speaker. I have Journal notations. Representative Pat Dillon business outside the Chamber. Representative Hall business in the district. Representative Lesser business in the district. Representative Elliot business in the district. Representative Verrengia business outside the Chamber. Representative Berger business in the district. Representative Ezequiel Santiago business outside the Chamber. Representative Kim Rose business outside the Chamber. Representative Lonnie Reed business in the district. Representative Tong business in the district, and finally, Representative Genga business in the district. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, madam. Representative Lemar of the 96th, you have the floor.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. For purpose of announcement.

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SPEAKER ARESIMOWICZ (30TH):

Please proceed.

REP. LEMAR (96TH):

Mr. Speaker, the Planning and Development Committee will meet tomorrow morning at 9:45 a.m. in room 2b to take on the numerous bill referrals that we're getting from the Screening Committee. They are very numerous and a lot of them, so thank you, Mr. Speaker. 9:45 a.m., 2b, Planning and Development.

SPEAKER ARESIMOWICZ (30TH):

Representative Lemar, isn't it your good friend is like the chair of the Screening Committee. How is that working out for ya?

REP. LEMAR (96TH):

I don't know why it's happening this way.

SPEAKER ARESIMOWICZ (30TH):

[Laughing]

REP. LEMAR (96TH):

I do believe that I need to reevaluate my friendships.

SPEAKER ARESIMOWICZ (30TH):

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[Laughing] Thank you very much, sir.

Representative Fleischmann of the 18th.

REP. FLEISCHMANN (18TH):

Thank you, Mr. Speaker. For the purposes of an announcement.

SPEAKER ARESIMOWICZ (30TH):

Please proceed, sir.

REP. FLEISCHMANN (18TH):

Thank you, Mr. Speaker. The Education Committee will meet tomorrow at 10 a.m. outside the hall of the House to deal with bills referred to the committee. I encourage all members to join us and those who want to watch to come watch. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Just please finish on time, representative. Representative Demicco of the 21st, you have the floor.

REP. DEMICCO (21ST):

Thank you, Mr. Speaker. For an announcement, please.

SPEAKER ARESIMOWICZ (30TH):

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Please proceed.

REP. DEMICCO (21ST):

Thank you, Mr. Speaker. I just wanted to announce the Environment Committee will be meeting tomorrow morning at 10:15 a.m. outside the hall of the House to deal with referred bills.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much.

REP. DEMICCO (21ST):

And, we will --

SPEAKER ARESIMOWICZ (30TH):

Go ahead.

REP. DEMICCO (21ST):

We will attempt to be speed, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

I appreciate that, representative.

REP. DEMICCO (21ST):

Thank you, sir.

SPEAKER ARESIMOWICZ (30TH):

Thank you, sir. Representative Albis of the 99th, it seems like you get the last word.

REP. ALBIS (99TH):

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Thank you very much, Mr. Speaker. That is quite the honor. I move that we refer the bills as indicated on today's go list.

SPEAKER ARESIMOWICZ (30TH):

So ordered.

REP. ALBIS (99TH):

Thank you, Mr. Speaker. And, there being no further business on the clerk's desk, I move that we adjourn subject to the Call of the Chair.

SPEAKER ARESIMOWICZ (30TH):

The question before the Chamber is adjournment subject to the Call of Chair. Without objection, so ordered. (Gavel)

(On motion of Representative Albis of the 99th District, the House adjourned at 5:43 o'clock p.m., sine die.)

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CERTIFICATE

I hereby certify that the foregoing 315 pages is a complete and accurate transcription of a digital sound recording of the House Proceedings on Tuesday, April 24, 2018.

I further certify that the digital sound recording was transcribed by the word processing department employees of Alphatranscription, under my direction.

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THE CONNECTICUT GENERAL ASSEMBLY

THE HOUSE OF REPRESENTATIVES

Wednesday, April 25, 2018

(The House of Representatives was called to order at 10:38 o'clock a.m., Speaker Aresimowicz of the 30th District in the Chair.)

THE CLERK:

The House of Representatives will convene immediately, members to the Chamber.

SPEAKER ARESIMOWICZ (30TH):

(Gavel) Good morning, will the House come to order? Will members, staff and guests please rise, direct your attention to the dais where Rabbi Alan Lefkowitz will lead us in prayer.

HOUSE CHAPLAIN RABBI LEFKOWITZ:

Good morning. Where is holiness? The words "holy" and "holiness" are dead tired terms from overwork in sermons, prayers by rabbis, ministers and priests, as these words are almost completely unused, unspoken in our everyday speech. Perhaps

the ideas they conjure up are remote from our thinking. Dear God, help us to understand these words. Help to make them better, to bring them closer to our everyday lives.

What does holiness mean? Holiness is not just accessible to spiritual leaders. Holiness is accessible to all. Holiness is not something apart or separate from our lives, it is a part of life. It is life in itself as we are commanded to live our lives in ways that reflect the holiness of our Creator.

As is says in scripture, "You, the whole congregation, shall be holy; for I, the Lord your God, am Holy" (Lev. 19:2). Each one of us, everyone is summoned to holiness. Holiness is the crucial dimension of daily living. So there is holiness when we strive to be true to the best we know; there is holiness when we are kind to someone who cannot possibly be of service to us; there is holiness when we promote family harmony; there is holiness when we forget what divides us and remember what unites us; there is holiness when we are willing to be laughed

at for what we believe; there is holiness when we love truly, honestly and unselfishly; there is holiness when we remember the lonely and bring cheer into a dark corner; there is holiness when we share our bread, our ideas and our enthusiasms.

There is holiness when we gather to pray to our Creator, who gave us the power to pray. As I have often said, "We are commanded to live our lives in ways that reflect the holiness of our Creator." As Dag Hammarskjold wrote: "In our time, the road to holiness passes through the world of action." For all us humans, that is where the road to holiness has always been. We say, Amen.

(All) Amen.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much. Will Representative McGorty of the 122nd District please come to the Dias and lead us in the Pledge of Allegiance?

REP. MCGORTY (122ND):

(All) I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible,

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with liberty and justice for all.

SPEAKER ARESIMOWICZ (30TH):

Is there any business on the Clerk's desk?

CLERK:

Yes, Mr. Speaker. Communication from the
Speaker Committee Assignments.

SPEAKER ARESIMOWICZ (30TH):

Order them printed in the journal.

CLERK:

And lastly, the daily calendar.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, Mr. Clerk. Are there any
announcements or introductions? I see
Representative Slap of the 19th, sir.

REP SLAP (19TH):

Thank you very much. Good morning, Mr.
Speaker.

SPEAKER ARESIMOWICZ (30TH):

Good morning!

REP SLAP (19TH):

I have some very, very special guests in the
chamber and I'm hoping that you can join me in

welcoming them. They are fourth graders from Braeburn School in West Hartford. So please join me in welcoming these great guests (applause). I should mention that our esteemed Majority Leader's nephew also attends Braeburn, Jake Schwartz as well, so welcome to Jake and all the educators and teachers, we really appreciate all that you do. Thanks very much for coming to the Capitol.

SPEAKER ARESIMOWICZ (30TH):

Representative Slap, what makes it more important is I see a gentleman with a Red Sox sweatshirt on which is always helpful to the Majority Leader and I (applause), and then I also see one of my Berlin folks too so it doesn't get better than that. So, thank you very much. Thank you very much for coming up today. I hope you enjoy your visit. Are there any other announcements or introductions? Representative Candelora of the 86th District. Sir, you have the floor.

REP. CANDELORA (86TH):

Thank you, Mr. Speaker for a point of personal privilege?

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SPEAKER ARESIMOWICZ (30TH):

Anything you'd like.

REP. CANDELORA (86TH):

Thank you, Mr. Speaker. I have a bad parent moment. As we all know, this chamber this time of year gets very busy for all of us. For the past 12 years since I've been here, I've had a child who has to celebrate his birthday during this busy season, and so today my son, Christopher, is turning 18. This will be his last stent with us, as he is headed off to Dartmouth in the fall. I'm very proud of him and I got up today and forgot to wish him a Happy Birthday before he went to school (groans) so I would just like to take the opportunity to wish him a Happy Birthday and hopefully we will be back home before midnight so maybe I could wish him in person, but I'm not sure about that (laughter).

SPEAKER ARESIMOWICZ (30TH):

Representative Candelora, there are a couple of things on that. Number one, I think you dictate more than I dictate what time we get out of here, and number two, for anybody who's spent time with

Vin, he usually gets the biggest smile on his face when he talks about his family, he talks about his kids, their activities, so we all know it wasn't for a lack of them being on your mind, it was just probably thinking other things, but your love for your family is always evident by the things you say, so I'm sure they understand Representative.

(applause). Representative Ferraro of the 117th.

REP. FERRARO (117TH):

Good morning, Mr. Speaker. I rise for the point of an announcement.

SPEAKER ARESIMOWICZ (30TH):

Please proceed.

REP. FERRARO (117TH):

I'm here with Representative Hennessey and Representative Staneski. As you know, today is Save a Hero Day and Mr. Staneski's arms are full with personal supplies, toothbrushes and soap and what have you and downstairs outside the main entrance in the front of the building is a Humvee and there, we have some servicemen who are manning the desk, and they would love for any of the donations that you're

bringing in so please feel free to go down there
some time during the day. Thank you very much, Mr.
Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Ferraro, can I also ask that the
three of you, if you're willing to do it, folks in
the chamber were working on many bills, if they
could just give donations to you that you folks
would bring down, would you be willing to do that?

REP. FERRARO (117TH):

(laughing) As long as I don't miss a vote, Mr.
Speaker.

SPEAKER ARESIMOWICZ (30TH):

I'll hold the votes for you, sir, thank you.
Representative Piscopo of the 76th.

REP. PISCOPO (76TH):

Thank you, Mr. Speaker, good morning! For an
introduction?

SPEAKER ARESIMOWICZ (30TH):

Please!

REP. PISCOPO (76TH):

Thank you, Mr. Speaker. We have a fine group

of students in the gallery today from Thomaston High School. They're the honor class in citizenship. We're very happy to have them here observing our process. Will the chamber please join me in a warm welcome to Thomaston High School (applause)

SPEAKER ARESIMOWICZ (30TH):

Thank you very much sir. My very good friend from the neighboring town of Cromwell.

Representative Carpino of the 32nd, you have the floor madam.

REPRESENTATIVE CARPINO (32ND):

Good morning, Mr. Speaker. I stand for the purpose of an introduction, if I may.

SPEAKER ARESIMOWICZ (30TH):

You got a lot of people over there. Please proceed.

REPRESENTATIVE CARPINO (32ND):

On behalf of myself, Representative Case, Representative Hampton, Representative Zupkus and Senator Kennedy, we'd like to introduce you to an amazing group of athletes, their friends, their family and their staff from the Special Olympics,

all here in the well of the House. This is their 50th anniversary. They train like no other athlete I've ever met. They have the utmost dedication to their sports year round and if I may sir, I'd like to point out one particular athlete. Angie, do you wanna wave to the Speaker. A little known fact is Angela and I were unified partners and teammates, and I can personally attest to her dedication so if the chamber could give them a warm welcome, I think it would be much appreciated (applause).

SPEAKER ARESIMOWICZ (30TH):

I would actually ask you to stand so we can properly recognize you (applause). Angela, while I have you on the spot, we know she's a great legislator, but thumbs up, thumbs down, good teammate?

