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CONNECTICUT GENERAL ASSEMBLY

SENATE

Wednesday, May 15, 2019

The Senate was called to order at 2:48 p.m., the President in the Chair.

THE CHAIR:

[Crosstalk] Good afternoon, Senator Duff. [Gavel] The Senate will come to order. Good afternoon, Senator Duff. And we are going to start, and we are gonna ask all who are in the chamber to please stand and direct your attention to our chaplain, Father Nock, who will lead us in a prayer.

FATHER NOCK:

Let us pray. Almighty Father we ask your blessing on our circle as we come together this afternoon with three weeks to go in this session.

Help us to use this time wisely, by trusting in your guidance and trusting in our own creativity. And we ask this of You who live and reign forever and ever. Amen.

THE CHAIR:

Thank you so much, Father Nock. I now invite Senator Slap to come up and lead us in the Pledge.

SENATOR SLAP (5TH):

[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.

THE CHAIR:

Thank you, sir. Good afternoon, Senator Duff.

SENATOR DUFF (25TH):

Good afternoon, Madam President. It only seems like this morning I saw you. Madam President --

THE CHAIR:

[Laughing] The sun is shining, however, which is a good thing.

SENATOR DUFF (25TH):

The sun is shining. That is good news for us here. Madam President, I move that all items on Senate Agenda No. 1, dated Wednesday, May 15, 2019 --

CLERK:

Senate --

SENATOR DUFF (25TH):

Oh, I'm sorry. Mr. Clerk, do you have Senate Agenda No. 1 on your desk please?

CLERK:

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The Clerk is in possession of Senate Agenda No. 1,
dated Wednesday, May 15, 2019.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Now it's my turn. Madam President, I move all items
on Senate Agenda No. 1, dated Wednesday, May 15,
2019, be acted upon as indicated and that the Agenda
be incorporated by reference into the Senate Journal
and the Senate Transcript.

THE CHAIR:

So ordered, Mr. Clerk.

SENATOR DUFF (25TH):

Thank you. Madam President?

THE CHAIR:

Yes.

SENATOR DUFF (25TH):

Madam President, for the purposes of marking?

THE CHAIR:

Yes, please proceed.

SENATOR DUFF (25TH):

[Background talking] Thank you, Madam President. On Calendar page 30, Calendar 371, Senate Bill 375, I'd like to mark that go. And on Calendar page 48, Calendar 141, Senate Bill 927, I'd like to mark that item go. And if the Senate could stand at ease for a moment please.

THE CHAIR:

Thank you, and those notations will be made. The Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Before we go on our first bill, I have some referrals please.

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar page 10, Calendar 146, Senate Bill 273, I'd like to refer that item to the Appropriations Committee.

THE CHAIR:

So noted.

SENATOR DUFF (25TH):

And on Calendar page 11, Calendar 168, Senate Bill 904, I'd like to refer that item to the Finance Committee.

THE CHAIR:

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So noted.

SENATOR DUFF (25TH):

Thank you, Madam President. The Senate will stand at ease for a second.

THE CHAIR:

Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, if the Clerk can call the first item on the go list, please.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 30, Calendar No. 371, substitute for Senate Bill Number 375, AN ACT CONCERNING NURSING HOME STAFFING LEVELS.

THE CHAIR:

Senator Abrams.

CLERK:

There are amendments.

SENATOR ABRAMS (13TH):

Thank you, Madam President. I would like to yield to my colleague, Senator Anwar, the Vice-Chair of Public Health.

THE CHAIR:

Thank you. Do you accept the yield, Senator Anwar?

SENATOR ANWAR (3RD):

Yes, Madam Chair. Yes, Madam President.

THE CHAIR:

Wonderful. So, please -- please proceed, Senator.

SENATOR ANWAR (3RD):

Thank you, Senator Abrams. Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

The question is on passage. Will you remark?

SENATOR ANWAR (3RD):

Yes, Madam President. There is a strike-all amendment, and my understanding is that the Clerk is in possession of an amendment, LCO 8232, and I would ask that the Clerk please call the amendment.

THE CHAIR:

Mr. Clerk.

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CLERK:

LCO No. 8232, Senate Schedule A.

THE CHAIR:

Senator Anwar, please proceed.

SENATOR ANWAR (3RD):

I move adoption of the amendment and ask that its reading be waived and seek leave of the chamber to summarize.

THE CHAIR:

Please summarize.

SENATOR ANWAR (3RD):

So, Madam President, this bill is titled, AN ACT CONCERNING -- the amendment is titled, AN ACT CONCERNING NURSING HOME STAFFING LEVELS. We have known that there's been an issue, as a number of people who are in facilities and nursing homes -- we have recognized there are specific staffing levels that are expected. But, if we were to ask the nursing home and the administration, they would claim that the nursing home have the right amount of employees and staff that are taking care of the patients' and the residents' needs. However, the difference is that if you would talk to some of the residents or the family members or if you talk to the staff, they would actually feel otherwise.

What we are seeking through this is to have a transparency built into the system where there would

be an expectation that the nursing homes would actually have -- at the beginning of the day they would be providing the information, and it would be publicly known and acceptable and available to the staff and anyone who is seeking that insight. This would help the transparency but also make sure that the family members as well as the staff as well as the residents, if they have any questions, those questions are easily accessible. This would hopefully increase the quality of care and the support system that the nursing homes have, and with that, I would ask our esteemed Senate to support this amendment.

THE CHAIR:

Thank you so much, Senator Anwar. Will you remark further on the amendment? Will you remark further on the amendment? If not, let me try your minds. All in favor of the amendment please signify by saying aye. ["Aye" in background] Opposed? The amendment is adopted. Will you remark further on the legislation as amended? Senator Somers. Good afternoon.

SENATOR SOMERS (18TH):

Good afternoon. I hope everybody is feeling well rested after last night.

THE CHAIR:

Oh, absolutely.

SENATOR SOMERS (18TH):

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[Laughing] So, Madam President, the Clerk is in possession of LCO No. 7763. I ask the Clerk to please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 7763, Senate Schedule B.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Yes, thank you, Madam President. I move adoption of the amendment and waive the reading and seek leave to summarize the bill.

THE CHAIR:

Please proceed.

SENATOR SOMERS (18TH):

Thank you. This amendment has to do with state-run nursing homes/hospitals, and what it would require is that if any state employee is convicted of or pleads guilty to a crime, which is a felony, related to the care of a person in state custody or state care by a state employee in a treatment of