ANGELA:

Thumbs up, very good.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much. Representative Cook of the 65th.

REP. COOK (65TH):

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Good morning, Mr. Speaker, how are you?

SPEAKER ARESIMOWICZ (30TH):

I'm excellent, how are you?

REP. COOK (65TH):

I'm well and so, as we just heard that we have wonderful athletes here from Special Olympics, there's one that is near and dear to my heart that is standing right next to me. Her father told me he is actually on the floor, but this is Natasha Cole. Natasha worked at the preschool that I was teaching at before I ran for office. She's been there for how many years?

NATASHA:

1999 through now.

REP. COOK (65TH):

So she's been at the preschool since 1999. Natasha also competed in the World's. I think our Speaker is trying to figure out how many years that is.

SPEAKER ARESIMOWICZ (30TH):

I'm asking staff (laughter).

REP. COOK (65TH):

So Natasha also competed in the World's for Special Olympics, and as you can see as she went to Austria she also came back with not one, but two gold medals so I am honored to call her a friend, I am also honored to say that she is an amazing teacher and an incredible athlete and I'm happy to have her here. So thank you for welcoming her here (applause).

SPEAKER ARESIMOWICZ (30TH):

It took me a minute, but it's 19 years Representative Cook (laughter). Are there any other announcements or introductions? Representative Butler of the 72nd.

REP. BUTLER (72ND):

Good morning, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Good morning!

REP. BUTLER (72ND):

I rise for purposes of announcement.

SPEAKER ARESIMOWICZ (30TH):

Please proceed.

REP. BUTLER (72ND):

Mr. Speaker, with me today I have my legislative aide who actually keeps my office in order and she's also the clerk of the Housing Committee which makes sure that the Housing Committee runs nice and smooth during the session. I'm very pleased to announce that this is Zoe Gluck and it is her birthday today so if everybody could give her our usually warm welcome and wish her a Happy Birthday!

SPEAKER ARESIMOWICZ (30TH):

Happy Birthday (applause). Are there any more announcements or introductions? Are you ready Mr. Clerk? Will the Clerk please call House calendar 104.

CLERK:

State of Connecticut House of Representatives,
Wednesday, April 25, 2018. On page 15, House calendar 104, House Bill 5342, AN ACT ESTABLISHING A TASK FORCE TO STUDY BEST PRACTICES REGARDING SOCIAL-EMOTIONAL LEARNING. Favorable report of Joint Standing Committee on Education.

SPEAKER ARESIMOWICZ (30TH):

Representative Fleischmann.

REP. FLEISCHMANN (16TH):

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

SPEAKER ARESIMOWICZ (30TH):

Question before the chamber is on passage of the Bill and acceptance of the Joint Committee's favorable report. Please report.

REP. FLEISCHMANN (16TH):

Thank you, Mr. Speaker. The title of this Bill pretty well describes the filed copy that we have before us. Social-emotional learning is a key component of educating the whole child, making sure that a student in a Connecticut school not only understands reading, writing, and arithmetic, but understands how to diffuse conflict, how to be caring, how to engage in pro-social behavior. The best schools in Connecticut are moving towards more social-emotional learning, but many have not yet done so and this group is intended to foster and

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expedite that movement. In that spirit, Mr. Speaker, the Clerk is in possession of an amendment, LCO 4206. I ask the Clerk to please call and I be given permission to summarize.

SPEAKER ARESIMOWICZ (30TH):

Will the Clerk please call LCO No. 4206.

REP. FLEISCHMANN (16TH):

Designated House Amendment.

SPEAKER ARESIMOWICZ (30TH):

Which would be designated House Amendment Schedule A.

CLERK:

House Amendment Schedule "A" LCO No. 4026 offered by Representative Fleishmann, Representative Berger, Representative Albis.

SPEAKER ARESIMOWICZ (30TH):

Representative seeks leave of the Chamber to summarize the amendment. Is there objection to summarization? Hearing none, Representative Fleishmann.

REP. FLEISCHMANN (16TH):

Thank you, Mr. Speaker. This is not a complex

amendment. Essentially it does two things. First, it changes the task force to a working group which is the appropriate term because we're going to have various parties appointing their own representatives to this group, and it does not necessarily include any members of the General Assembly. We're adding the executive director of the Commission for Women, Children and Seniors and we're asking that Commission provide administrative support for the work group. I move adoption.

DEPUTY SPEAKER GENTILE (104TH):

Will you remark? Will you remark further?

Representative Lavielle?

REP. LAVIELLE (143RD):

Thank you, Madam Speaker. I just rise also in support of the amendment. It's an administrative change really and will help the work of this group function better. Thank you.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, madam. Will you remark further? Will you remark further? If not, I'll try your minds. All those in favor please signify by saying

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aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER GENTILE (104TH):

Opposed, nay. The ayes have it. Amendment passes. Will you remark further on the Bill as amended? Representative Ackert.

REP. ACKERT (8TH):

Thank you, Madam Speaker, and to the good proponent of the Bill as amended.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleishmann, please prepare yourself. You may proceed, Representative Ackert.

REP. ACKERT (8TH):

Thank you, and just in the change from the legislation and now the amendment as the Bill, in 33-34 I think you mentioned the administrative staff of the Commission of Women, Children and Seniors shall administer the staff of the working group. I imagine they have agreed to this responsibility? Thank you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleishmann.

REP. FLEISHMANN (16TH):

Thank you, Madam Speaker, yes.

DEPUTY SPEAKER GENTILE (104TH):

Representative Ackert?

REP. ACKERT (8TH):

That's all I have. Thank you, Madam Speaker.

Thank you to the good gentleman.

DEPUTY SPEAKER GENTILE (104TH):

Short and sweet. Representative Lavielle?

REP. LAVIELLE (143RD):

Thank you, Madam Speaker. Just on the underlying Bill, I just wanted to also convey my support of the Bill. The importance of best practices in social-emotional learning have been documented by very, very copious testimony from all sorts of stakeholders in education and this work group will focus on exchange of best practices in making sure that every district has access to the best models and the best way that this can be implemented, and so it's a good idea. It has no fiscal note and I think it will serve all of our

students in schools very well. Thank you very much.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, madam. Will you remark further?

Representative McCarty?

REP. MCCARTY (38TH):

Thank you, Madam Speaker. Just for a few comments on the underlying Bill.

DEPUTY SPEAKER GENTILE (104TH):

You may proceed, madam.

REP. MCCARTY (38TH):

Through you, Madam Speaker. I rise in very, very strong support of this task force. As you know, there are many school districts that have already implemented social-emotional learning programs within their districts, and these programs are doing tremendous work in helping lower suspension and expulsion rates, improving school climate and keeping everyone in the school district aware of the importance of social-emotional learning so I think this working group will do tremendous good to help bring the word to other districts and to share best practices so that we are able to

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improve the school climate throughout the State of Connecticut so I rise in very strong support of this task force and ask my colleagues to support it.

Thank you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, madam. Representative Wood.

REP. WOOD (141ST):

Through you, Madam Speaker. I also stand in very strong support of this Bill and do have a question for the proponent.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann, could you please prepare yourself? Representative Wood, you may proceed.

REP. WOOD (141ST):

Through you, Madam Speaker. I'm just reading through some of the testimony on this, and was there any negative testimony opposing this legislation?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann?

REP. FLEISCHMANN (18TH):

Madam Speaker, I believe the answer to that question is no.

DEPUTY SPEAKER GENTILE (104TH):

Thank you. Representative Wood?

REP. WOOD (141ST):

How refreshing, thank you! I'm a little surprised, but I'm delighted to hear that. I do stand in strong support. Both the districts I represent are implementing, have implemented I think six/seven years the social-emotional learning program and it does do everything the proponent had mentioned. It diffuses conflict. Also, Representative McCarty mentioned it lowers suspension and expulsion rate and this is absolutely the way to go, so I'm in strong support and urge the entire Chamber to support it as well. Thank you.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, madam. Will you remark further? Will you remark further? If not, 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 GENTILE (104TH):

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

CLERK:

House Bill 5342, as Amended by House "A"

Total Number of Voting	137
Necessary for Passage	69
Those Voting Yea	122
Those Voting Nay	15
Those absent and not voting	13

DEPUTY SPEAKER GENTILE (104TH):

The Bill as amended passes. [Gavel] Will the
Clerk please call Calendar 101.

CLERK:

On page 15, Calendar 101, Substitute House Bill No. 5334, AN ACT CONCERNING NOTIFICATION BY CONTRACTORS TO SUPERINTENDENTS OF SCHOOLS REGARDING INCIDENTS OF ARREST BY EMPLOYEES. Favorable report of the Joint Standing Committee on Education.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISCHMANN (18TH):

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

DEPUTY SPEAKER GENTILE (104TH):

Question is acceptance of the Joint Committee's Favorable Report and passage of the Bill.

Representative Fleischmann?

REP. FLEISCHMANN (104TH):

Thank you, Madam Speaker. The measure before us is one that would ensure that contractors who have employees with frequent contact with students in our public schools notifies superintendents of school districts if it turns out that one of their employees has been arrested for a crime that

involves endangering the morals or safety of a child. One might think that we would already have such a statute on the books since it's simple logic that if there is a contractor or vendor to a school district with employees who are around students, and one of those employees is someone who's potentially a danger to children, that such reports would happen, but a very scary episode that occurred this last year basically shined a spot light on the fact that such notification is not required and does not necessarily happen. The Bill before us would address that situation and provide greater safety and protection to the children in our schools. In that spirit, Madam Speaker, the Clerk is in possession of an amendment LCO 4105. I ask the Clerk please call and I be given permission to summarize.

DEPUTY SPEAKER GENTILE (104TH):

Will the Clerk please call LCO No. 4105, which will be designated House Amendment "A"?

CLERK:

House Amendment Schedule "A" LCO No. 4105,

offered by Representative Fleischmann,
Representative Staneski, et al.

DEPUTY SPEAKER GENTILE (104TH):

The Representative seeks leave of the chamber to summarize. Is there objection? Is there objection? Seeing none, Representative Fleischmann, you may proceed.

REP. FLEISCHMANN (18TH):

Thank you, Madam Speaker. So first, I'd like to thank Representative Liz Linehan for her very hard work on both the underlying Bill and this amendment which are aimed to really close up what I consider to be a current loophole in our statutory scheme. What this amendment does is in the spirit of the underlying Bill, but more precise. For beginners, it specifies that an employee of a vendor or contractor who is guilty or arrested for an infraction (Gavel)

DEPUTY SPEAKER GENTILE (104TH):

Representative, can you hold on a moment please? Will members please take their conversations outside in the hallway? It's very

difficult to hear the proponent of the amendment speaking. Thank you.

REPRESENTATIVE FLEISCHMANN (18TH):

Thank you, Madam Speaker. As I was saying, someone who works closely with children who is charged with a crime under Section 53-21 of Connecticut General Statutes is someone who's implicated by this amendment, and that section of statute involves child abuse, neglect, risk of injury to a minor or impairing the morals of children. It also involves any crimes that would relate to trafficking of children. In addition, this amendment ensures that those contractors and vendors working with districts who have employees who are in frequent contact with children are mandated reporters, and for those who are not familiar with that, that's a section of statute related to the Department of Children and Families that ensures that if an individual hears that one of their employees or colleagues may have undertaken actions that threaten the health, wellbeing, safety, morals of a child that within 24 hours, they must

contact the Department of Children and Families to report said incident, and the Department of Children and Families then follows up with an investigation. In addition, the measure before us ensures that these contractors, and again, these are contractors whose employees have regular contact with school children, that they will also within 24 hours notify the school district that this arrest has occurred so that the school district is not placed in the untenable position of having a school bus that is driven or a school tray that is delivered or a school roof that is repaired by an individual who has just been arrested for something that jeopardizes the health, safety, wellbeing or morals of a child. It's a very logical, well-constructed amendment. I move adoption.

DEPUTY SPEAKER GENTILE (104TH):

The question before the Chamber is adoption of the amendment. Will you remark further on the amendment? Representative Lavielle?

REP. LAVIELLE (143RD):

Thank you very much, Madam Speaker. I have a

few questions for the proponents if I may.

DEPUTY SPEAKER GENTILE (104TH):

You may proceed, madam.

REP. LAVIELLE (143RD):

Thank you very much, Madam Speaker. So to my mind, as the good Chair of Education, this amendment does a couple of things on top of what I think is an excellent underlying Bill. It requires contractors to inform the school authorities of an arrest of one of their employees for some specific things. My first question is, does the arrest under the language of the Bill, is it an arrest has just happened and therefore they must inform the school, or is this employee has been arrested sometime in the past and this is information that needs to be passed on?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann?

REP. FLEISCHMANN (18TH):

Thank you, Madam Speaker, and I thank my good ranking member for her thoughtful question. So

under the mandated reporter statute, an employer whose employee has been arrested for a crime under 53-21 or who has just been accused of a set of actions that raise question under that statute must within 24 hours make a report to the Department of Children and Families and under this Bill, also make a report to the Superintendent of Schools so the focus of this measure is on incidents that occur in real time. To take the hypothetical that she has put before the Chamber, if an employer becomes aware that someone whom they've hired was previously convicted of a crime under Section 53-21, as I read the amendment, they would also have to report that information as soon as they became aware of it to a school district.

Through you, Madam President.

DEPUTY SPEAKER GENTILE (104TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you, Madam Speaker. Is that actually, and this is my ignorance of the statues, but I just need to ask, part of this amendment does concern

mandated reports, but this particular part of the amendment which is line 3 on down, section 1, does not concern someone actually catching someone in the act and reporting, which is my understanding of what a mandated reporter does. This section concerns knowledge of an arrest that may have happened in another place, another time, what have you. So statute, section 53-21, is part of the mandated reporter statute?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleishmann.

REP. FLEISCHMANN (18TH):

Through you, Madam Speaker. I'm not sure I follow the question. I heard the preamble, but I'm not sure of the question, so if my good ranking member could rephrase or reframe, I would appreciate that.

DEPUTY SPEAKER GENTILE (104TH):

Representative Lavielle, can you kindly rephrase?

REP. LAVIELLE (143RD):

Sure. There are, I believe, two parts of this amendment. One concerns mandated reporters, who have a duty to report something if they see it happen. This part of the Bill in front, the very first thing, the amendment, pardon me, concerns notification of knowledge of someone's arrest. Does that also come under the legal framework of mandated reporting, or is that something quite different because it's also something we're trying to do in the underlying Bill.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Through you, Madam Speaker. Thank you, and I thank the gentle lady for the reframing of the question. So this section of the amendment is not part of the mandated reporter framework. Rather, it is what we are doing new today to try and ensure that we don't have school districts that are dealing with contractors or vendors whose employees have been arrested, and yet the school district is not

aware. So it's in some ways similar to mandated reporting because we're requiring that the contractor or vendor reach out to the school system and the superintendent specifically to let them know an arrest has just occurred, but it is a distinct new framework that we're creating in order to increase the safety of our school children.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you, Madam Speaker and I have a concern with this particular part of the Bill which the good representative has outlined very well. It refers to Section 53-21 of the statutes, which details injury or risk of injury to or impairing morals of children and sale of children, so under this amendment, anyone who had been arrested for that, that would be notice to the school district. I know that when we discuss for example animal Bills, we go on the premise that cruelty to animals might also indicate a predisposition of cruelty to human beings. If

someone had been arrested for shooting an adult or attempting to shoot an adult or armed robbery or for example, illegal drug dealing, that's not covered, am I correct under this particular section of the amendment?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

If I could have a moment.

DEPUTY SPEAKER GENTILE (104TH):

Chamber will please stand at ease. Chamber will please come back to order. I believe Representative Fleischmann, you have the floor.

REP. FLEISHMANN (18TH):

Thank you, Madam Speaker and I appreciate your indulgence. The good ranking member's question implicated an entirely different section of statute that I just needed to make sure I was getting correct. So we already took steps several years ago to ensure that there are background checks set up for people who would aspire to be school bus drivers

or in other roles where there is frequent contact with children, but not direct employment by a school district, so for many of the crimes that my good ranking member has described, if the individual has been found guilty of such a crime and it comes up on a background check when they are applying for the job, they're disallowed from taking the job, and if they are arrested for such a crime and convicted, they are pulled out of the job, so while those specific crimes are not covered under the Bill before us, this General Assembly has contemplated those situations and there are not today school bus drivers or people in comparable positions who have been convicted of drug dealing who are behind the wheel of our school buses because of those other statutes.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you, and those same people who may have been convicted of shooting an adult or illegal drug

dealing, would they also have been removed from their job for any of the crimes against children that are detailed in Section 53-21.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Through you, Madam Speaker. I believe the answer to that question is yes, if convicted. The problem that we're looking at here is that when you're talking about the safety of children, you want to act quickly because if there is someone who has been accused of serious crimes against children, you don't want them to spend weeks or months around your children, your neighbor's children, your nieces and nephews, your grandkids before you find out that in fact, they were guilty of said crimes. The presumption that we make in the case of people who serve children is that we should protect the children while investigating, so it's a different presumption than the one that we make in various other matters. I believe it's the correct

presumption to make in this instance.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you, Madam Speaker. I'd like to move to the rest of the content of the amendment if I may, which concerns making the employees of contractors to school districts mandated reports, I believe if they only have direct contact with children. Is that correct?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Through you, Madam Speaker. Yes, if I can just read the language. Any person who is the owner, manager or supervisor of a business as defined in Section 4E-1 that B) contracts with a local or regional board of education and B) Employs a person described in sum paragraph B of Subdivision 13 of Section 53A-65 is covered, and 53A-65 of Connecticut

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General Statutes describes individuals who have regular contact with students.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you, Madam Speaker. That's what I thought. I just wanted to confirm. So there is a fiscal note that does not suggest that there would necessarily be any cost either to the state or certainly not to the districts for this and I think that's fair. There is a mention in the OFA note that to the extent that expanding the number of mandated reporters could result in increased calls to DCF, DCF might have to expand its Care Line service, and OFA doesn't quantify that cost. I'd just to ask the good chairman if he has any thoughts on what that might represent.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Through you, Madam Speaker. I think for me to guess what is going to happen to the DCF Care Line as a result of this measure would be pretty speculative on my part. I will say this. You know we have a part-time General Assembly. My role outside of this General Assembly involves working for a youth serving organization, so I am a mandated reporter. On the one hand, that means that I and people I work with are extremely vigilant about what is happening in the interactions between the adults and the children who we work with. On the other hand, the number of instances that lead to phone calls to the CDF Care Line is small because there are background checks that come before adults are even allowed to be in contact in children, because we have so many safeguards in place. So based on my experience, my expectation would be and my speculation would be that the actual number of phone calls to that hotline would probably be small enough to be accommodated by the current staff.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you, Madam Speaker. That's very helpful. The other question that I have regarding the mandated reports who are employees of contractors is, and this may apply to other situations, but I'm curious in this case because these are people who are working not at their own company, but off site at the company's client, how is their obligation as a mandated reporter enforced?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Through you, Madam Speaker. It's my understanding that when an individual is designated as a mandated reporter, there is a set of procedures that they're familiarized with and they are told that it's their obligation to make a phone call within 24 hours to the DCF hotline should they become aware of any circumstances that would seem to potentially jeopardize the health, safety, wellbeing

or morals of a child. It's also my understanding that if someone is a mandated reporter and is found to fail to uphold that responsibility, there are potential legal implications for them for failing to follow what is a pretty simple set of procedures outlined in law. I'm not familiar enough with the statutes surrounding DCF to know precisely what those penalties might be, but everyone who's a mandated reporter knows that this is not something to be taken lightly. If you hear something, you say something within 24 hours to the social worker at the other end of that DCF hotline.

Through you, Madam Chair.

DEPUTY SPEAKER GENTILE (104TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you, Madam Speaker. I would absolutely agree with my colleague, the Committee Chair, that the duties of mandated reporters should be taken extremely seriously and they are a very, very serious responsibility. Is there any, and I don't know this, I really don't know, is there an

obligation, I would assume, upon companies that employ people who are to be mandated reporters in another context offsite and so on, there is some liability upon the company itself, is there not, if one of their employees does not fulfill the responsibility?

Through you.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Through you, Madam Speaker. I'm not sure. I believe that the responsibility and/or liability inheres to the individual who has been designated a mandated reporter. I do not believe that liability to the legal entity that employees them.

Through you.

DEPUTY SPEAKER GENTILE (104TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you, Madam Speaker. I raise it just because it's an interesting question to consider. I don't know that if this liability doesn't exist that

companies would necessarily take it upon themselves to inform their employees of their obligation, so there might be some, the school districts might end up having to transmit that. It's just another sort of aspect of this. I think I've kind of outlined where my areas of concern are. I certainly support, have supported the underlying Bill. You know, these are some other areas and I have, you know not deal-breaking concerns, but I have a few concerns. I just wanted to make sure that I could air them so I think the good Chairman for answering my questions, and I look forward to the vote on the Bill. Thank you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, madam. Will you remark further on the amendment before us? On the amendment?

Representative Linehan. Representative Linehan, this is on the amendment.

REP. LINEHAN (103RD):

Yes, thank you, Madam Speaker. I'd like to take a moment to thank everyone who has worked so diligently on this amendment. On my behalf, I'd

like to thank Chairman Fleischmann for his patience in putting this together. I'd also like to thank Dave Desjardins who did a great deal of work on our staff and I appreciate that, and I thank all of the people on the amendment as well as Representative Candelora for helping me out with this. I want to take a moment to tell the story of why this Bill came about, this amendment came about. I had a constituent who was watching TV one night on the 11 o'clock news, and up on the 11 o'clock news came the face of his daughter's bus driver. His daughter is 6 years old and she's a nonverbal special ED student, and her bus driver was arrested for sexually molesting a girl over a period of eight years between the ages of 4 and 12.

DEPUTY SPEAKER GENTILE (104TH):

Representative Linehan, excuse me one minute. [Gavel] If members once again can please take their conversations outside of the Chamber, it's been requested that some of the members that are here listening to the discussion cannot hear it. Thank you. Please proceed, madam.

REP. LINEHAN (103RD):

Thank you, Madam Speaker. The reason for this Bill is I had a constituent who contacted me when they saw on the 11 o'clock news that his 6-year-old daughter, who is a nonverbal special ED student, he saw her bus driver's photo on the news for being arrested for sexually molesting a young girl between the ages of 4 and 12 for a period of 8 years.

Because his daughter was nonverbal and he was not contacted by the school system, he had no idea about this at all until he saw it on the news, and interestingly and scarily, now that he has a new bus driver for his daughter, she arrives home a full 30 minutes earlier than she had when she had this one bus driver. So the concern is that he wasn't notified at all of this person's arrest and we found out that the bus company knew about the investigation for three weeks prior to the arrest. That means for a period of three weeks, or perhaps even longer, when others knew that he was being investigated for this, no one alerted the school district so that they could take steps to protect

the children in their care. This is a very serious problem, and since I've come forward with this story, I have had conversations with other people including other employees at bus companies who tell me that there have been other people who have investigated for and arrested for a similar offense, and they were not taken off the job to keep the children safe from these predators.

This Bill is absolutely necessary in order to protect our children in the system. It is also a Bill that requires due process. There have been some questions regarding due process, and it is specifically stated in there that a person cannot lose their job because of this until after a conviction is made, and all of these statutes that we reference make sure that the crimes that they are arrested for are ones that would put someone on the Child Abuse and Neglect Registry through DCF, as well as carry a charge of risk of injury to a minor. This is a necessary bill to protect our school children, and I appreciate everybody working so diligently to get this language together, so thank

you all very much and thank you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, madam. Will you remark further on the amendment before us? Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you. Good morning, Madam Speaker. I had some questions for the proponent, if I may.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann, can you prepare yourself please. You may proceed Representative Fishbein.

REP. FISHBEIN (90TH):

I'm aware of our statutes regarding mandated reporters, and this is the first time that I see and I'm looking at line 24 of the amendment where the language is specifically may be a mandated reporter as opposed to shall be a mandated reporter, so my first question is, why the permissive language?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Through you, Madam Speaker, and I thank my colleague for the question. So the section of the amendment to which he refers is part that talks about the notice and the contract that's entered into to describe the notice, so as I read this amendment, the designation of individuals as mandated reporters is a requirement. It's a shall. This is simply the language describing the contract that will inform the parties of the potential status of various parties to the contract.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Madam Speaker. Am I to understand in reviewing section 1 of the amendment that any one individual, business, entity that contracts with a local or regional board of education and the principles thereof, would be mandated reporters under this new language?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Through you, Madam Speaker, no. I would direct my colleague to lines 71 through 74 of the amendment, which makes it clear that vendors or contractors who are implicated must employ a person described in subparagraph B of subdivision 13 of Section 53A-65. I do not expect my colleague or anyone to know that reference off the top of their head, but it's a reference to statutes that describe individuals who have regular contact with students, so if a person is the owner, operator or leader of a bus company with a bunch of drivers who have regular contact with students, they would be implicated by this amendment. If, however, the person is the owner or operator of a company that does landscaping work and that work generally happens outside of the school and after school hours, I do not believe they would be so implicated.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Madam Speaker. So how is one to determine, since there's civil liability for mandated reporters that don't report, what is regular contact with students for the purposes of this statute?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Through you, Madam Speaker, I believe that like those of us in this Chamber, the courts rely upon the plain English understanding of language and so regular contact would obviously imply that it's something that occurs in the course of conduct of a person's employment, so you know bus drivers are a perfect example because it would be impossible for them to do their jobs without having regular contact with students. If someone is a grounds keeper, it's pretty evident that regular contact would not be an inherent part of their responsibility so I'm not familiar with the common law around this, but it's

my sense that the courts would use a common sense plain English interpretation.

Through you.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Madam Speaker. How does one, the representation was made that mandated reporters become familiar with their duties to report, what is the plan to educate all of these new mandated reporters?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Through you, Madam Speaker, I don't know. I can share with my colleague that when I myself became employed by an agency that does have mandated reporter responsibilities, upon my hiring I immediately had to read a whole set of employee handbook standards and procedures and mandated reporter requirements were very clearly spelled out,

so it would be my expectation that any company affected by the amendment before us would take a similar step, and it's not complicated. Having worked on employee handbooks and also having worked on crisis response procedures, one looks up the information that's available through the Department of Children and Families website and incorporates that into one's appropriate manuals.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Madam Speaker. So am I to understand that the employer of a bus driver, the bus driver would have regular contact with students I assume, the employer becomes the mandated reporter under this language?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Through you, Madam Speaker, yes.

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DEPUTY SPEAKER GENTILE (104TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

And am I to understand that a municipality, let's say the Public Works Department, does the grounds keeping of the baseball team before the team goes on there and all of that stuff, regular contact with youngsters and students, that they would become mandated reporters also?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Through you, Madam Speaker, that is not how I read the amendment, no.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Madam Speaker, you know the initial bill I had no problem with. I co-sponsored the initial bill. I do not associate myself in any way, shape or form with this amendment, to strike all amendment. You

know I think this. We're creating mandated reporters. I think it should be going through another committee. There was no public hearing on this expansion of mandated reporters. I just don't think this is the way that we should be doing business in this State, perhaps this is why we're in the problems that we are. So, thank you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Will you remark further on the amendment before us? Representative Walker.

REP. WALKER (93RD):

Thank you, Madam Speaker and through you to the proponent of the bill, I think I wanna go to the section that you were talking about, section 71 to 74, so in hearing the discussion that you had, this narrows down the definition of who is affected by this bill going forward, is that correct sir?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Through you, Madam Speaker. I think the phrase I would use is clarifies. There are a lot of different vendors and contractors who work with school districts. This language makes it clear that the focus of what we're doing involves those vendors and contractors whose employees have regular contact with students.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, sir. Representative Walker.

REP. WALKER (93RD):

Thank you, Madam Speaker. I'm glad to hear that because in looking at some of the comments or the report, I saw the Commissioner of Department of Children and Families was very concerned about the broad reach I'm hoping was just in the original underlying bill and the strike all eliminated that.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Through you, Madam Speaker, yes, that's my

understanding of the difference between the amendment and the underlying bill. This greater clarity does mean that the universe of affected companies is much smaller than was the case under the original bill.

DEPUTY SPEAKER GENTILE (104TH):

Representative Walker.

REP. WALKER (93RD):

Thank you, Madam Speaker and I thank the good gentleman for his answers. The concern that I had when I saw the title of the bill, in Judiciary Committee we had a bill that many of us voted against because at the time, it was also affecting children so the concern that we have that we are making sure that children are not part of this discussion, so I just wanted to make sure that we're very clear about how we were doing this, and with that, Madam Speaker, I thank the good gentleman for his answers.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, madam. Will you remark further on the amendment? Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Madam Speaker. Madam Speaker, a few questions to the proponent of the amendment, please.

DEPUTY SPEAKER GENTILE (104TH):

You may proceed, madam.

REP REBIMBAS (70TH):

Thank you. Through you, Madam Speaker, and I've been trying to listen to the exchange and I read the underlying bill which was the bill that was subject of the public hearing, and it's all of literally four or five lines, and I see this amendment here today that is at least numbered on the sheet that I have seven pages. This is a very big difference than what was before the committee for a public hearing. Through you, Madam Speaker, what was the catalyst or reason for the amendment?

Through you.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Through you, Madam Speaker, so part of the reason was illustrated by the dialogue I just had

with the good Chair of the Appropriations Committee. There were concerns that there should be greater clarity regarding which contractors with boards of education would be affected, and then part of it related to what the mechanisms would be for ensuring that we had a fully rounded system of accountability so that in the terrible instance that Representative Linehan described where there is a school bus company employee who has been arrested and accused of heinous crimes against children, that there would be proper notice both to the school district which has children who are potentially jeopardized, and to the Department of Children and Families so that there could be an immediate and swift investigation. It is not evident as we stand here today that those things would happen absent the measure before us. The amendment ensures that sort of full sensible response which is I think stronger than what was in the underlying bill.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Madam Speaker. So to your point that to provide clarity as to which contractors, where in the amendment can you indicate to me the clarity regarding which contractors opposed to the original proposed legislation?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Thank you, Madam Speaker. So I would direct the attention of the good ranking member of the Judiciary Committee to line 71 through 74 of the bill, and there's a reference there to owners, managers, supervisors or businesses that have contracts and that employee individuals described in subparagraph B, subdivision 13 of section 53A-65. So I have 53A-65 before me, and I'll just share that reference. It defines a school employee and in that definition it says, "any other person who, in the performance of his or her duties has regular contact with students and provides services to or behalf of

students enrolled in public elementary, middle or high school."

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Rebimbas.

REPRESENTATIVE REBIMBAS (70TH):

Thank you, Madam Speaker, and when I compare the amendment to the underlying bill, it already says "a position involving direct contact with a student," so I guess what I see in the amendment that the good chairman pointed out is just who the employer specifically has the duty to report, so I guess that's okay. Hopefully it won't be someone else who had this knowledge and now doesn't have to report because they don't carry the title that's been enumerated in this amendment, because that would defeat the purpose that we're trying to achieve here. I would say that anyone who has knowledge, even a coworker who has knowledge that an individual was just arrested for something that had moral turpitude or put a child at risk should be requested to report, but now this amendment says

that a manager, supervisor and specifically the titles, unless they receive the information, I guess the coworker or anyone else can keep it a secret. I'm concerned about that. One of the other reasons that the good chairman highlighted for the amendment is the system of accountability. So Through you, Madam Speaker, if the good chairman can indicate in this amendment where the system of accountability would be, and is that regarding the definition of mandated reporter?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Thank you, Madam Speaker. I would ask my good colleague to please just clarify which line her reference comes from.

DEPUTY SPEAKER GENTILE (104TH):

Representative Rebimbas, can you please clarify?

REPRESENTATIVE REBIMBAS (70TH):

I'd be happy to. It wasn't in a line. It's

actually a quote of what the good chairman had responded to my question regarding the purpose behind the amendment. He had indicated one of the second points was a system of accountability, so I'm questioning him what the system of accountability that's in this amendment for the purpose of the amendment.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Fleischmann.

REP. FLEISHMANN (18TH):

Thank you, Madam Speaker, and I thank my good colleague for clarification. So what I was referencing was the fact that when an individual is informed that they are a mandated reporter, it's a serious mantle of responsibility and it involves following the steps that are outlined under that system, and then under the amendment before us, we have added belts and suspenders by saying not only shall you reach out to the Department of Children and Families and ensure that there's an investigation, you shall also reach out to the

school district with whom you have a contract or the school districts with whom you have contracts, and inform them of what's going on, so it's an approach that simply doesn't exist today as evidenced by the really horrifying story that Representative Linehan shared earlier. If we do not pass this amendment and this bill before us, we will not have a system in place to ensure reporting. Just a couple of other quick observations in response to the thoughtful reading and questions that my colleague has posed, the underlying bill had talked about direct contact. We are now referencing statute that talks about regular contact. There's a pretty big distinction between direct contact and regular contact, not only in terms of the plain English definition, but in terms of the fact that we're now referencing a section of statute that I believe has been handled and probably litigated many times in the court so we're referencing an established body of law that should make it much clearer what companies are involved.

One other point that my good colleague raised

that I did want to address, the underlying bill said any contractor who contracts with a local or regional board of education and receives this information must report. A contractor is obviously not every person who works within an organization. A contractor would obviously mean the owner, principal or top manager of such an organization, so I believe the amendment before us is more precise, clarifying language that carries out the intension of the underlying bill.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, sir. Representative Rebimbas, I believe our majority leader would like to speak. Will you yield the floor madam?

REP. REBIMBAS (70TH):

Absolutely, always to the majority leader.

DEPUTY SPEAKER GENTILE (104TH):

Representative Ritter.

REP. RITTER (1ST):

I do appreciate that from the fine Representative from Naugatuck. Madam Speaker, I

move that we pass this item temporarily. Thank you.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, sir. Are there any announcements or introductions? Announcements or introductions? Representative Stallworth.

REP. STALLWORTH (126TH):

Yes, Madam Speaker, I rise for an introduction.

DEPUTY SPEAKER GENTILE (104TH):

You may proceed, sir.

REP. STALLWORTH (126TH):

Yes, Madam Speaker. We have with us today a good friend who served in both the House and the Senate, and continues to serve the city of Bridgeport, Mr. Ernie Newton, and I ask the House to give him a good welcome. (applause)

DEPUTY SPEAKER GENTILE (104TH):

Good to see you, Representative Newton. Thank you. Any other announcements or introductions? Representative Soto.

REP. SOTO (39TH):

Good morning, Madam Speaker. I rise for the purpose of an introduction.

DEPUTY SPEAKER GENTILE (104TH):

You may proceed.

REP. SOTO (39TH):

Thank you, Madam Speaker. It's an honor this morning to welcome some gentleman who have traveled long and far from the island of the Dominican Republic. They are public servants, both colonels in the fire department, both between Waterbury and New London. We are working with them to send needed ambulances and public service equipment down to the island because some of the stuff here could benefit greatly when it gets out of service and it's out of code, but it still works down there, so I wanna take a moment if we could welcome these gentleman, Colonel Jose Seguro and Colonel Hector Ventura from the Dominican Fire Department.

DEPUTY SPEAKER GENTILE (104TH):

Welcome to our Chamber, sirs. Any additional announcements or introductions? Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Madam Speaker. I have with me today

a fine group of young men and young ladies who are the Suffield Police Explorers. They are here today with Officer Kieselback who I think is hiding back there and Nora, who is an intern who's working with the explorers is here. These young men and ladies are preparing possibly for a career in law enforcement, that's why they call them explorers, they're the opportunities, and they help out the Suffield Police Department in a lot of community-related activities. Madam Speaker, I'd appreciate if you could encourage my colleagues to give them a nice warm House welcome. Thank you. (applause)

DEPUTY SPEAKER GENTILE (104TH):

Welcome ladies and gentleman. It's nice to have you today. The Chamber will stand at ease for a moment. Chamber will come back to order please. For purposes of announcements or introductions, I believe Representative McGee, you look like you have some visitors back there?

REP. MCGEE (5TH):

Gentleman, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

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Good morning to you, sir.

REP. MCGEE (5TH):

I stand for the purpose of an introduction.

DEPUTY SPEAKER GENTILE (104TH):

You may proceed.

REP. MCGEE (5TH):

So before this Chamber, I have my brothers of Alpha Phi Alpha Fraternity, Incorporated standing with me on today. Today we celebrate our inaugural Alpha Day at the Connecticut State Capitol. We have gentleman that are represented from all across the east coast and right here in the great State of Connecticut. I have with me today obviously my group of African American men here, but I also have our leadership. We have our Eastern Region Vice-President, Lucien Metellus. We have our Eastern Region Assistant Vice-President, Harold Daniels, III, Executive Director Brandon R. Johnson, Chief of Staff Malik Goodson. We have two assistants, Assistant Executive Director James Benbow, and Assistant Chief of Staff, Quentin Canada. I would like for this August body to welcome my fraternity,

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my brothers of the Alpha Phi Alpha Fraternity,
Incorporated. Thank you so much. (applause)

DEPUTY SPEAKER GENTILE (104TH):

Welcome. Thank you. We will proceed to
business on the calendar. Will the Clerk please
call calendar No. 373?

CLERK:

On page 40, calendar 373, substitute House Bill
No. 5244, AN ACT ESTABLISHING A TASK FORCE TO STUDY
BEST PRACTICES TO ENSURE A CONSERVED PERSON'S RIGHT
TO INTERACT WITH OTHERS. A Favorable report of the
Joint Standing Committee on Judiciary.

DEPUTY SPEAKER GENTILE (104TH):

The Chamber will just at east for a moment
until Representative Serra can reach his desk.
Thank you. Chamber will come back to order.
Representative Serra, I believe you have the floor,
sir.

REP. SERRA (33RD):

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

DEPUTY SPEAKER GENTILE (104TH):

The question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the bill. Representative Serra.

REP. SERRA (33RD):

Thank you, Madam Speaker. Madam Speaker, this bill establishes a task force to study how best to ensure the rights of a person under conservatorship. The task force shall submit the findings and recommendations to the Judiciary Committee by December 1, 2018. Madam Speaker, this is an issue that's been before the Aging Committee for the past two or three years and involving a probate court, AARP, and lawyers to work out a solution that loved ones have access to their loved ones who are in a convalescent home or under some type of hospitalization. It really has to do with access to see either parents or grandparents and with that, Madam Speaker, I move adoption.

DEPUTY SPEAKER GENTILE (104TH):

Question is on passage of the bill. Will you remark further? Representative Byron.

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REP. BYRON (27TH):

Thank you, Madam Speaker and good afternoon to you.

DEPUTY SPEAKER GENTILE (104TH):

Good afternoon, sir.

REP. BYRON (27TH):

Thank you. I stand in support of this bill as well. Last year the Aging Committee saw a bill that was supported by the probate courts and received a lot of opposition, as the care of the committee stated, the AARP as well as Connecticut legal services, and these are organizations and law firms and law organizations that represent the intellectual and development disability community as well as our low income seniors, so there was a lot of opposition to a bill that was presented to the legislature, a similar bill that was presented to the legislature last year. We are hoping to fix this by presenting this task force at this legislative session and what it would do is essentially bring everybody to the table. Probate court, representatives from Connecticut legal

services, representatives from AARP and any other person or group of interest in this particular bill. I know a lot of people do not like task forces; however, this one, there is a real purpose to it because it really forces everybody into the same room sitting down at the same table and hashing things out so to speak, hopefully for a positive solution so that next year's legislative session will have a full bill that everyone can support, so I stand in full support of this bill. Thank you, Madam Chair.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, sir. Will you remark further? Representative Belsito, we all wait to hear the number.

REP. BELSITO (53RD):

Thank you, Madam Speaker. Oh my God! Another task force. Number 14,557. How many more task forces can we do? It's about time we smarten up. We don't really need a task force for every single thing. Just let me give you a couple of examples. In the past five years, 40 percent of the task

forces that have been recommended and passed through this House have not come to fruition. Forty percent! I could see if it was maybe 5 percent, maybe even 10 percent, but 40 percent? Maybe we need a task force to study which task forces should really come forward, but on this particular task force, Jean Mills Aranha, who happens to be an attorney, and she vigorously opposes this task force because this task force, if passed, the rights of a conserved person to interact with their families will be endangered by the person who's taking care of that person. The conservator will be able to place a restriction on the individuals. There are individuals who oppose the bill, who are worried because expanding the rights of the conserved person, this bill empowers the conservators to restrict access to the conserved person. So the problem that we have here is that with this bill, the conservator is put in charge of a family member and the families are afraid that they will not be able to get to see their family member, and for this I oppose bill. Maybe it needs some reworking. It

might need a lot of reworking, but I don't think it's fair that the conservator would have the right to restrict family members from seeing a member that is ill. Thank you very much, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, sir. Will you remark further? Will you remark further? If not, Representative Serra. If not, staff and guests, please come to the well of the House. Members take your seats and the machine will be opened. [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 GENTILE (104TH):

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

CLERK:

House Bill 5244.

Total Number of Voting	146
Necessary for Passage	74
Those Voting Yea	144
Those Voting Nay	2
Those absent and not voting	4

DEPUTY SPEAKER GENTILE (104TH):

The Bill passes. [Gavel] Will the Clerk please call, oh I'm sorry. Any announcements or introductions. Representative Green.

REP. GREEN (55TH):

Thank you, Madam Speaker. Let me see if they're gonna bring in the girls. The girls are gonna come in. I'm sorry for the delay.

DEPUTY SPEAKER GENTILE (104TH):

Chamber will stand at ease for a moment.

REP. GREEN (55TH):

Thank you, Madam Speaker. I rise.

DEPUTY SPEAKER GENTILE (104TH):

One moment please. Chamber will please come back to order. You have the floor, Representative

Green.

REP. GREEN (55TH):

Thank you, Madam Speaker. Today I rise for a point of introduction.

DEPUTY SPEAKER GENTILE (104TH):

You may proceed, madam.

REP. GREEN (55TH):

I am happy and proud to introduce from my district, the 2018 Class State Champions, the RHAM High School girls' basketball team.

Congratulations, ladies! You've done a great job!

(applause)

DEPUTY SPEAKER GENTILE (104TH):

Congratulations, ladies! Nice to have you.

REP. GREEN (55TH):

I would also like to share that Keith Moyer, their basketball coach, won the 2017-2018 All USA Connecticut Girls Basketball Coach of the Year.

Nice job! Please give this hardworking team and their coach a warm welcome. Thank you. Nice job!

(applause)

DEPUTY SPEAKER GENTILE (104TH):

Enjoy your day at the Capitol. Chamber will be at ease for a moment. Representative Ritter. Chamber will come back to order.

REP. RITTER (1ST):

Madam Speaker, I move to refer the bills as indicated on today's go list. Thank you.

DEPUTY SPEAKER GENTILE (104TH):

Is there objection? Seeing none, so ordered. Will the Clerk please call Calendar No. 405?

CLERK:

On page 44, Calendar 405, Substitute Senate Bill No. 4, AN ACT ASSISTING STUDENTS WITHOUT LEGAL IMMIGRATION STATUS WITH THE COST OF COLLEGE.

Favorable report of the Joint Standing Committee on Higher Education and Employment Advancement.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

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

DEPUTY SPEAKER GENTILE (104TH):

Question before the Chamber is on acceptance of the Joint Committee's Favorable Report and passage of the bill. Representative Haddad, you have the floor.

REP. HADDAD (54TH):

Thank you, Madam Speaker. Madam Speaker, this bill is often referred to as the Dreamer's Bill. This legislation will allow undocumented students in the State of Connecticut to be able to access the student generated pool of institutional financial aid that helps to keep a college education affordable for students in need. In compliance with state guidelines, public institutions of higher education set aside a percentage of the tuition revenue they collect from all students and use it to provide financial aid packages to those students. This institutional aid funds need and merit scholarships, tuition waivers and work study assignments. However, not all students who pay into the pool have the opportunity to benefit from it and that is the unfair circumstance this bill seeks to correct.

Madam Speaker, the Clerk has an amendment, LCO No. 3808. I would ask the Clerk to please call the amendment and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER GENTILE (104TH):

Will the Clerk please call LCO No. 3808, which has been previously designated Senate Amendment A?

CLERK:

LCO No. 3808, previously designated Senate Amendment Schedule A and introduced by Senator Linares, et al.

DEPUTY SPEAKER GENTILE (104TH):

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

REP. HADDAD (54TH):

Thank you, Madam Speaker. Madam Speaker, this amendment is a strike all amendment that preserves the underlying intent of the legislation while making some small modifications. It was offered by a bipartisan group of Senators after they consulted

with both myself and my esteemed ranking member on the Higher Education Committee, Representative Staneski. The amendment would continue to open the institutional aid pool to undocumented students and like the underlying bill, the scholarship aid would be limited to students who qualify for in-state tuition to be able to apply for and accept the financial aid from the institutional aid pool. Current law defines a resident student eligible for in-state tuition rate if she or he resides, they have to meet the following qualifications: They have to reside in the state of Connecticut. They have to have attended an in-state educational institution and completed at least two years of high school in Connecticut. They must have graduated from a Connecticut high school or received an equivalent degree, and they must be registered as an entering student at the University of Connecticut or a state university system, a community technical college or Charter Oak State College. Students without legal immigration status who meet the above must also file an affidavit that indicates that they

have filed for legal residence and citizenship or will file as soon as they are able. Like the underlying bill, the amendment also adds some additional requirements that were inspired by the federal requirements for participation in the deferred action for Childhood Arrivals Program. These provisions require applicants to have been under the age of 30 on June 15, 2012, to have arrived in the United States before their seventeenth birthday, and have resided here in the state continuously since, and have not been convicted of a felony.

Madam Speaker, this amendment clarifies that undocumented students who have bene honorably discharged from the Armed Services also qualify for institutional aid with only a few additional qualifiers, and the amendment delays the implementation date from the underlying bill from the fall of 2019 to January 1, 2020. Madam Speaker, I move adoption and I request that the vote be taken, it be taken by roll.

DEPUTY SPEAKER GENTILE (104TH):

The motion before the Chamber is on roll call vote. Is there objection? All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER GENTILE (104TH):

Opposed? The ayes have it. When the vote is taken, it will be taken by roll. You may remark further, Representative Haddad.

REP. HADDAD (54TH):

Thank you, Madam Speaker. Madam Speaker, after the adoption of this amendment which will become the law, the bill, I'd like to reiterate that this bill will not make undocumented students eligible for taxpayer supported scholarships or financial aid. Undocumented students are not eligible for federal Pell Grants or state funded Willis scholarships and nothing in this bill today would lift the restrictions on providing undocumented students with taxpayer supported financial support. In fact, the bill specifies that it does not require or compel an institution to match the amount of federal student

aid or state aid that students who are not legal immigrant would receive if they were eligible for such aid. Madam Speaker, OFA has completed an analysis of the bill and conclude that there will be no fiscal impact to the state. Additionally, I'd like to just add that there are a number of states that currently have this benefit afforded to undocumented students. They include Texas, Minnesota, California, Washington, New Mexico and most recently just two weeks ago, New Jersey, and I think passage in Connecticut is warranted. I'd like to give you just a couple of reasons.

The first reason, Madam Speaker, is simple fairness. This is a student generated fund. Resident students who pay into this pool have cause to object if they pay in, but are prohibited from benefiting from the fund. It's simply unfair. The system is so unfair that undocumented residents who have graduated from Connecticut High Schools and hope to live here and contribute to our state for the rest of their lives are paying into the pool and subsidizing students from out of state who may plan

to go back to New Jersey or Ohio or North Carolina when they graduate. Secondly, it's in the best interest of our public institutions of higher education, and particular in the best interest for out state universities and community colleges. We have an enrollment issue in our state universities and community colleges. One of the challenges to the affordability of college education right now in these systems are the empty classroom chairs that provide the school with no revenue at all to help pay for the instructor or the other costs. Simply put, filling that chair with a student who is paying some tuition is much better for all of the students attending that institution than an empty seat.

Madam Speaker, the institutions of higher education will face exceedingly tough challenges in the coming years. Enrollment is expected to continue to decline nationally, and the northeast will be particular hard hit by ever decreasing numbers of college students. Researchers, in fact, have predicted that the total number of high school graduates in the northeast will decline by some 12

percent by 2032. Filling these seats with these students is good for the fiscal stability of our systems and to help maintain our college affordability for all students.

And lastly, the State of Connecticut will have a significant unmet need for skilled workers in the coming years, and we are unlikely to meet that need without including all of our residents. Madam Speaker, the workforce pipeline must be strengthened if we hope to find for employers of some of our biggest businesses the skilled workers they say they need to hire. HR directors, in fact, have told us that they need to find qualified employees with certain skills, and it is almost certainly true that at least two years of post-secondary education will be required to meet many of these and fill many of these jobs.

Madam Speaker, I have a few people I'd like to thank before I close and they include first and foremost, my ranking member, Representative Staneski and my co-chairs, Senator Linares and Senator Bye, who worked very hard to ensure that this is a good

piece of legislation. The four of us, two Democrats and two Republicans, worked very closely together to craft a bill that we felt would pass in both chambers with bipartisan support. I recognize that this is a controversial issue, but this proves, I think, that we in Connecticut can do what seems to be ever difficult to do in Washington and that is work together to find common ground on a bill and to pass it here with bipartisan support. This bill passed in the State Senate by a vote of 30-5, and I think that the hard work that was put in around the table with Representative Staneski and Senator Linares and Senator Bye and myself, being respectful of each one's perspective and working together to craft a piece of legislation we all felt we could support has yielded us the product that we see before us today.

I'd also like to thank the many organizations who have supported this legislation. There are a wide array of organizations including non-profit organizations, labor and those in the religious community. We thank you for your support. But most

of all, I'd like to thank the Dreamers. Madam Speaker, these are an amazing group of young students who have literally camped out here at the Capitol to ensure that no legislator did not have the opportunity to meet with them and to talk with them. They are some of our finest students in the State of Connecticut. They work hard. They have been extremely dedicated to this cause. We have been considering this legislation for a number of years. I hope we can see our way today on a bipartisan basis to finally pass this important piece of legislation. I look forward to the debate, stand ready to answer any questions, and urge by colleagues to pass the legislation. Thank you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, Representative. Will you remark further on the amendment before us? Representative Staneski.

REP. STANESKI (119TH):

Thank you, Madam Speaker. I am going to reserve my comments for after the amendment is

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passed. Thank you.

DEPUTY SPEAKER GENTILE (104TH):

Okay, thank you, madam. Will you remark further on the amendment? Representative LeGeyt? On the amendment or the bill?

REP. LEGEYT (17TH):

Even though it's a strike all amendment, Madam Speaker I will reserve my comments until we're on the bill.

DEPUTY SPEAKER GENTILE (104TH):

Thank you. Any further remarks on the amendment before us? Representative Polletta.

REP. POLLETTA (68TH):

Good afternoon, Madam Speaker. My comments are more in line probably with the bill, but I do have a remark that I'd like to make at this time. I see the title of the bill stating an act assisting students without legal immigration with the cost of college. Just overall it doesn't sit well with me. When I first read through the bill and the language, I had some serious issues with it, and a lot of it stems back with some personal experiences in my own

family. I am the son of an immigrant. I'm the son of an Italian immigrant who came here from Italy in 1968 with very little. During that time period, family members of mine came here legally. They suffered through a period where they were not given the opportunities that they thought they should've been. There were times when my grandparents struggled to pay bills and even embarrassingly had to go down to different programs in areas in our town where they would hand out free food for those who couldn't afford it. But in that time period, they also valued hard work, obtained legal status, worked, made a living for their family, sent my dad and my uncle to college, and my dad actually, just as important as college I think is a technical school, he became an electrician and built a very successful business. During that time period, he had three children, I'm proud to be his son, sent me to college without financial aid and helped me become the person I am today. So when I read through a bill that could perhaps give dollars to someone that is undocumented, it really does not sit

well with me. It bothers me because like many families in Connecticut, mine did it the right way. They came here, they built a life for themselves, and I really have a problem with handing out any money to someone that is undocumented. If they qualify for it, if they're here legally, God bless them, and I believe that they should be given any assistance that they may, but to hand out any dollar to someone that's undocumented and to take away from someone that is here legally that could use that money is, in my opinion, wrong. I will not be voting for this bill. I don't intend to support it unless it is amended and I do realize that there is an amendment in front of us, so I will listen to the debate, but as it stands, I do not support it.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, sir. There are a number of names on the board. Are we speaking on the amendment? Would you like to speak on the amendment? You may stand. If you otherwise reserve your remarks for the bill itself once we've adopted the amendment.

REP. LEGEYT (17TH):

Thank you, Madam Speaker. I realize that this is a controversial bill and as a member of the Higher Education Committee for the last four terms, I've had the occasion to be on his committee when we have passed other legislation for undocumented students, and yet, controversial or not, this bill and this amendment have meaningful and proper consideration for us because there's one particular aspect of the people who will qualify for this funding that bears noting because it differentiates them from any other undocumented resident, and that is the issue of intent. Intent is a legal doctrine that has applications all across the legal board. If you murder by accident without intent, then you can't be charged with murder. You can be charged with homicide or manslaughter. Intent is pervasive in our juris prudence and in our culture. Everyone's always concerned about whether somebody does something intentionally or not and that is the crux of what's going on here. These undocumented students are not here illegally by their own intent. They almost qualify as victims in that regard

because they were brought here before they even knew they were coming to America, or had no chance to make a decision about whether they were going to come or not, and so they've been here and they've become part of our culture and they've succeeded and they've contributed to it. In almost ten other states, legislatures have seen the differentiation between students who are documented and undocumented, but also students who are undocumented by their own intent and students who are not. I think that that for me is the crucial fact that causes me to be in favor of this amendment and the underlying bill. The fact that these students have done everything right and are here without any choice and are making all the right moves to comply as best they can with the requirements of our culture and our government and the laws of citizenship but for the fact that they did not have a choice about coming here. They have become productive members of our high school classes and even our economy and if we lined them up with some documented citizens, documented students, you

wouldn't be able to tell who was who. It's simply a matter of intent versus non-intent and in that regard, I can't imagine why we should penalize them from accessing the very money that they provide. They put their share in too when it's time to pay their tuition and to deny them that simply because of a circumstance that they did not intend to happen. I think that's wrong and so I'm going to be voting in favor of this amendment and the underlying bill and I encourage all my colleagues on both sides of the aisle to do the very same thing. Thank you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, sir. Will you remark further on the amendment? Representative Candelaria.

REP. CANDELARIA (95TH):

Thank you, Madam Speaker. Madam Speaker, just one question for the proponent of the amendment.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad, please prepare yourself. Representative Candelaria, you can proceed.

REP. CANDELARIA (95TH):

Through you, Madam Speaker. Are we utilizing any tax payer dollars to fund the institutional aid?

Thank you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Thank you, Madam Speaker. Through you, Madam Speaker. No, this legislation allows undocumented students only to access student generated institutional aid which is collected through a percentage of tuition paid by all students, but not taxpayer dollars.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Candelaria.

REP. CANDELARIA (95TH):

Through you, Madam Speaker. What are the provisions if I am undocumented individual to qualify under this amendment for the institutional aid?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Through you, Madam Speaker. There are a number of restrictions, if that's what you mean. They must qualify for the in-state tuition rate meaning that we are not including undocumented students who may have graduated and resided in other states, but only Connecticut residents who have graduated from Connecticut high schools and attended those high schools for at least two years. There are a number of additional restrictions that I mentioned earlier in the debate. I would say that what we're really doing is affording our institutions the ability to use their own discretion to award these institutional dollars to these students in the event that they have demonstrated need or demonstrated merit and as such, I think you know there's no guarantee that any student will receive institutional aid. This merely allows institutions to make that decision based on their enrollment projections and their enrollment strategy.

Through you, Madam Speaker.

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DEPUTY SPEAKER GENTILE (104TH):

Representative Candelaria.

REP. CANDELARIA (95TH):

Through you, Madam Speaker. Does in any way qualifying, based on those restrictions, qualifying for institutional aid, would the student also qualify for federal aid?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Through you, Madam Speaker, no, we don't make those decisions here in the General Assembly, but we do not, this bill will not affect the student's ability to apply for a Federal Pell Grant or other kinds of federal aid, work study money, that sort of thing, nor will it allow a student to access state appropriated Roberta Willis Scholarship dollars or other kinds of state appropriated tax payer dollar funded scholarship programs.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Candelaria.

REP. CANDELARIA (95TH):

Through you, Madam Speaker. Is there anything in this amendment that would reference any part as a restriction where the student will have to file for US citizenship?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Through you, Madam Speaker. This bill explicitly indicates in two places actually that under current federal law, this bill would require a student who applies for institutional aid to file an affidavit with the institution that would indicate that they intend to apply for legal residency and put themselves on a path to citizenship as soon as they are able. Additionally, this legislation contemplates that, I don't know if it's likely or unlikely circumstance, that Congress acts to provide students with a pathway to US Citizenship. If it does, it requires them to put themselves on that

pathway.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Candelaria.

REP. CANDELARIA (95TH):

Madam Speaker, I want to thank the gentleman for those answers, and there is a reason why I ask those questions because I wanna be clear that the intent of this amendment is to provide institutional aid to those students that already pay in through a deduction of their current tuition. What this amendment intends to do is to provide that student the ability to continue to go to college. In the State of Connecticut, one of the things that we pride ourselves on is our investment in higher education. We have one of the best colleges, one of the best universities, and I'm talking about public universities, than any other state. Yet we have students that through no fault of their own were brought to this country without their knowledge.

I'll tell you one quick story about one student that I know very well that resides in my district

who attended New Haven public schools from kindergarten through twelfth grade. He was excited that he was gonna graduate. He was a senior, was gonna go to the prom. Graduated because he wanted to be an attorney. As he applied for federal assistance through FAFSA, he received a denial. A denial because he was not a US Citizen. This kid's heart was shattered. He was lost in thought because he started to question, why am I not a US Citizen? Why did my family not take the opportunity to let me know? He continued to think even more, how am I gonna pay for college? How am I gonna help my family? Eventually, because he was resilient, he worked two part-time jobs to pay himself through college, eventually graduated, and eventually became an attorney. Now he is a US Citizen and clearly contributes to Connecticut's economy. This bill, let me rephrase that, this amendment is actually trying to establish that, ensure that every Connecticut resident has an opportunity, regardless of their immigration status, regardless of their immigration status to attend college, and especially

when they have the ability to reap the benefits of the same dollars they contribute by paying their tuition. I encourage my colleagues in this Chamber to support this amendment and the underlying bill once we adopt this amendment because this is a good policy. This is a policy that ensures what we all believe in, that every student should be afforded the opportunity to attend college so I wanna thank the chairmen of the Higher Ed Committee for bringing this forward, for his commitment to our children, and for his commitment to ensuring that we pass this with bipartisan support. So I encourage all my colleagues to support this amendment. Thank you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Thank you. Will you remark further on the amendment before us? Representative Srinivasan.

REP. SRINIVASAN (31ST):

Thank you, Madam Speaker. Good afternoon, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Good afternoon, sir.

REP. SRINIVASAN (31ST):

Madam Speaker, through you, just a few questions to the proponent of the amendment for clarification.

DEPUTY SPEAKER GENTILE (104TH):

You may proceed, sir.

REP. SRINIVASAN (31ST):

Thank you, Madam Speaker. Through you, Madam Speaker, in hearing this conversation and the debate, I wanted to be clear that the dollars that are being talked about, are discussed here, are institutional dollars and not tax paying dollars.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Through you, Madam Speaker. Yes, that is correct. These are institutional dollars that come from, we have a state policy that requires institutions to have again, a policy to set aside a certain percentage of their collected tuition revenue and to provide that back to students in the

form of institutional financial aid. That is the sole source of dollars that we're talking about here today. It does not include any taxpayer appropriated dollars or any federal dollars.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Through you, Madam Speaker. These institutional dollars, if I can think of it like a pot of money to which the students can apply and get the necessary financial aid. Through you, Madam Speaker, could the good Chair tell us as a track in the past, let's say for the last five years, has there been money left behind in the institutional dollars for which there have not been any applicants?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Through you, Madam Speaker, I have a research

report and actually it's slightly mixed. I mean for the most part I think that the dollars that are collected are distributed. There may, in some instances, be extremely small balances left over in the total amount. I think that the cost of a college education has gotten unfortunately quite expensive, and this fund, if you will, is used to ensure that no student is denied access to higher education, but for the most part I think it would be safe to say that the dollars collected are redistributed at the same time. Thank you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

So through you, Madam Speaker, in the past years, the dollars that have been collected as institutional dollars, I get it, it's not a taxpayer dollar, it's from the institution, from the students paying into this fund. That fund has been distributed by and large close to about one hundred percent to students who are deserving and who need

the financial aid?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Through you, Madam Speaker, yes, that is done based on need and based on merit and so I think predominantly it's done for need-based scholarships, but there are incidents when institutions use this same pot of money to attract a particular student to their institution, but the goal I think of all the institutions frankly is to utilize all of the money that they've set aside for scholarships. There's no benefit to the institution or to students to hold onto that money, so the practice I think in general has been to pay out what they collect.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

So Through you, Madam Speaker, since the money that has been collected has been used, obviously for

the right reason and for the right student and as the good Chair said, maybe in trying to attract a particular student or students to the university, so if this amendment and then the underlying bill were to move forward, so a student now, a legal student, a student born, brought up in this country and is a legal citizen in our country, if that person were to apply and suddenly the funds have dried up because obviously, if this amendment were to move forward, the funds would be given to some other student, deserving, no question about that at all. We're not talking about merit. We're not talking about the socioeconomic status. We're talking about just their legal status, so if the money is given to that student, will it mean that some other student who has also applied would be denied, who may have not been denied if this amendment were not to go through?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Through you, Madam Speaker. Thank you for the question. I think that the premise of the question actually is sort of a doomsday prediction about undocumented students exhausting the existing aid pool. I'd say a couple of things in response just to illuminate the issue. One is that we're talking about a very large sum of money in the end. I think it's close to \$130 or \$140 million dollars statewide at our public institutions that are distributed this way. The population of undocumented students, you know I don't have a number, but it's quite small compared to the total population, student population. All of the institutions themselves, University of Connecticut and folks from the Board of Regents institutions have indicated that they do not think that this will significant inhibit their ability to provide aid to the existing pool of eligible students. I think it is very unlikely frankly that a student would find themselves in the position where they were denied a scholarship of institutional aid based on the pool expanding larger. It may turn out that the average awards,

which are all set by the institutions themselves, may be slightly smaller, negligibly smaller. The average award at a, well there's a wide range, but at a community college, the awards range from about \$700 dollars to \$1400 dollars depending on the school. At our state institutions the awards average somewhere between \$2700 dollars and \$3700 dollars. I think that in the instance, what is likely to happen if this bill were to pass, is a couple of things. One is, I think that clearly awards are given to undocumented students will come out of the same pool. I think we'll likely see an increased number of scholarships being awarded and perhaps the average award amount will drop a couple of dollars, but I think that they will work very hard to ensure that particularly need-based students who need the aid to ensure that they attend college will be taken care of first, and it's really the merit scholarships that might see a more significant impact. But I think that again, because of the respective sizes of the different populations, both the Board of Regents and the University of

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Connecticut have estimated that this will not have a noticeable impact on the awards that are granted to eligible students.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Through you, Madam Speaker. I definitely am not thinking in terms of doomsday, far from that, far from that. But my question is, since the institutional dollars on a yearly basis, the million dollars, I heard \$140 million dollars that have been set aside for this have been consistently year after year after year, because that much of a need is there in our state, whether it be need-based, whether it be merit-based or a combination of the two, it is my understanding unless the good Chair corrects me, that at the end of each year, we are not left behind with a significant amount of even a decent amount of money left back in the pot because we do not have students needing that money. So what could happen if this were to move forward as I just

heard, in order to accommodate this group of students, we don't know how big they're going to be, we have no idea as to the number of applicants there are going to be, the only two ways it can happen would be either the award per student, as the good Chair just mentioned, would be reduced and what might look like a small reduction, what might look like not a significant reduction. I'm not so sure the parent of the child or the student will feel the same way when there is a sudden reduction in what has been from the past to what they are getting right now. And so through you, Madam Speaker, do we know what the reduction would be when these students also apply, or it is a question of just estimating and guessing that we will be giving out the same amount of money, the \$140 million dollars give or take, but we don't know whether all our students, legal students A) will continue to get the aid and B) by how much the aid would be reduced.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

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REP. HADDAD (54TH):

Through you, Madam Speaker. I appreciate the question. Again, I would just reiterate that both representatives from the Board of Trustees of the University of Connecticut and the University of Connecticut's Financial Aid Office and also the Board of Regents indicated that the effect would be manageable and negligible.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Could the good Chair expand on manageable and negligible? That's the key part. That's the part that I'm most concerned about. So for me to hear, yes it's manageable, yes it's negligible without knowing what the numbers are going to look like, is what my concern is with this amendment, so since the universities have already responded to the good Chair as to what is manageable and what is reasonable, maybe he could share that with us this afternoon.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Through you, Madam Speaker. I think that the institutions themselves are aware of the current body of well, they don't keep a count of the current body of undocumented students. They're aware that there are activists on campus typically and they are aware of what that sort of population generally would be the size of. At the University of Connecticut, I think we're probably you know dozens, maybe one hundred or so students that might qualify in a student body the size of University of Connecticut, which is upwards of 20,000, the university does not anticipate that making this group of students eligible for institutional aid will impact, you know significantly impact the awards that they make in their enrollment thing. I would also say that you know, we are precluding of course the option that making undocumented students eligible for financial aid, a small award might make

the difference between them going or not going again, that might actually add to the pool of folks that are paying into the system, and that would of course mitigate any losses that you see from the reduction. As well, we've heard testimony from the Board of Regents that says that while, you know their finances are you know not nearly as simple as what we are describing today, they rely on a variety of different income sources and a variety of different you know revenue sources and a variety of different, you know they have a variety of expenses, that the risk of unfilled seats at our state institutions, according to somebody from the Board of Regents, actually poses a greater threat to the affordability of college than allowing a small pool of folks to be eligible for institutional aid for the first time.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

So through you, Madam Speaker, if I understood

the good Chairman clearly, by granting this aid, we actually would be increasing number one, the enrollment in our universities and number two, we would be more attractive to the various sources of funding. Is that what the good Chairman was trying to tell us?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Yes, through you, Madam Speaker. I think that particularly at our community colleges where there are empty seats, filling that seat with a student who has received some institutional aid or a tuition discount, you know it's already occurring. I mean there's some community colleges that are offering in-state tuition rates to out of state students because they understand that having a student pay tuition, the bulk of their tuition rate is better for the institution that having the seat be unfilled, and so I think that this is, I fully appreciate the question that's being asked. I think

there is a complicated answer that has to do with how do we maximize the revenue that comes in through tuition, through enrollment, how we ensure that we are filling as many seats as we can, and how do we use our institutional aid to both attract students and maintain our enrollment levels. That I think is the reason why the Board of Regents and the Board of Trustees have both, the University of Connecticut, both support this legislation. It allows them to attract students to their institutions in a way that will be beneficial both to the existing student body and to the institution's financial wellbeing as well as providing a small benefit to the undocumented student.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Through you, Madam Speaker. So when students apply for financial aid, if this amendment and then bill were to move forward, then all these students, regardless of whether they are legal, illegal,

regardless of their status, as I understand cause I will look at it, will fall into one pool. These are the students that are applying for financial aid, this is their financial need, this is their academic record, and then they will qualify for whatever the institution is capable giving. So would they just be one common pool of applicants or would these applicants be kind of reviewed and looked at differently and then decide A) are we going to be giving all of them financial help or are we going to limit the amount of students in this group that will get such a help.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Through you, Madam Speaker. That is left to the discretion of the institution. All of our institutions have enrollment strategies to ensure that they are attracting the study body that they feel would do good service to the State of Connecticut and to their institution, and they're

constantly doing projections based on enrollment for the resources that they have available to run their systems. Institutional aid is one of the tools that they use to implement those enrollment strategies and I think to the extent that this legislation allows them to provide institutional aid to students from Connecticut who meet the qualifications and help them continue to maintain a fiscally sustainable system, I think the legislation is certainly worthy of passage on the merits of that alone. I do also think that it is of course a benefit to the individual students who will receive the award. Of course, we're talking about folks who where a \$1500-dollar award might make the difference between whether they can attend community college or not, or a \$2000-dollar award might make a difference for whether they can attend Western Connecticut or Central Connecticut State University and to that extent, the institutions have told us that when they fill those seats with awards of that size that this helps them meet their financial goals.

Through you, Madam Speaker.

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DEPUTY SPEAKER GENTILE (104TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Through you, Madam Speaker. Since the pool is defined with an x amount of capacity, 140, 150 give or take million dollars, through you, Madam Speaker, will it be up to the institution to decide that to grant some amount of financial aid to all those who apply and obviously reduce the amount that they'd get, or will there be students left without any financial aid at all because at the end of the day, when the \$140 million dollars have been used up, the institution has to decide what the institution needs to do.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Through you, Madam Speaker. I think that the situation is actually far more dynamic than what you are describing. The accepted policy in the State of Connecticut is that institutions should set aside 15

percent of their tuition revenues for institutional aid. At the University of Connecticut that practice is currently closer to 17 percent. Some of the community colleges, most of the community colleges hover around 15 percent and our state universities actually do far better. Some of them, well Eastern sets aside greater than 30 percent of their tuition for institutional aid according to a research report that I'm looking at from February of this year, and so what you see is that institutions control not just the awards that they make to students, but also they control the amount of tuition revenue that they set aside for that aid. It's a very dynamic situation. They use all of those tools first and foremost to ensure that the system itself is financially sustainable. They also, as you know, also set their own, not institution by institution, but the Board of Regents sets the tuition rate, and the Board of Trustees sets the tuition rate for the University of Connecticut. All of these things are factored into their overall strategy, and their overall strategy is left to their discretion to

ensure the fiscal stability of their institutions.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Through you, Madam Speaker. So as the institutions set aside a certain percentage, 15, 17, whatever, whether it be a community college or the university for institutional aid, and as the demand goes up, agreed it could be marginal now, but who knows what's going to happen down the line, so when that demand or the need goes up, and obviously we do want to give our students aid, maybe a few dollars less, maybe a hundred dollars less, a couple of hundred dollars less maybe, but we will give them aid. Is it possible because of that, the tuition itself for all the students would go up?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Through you, Madam Speaker. I think there are

a number of factors that go into the decisions they make for setting tuition. I don't actually think that this legislation will have a significant impact on the tuition rates at our State Universities, although that's certainly left to them. Far more important I think would be the size of our block grants that we grant to the universities and colleges. As you know, that's been in decline for a number of years and frankly, I think if they were looking at act of the legislature to try to determine what their future projections would be for tuition, they would probably be looking first and foremost at our Appropriations bills and not whether or not this particular bill passed. They have the tools and the discretion to act accordingly based on all of the factors I said before. They get to set their tuition rates. They set the policy for the tuition set aside and they have discretion to make the awards in the best interest of the study body and of their institutions.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Thank you, Madam Speaker. When a student applies for institutional aid and is an undocumented immigrant here, through you, Madam Speaker, that student, if he or she were to apply for a federal grant at the same time, would that Pell grant be something that the student is capable of receiving?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Through you, Madam Speaker. No, this population is not eligible for federally sponsored Pell grant or work study awards or other state taxpayer funded scholarship funding.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Through you, Madam Speaker. The student will not be eligible, will not be eligible for any

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federal dollar in terms of grants, will not be eligible for any taxpayer dollar, so the eligibility is only through the institutional dollars?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Through you, Madam Speaker. Yes, that is correct.

DEPUTY SPEAKER GENTILE (104TH):

Representative Srinivasan.

REP. SRINIVASAN (31ST):

Through you, Madam Speaker, and I want to thank the good Chair for his answers. I'll be continuing to listen to the debate as we discuss this very important issue before this. Thank you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Thank you, sir. Representative Staneski.

REP. STANESKI (119TH):

Thank you, Madam Speaker. I originally said that I would wait for the amendment to pass and

speak on the underlying bill, but since we've started our debate and conversation, I am withdrawing that comment. This has been a very difficult process over the last few years, sitting at the ranking member on Higher Education. We have university systems that are financially struggling. We have enrollment issues and our community college was just handed a blow that everyone in this Chamber knows about yesterday with respect to a large consolidation project that they were trying to get accreditation for, and so we're sitting here and we're discussing a population of students who attend our universities right now. Currently the estimate state wide is roughly 1000 or less students, and we're having a conversation about whether or not a pool of money that comes off of their tuition revenue, I mean their tuition payments as well as others, is money that they should have access to, to help them afford college. I'd like to bring to the attention a comment that was made by President Ojakian when he was testifying on this bill, and he did recognize that we had some decline in our

college age population, especially in our CSCU system, and that our institutions of higher education in Connecticut are competing for an ever-shrinking group of students, and he believes that without the ability to offer institutional aid to undocumented students, our public institutions will be at a competitive disadvantage to our private counterparts and will contribute to further enrollment declines. I say that because they do have a choice, these students, and our privates are allowing them to be part of this pool and these are students that, it was already said earlier, don't have a mother country if you will that they know. They've been here long. Carmen has been in New Milford since 2002. Jose has been in New Britain for 12 years. He's currently at the Connecticut Central State University. Gabriella, a resident for 16 years in West Hartford. Luna, graduated from Wethersfield High School in 2012, currently at the University of Connecticut. Yenimar, a Connecticut resident in New Haven for 15 years, and Eric, who lived in Connecticut for seven years and graduated

in 2013. These are just a few of the names of these young people who have been out here for the last several years advocating for what they consider from the greatest country in the world an opportunity to further their degree, to improve their life. So what have we done? In 2015, this bill came before the committee and the committee approved it 17-1. It did have that they had to be accepted into a DACA program. They had to qualify for in-state tuition, but the interesting thing was that bill that came out of committee 17-1 said that they only needed to qualify for in-state tuition beginning in 2017, that they did not have to have the DACA requirement. And the Senate amendment when that went to the Senate made all DACA students eligible for any state financial assistance. That would be the Roberta Willis scholarship or any other scholarship that the state and taxpayer money presented. That bill did not go forward to the Governor's desk. In 2016, a similar bill came and it passed the committee 11-6. All that bill did was say that they needed to be qualified for in-state tuition. The Senate passed

that bill 21-13. The House did not take it up. In 2017, a bill passed the committee 14-6. It extended the eligibility for the institutional aid if these students were eligible for in-state tuition, and if they filled out an affidavit that they have or will make application for legal status. And so here we are today gain, four years later, and maybe there were years prior to me being here that we were discussing whether or not we should allow this group of students to take part in this pool of money. It has already been defined that institutional aid is tuition revenue. It is not taxpayer money, but I would like to just flush that out a little bit further because while it's tuition revenue, it's tuition revenue from every single dollar collected under the guise of tuition. So if somebody gets a Pell grant, that 15 percent or 17.75 percent in the case of UConn, and in the 20 and 30 percent in the case of some of our CSCU schools, that's taken off and put into this pocket of money, this institutional aid. If you are going to school on a trust fund, the same amount is taken off. However

you cobble these dollars together to pay for your tuition, that is taken off and put into the institutional aid account. Everyone pays in. In FY17 UConn set aside 17.75 percent. In FY17, CSCU System set aside an average of 24 percent and our community colleges have set aside an average of 13 to 18 percent.

This institutional aid piece that we're talking about is not unique to Connecticut colleges and universities. This is throughout the United States and internationally. It is a program that all schools partake in and everyone who pays tuition at any school is giving money to an institutional aid account.

What I don't understand is, when we gave this group of students access to pay in-state tuition, we said to them, yes, you can go to college and you're gonna to college because you've lived in Connecticut for 12 years, 13 years, 7 years, you graduated from our high schools. And now we're saying you cobble that money together and that money does not come from again, any federal dollars or state dollars,

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and they ask just to be included in part of this, that we're saying no. Put your money in, lop it off, allow the universities and the colleges to lop that percentage off and put it into that bucket, and then we will distribute that to everyone else.

So I do have a few questions for the proponent of the amendment please, if he would.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad, please prepare yourself. Representative Staneski, you may proceed.

REP. STANESKI (119TH):

Thank you, Madam Speaker. So we've had several deep conversations and probably will continue conversations around this with a higher ed. My question to you, and I know it's always been asked and answered, do you know how the institutional aid is distributed and how they collect the funds for this pot?

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Haddad.

REP. HADDAD (54TH):

Through you, Madam Speaker. The State of Connecticut has required the institutions to have a policy around institutional aid. I think at all of our institutions that policy says a minimum of 15 percent. As you just stated earlier in your remarks, some of the schools do slightly better than that. The CSCU schools have taken the strategy of using as much as 24 percent, although even that varies I think a little between institution and institution. This bill, we don't have, we give a lot of discretion to the financial aid offices to determine how to distribute the institutional aid that they raise. They also of course package a variety of other kinds of financial aid from different funding sources including federal Pell grants, work study money, private scholarship dollars that are raised through their foundations and other sources like that, so I would describe it as a somewhat complex process, but one where the discretion is afforded to each institution to both determine how much money they will set aside in terms of institutional aid and also how they

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distribute that aid.

Through you, Madam Speaker.

DEPUTY SPEAKER GENTILE (104TH):

Representative Staneski.

REP. STANESKI (119TH):

Thank you, and I thank the good Chair for that answer. There is an OLR report that gives some information on the distribution of these institutional aid grants by school in FY17, and if I could, the average awarded amount to students in our four-year universities, central, eastern, southern and western, ranges from \$2595 dollars to upwards of \$3726 dollars. It was given in FY17 to 8594 kids that attended those schools. At our community colleges, the institutional aid isn't quite as robust. It ranges from a low of \$704 dollars to a high of \$1423 dollars and I would assume that the same is with UConn. So when people are asking the questions about exactly how this aid is distributed, I think to the good Chairman's point is we leave this discretion to the universities because this is again, not taxpayer money.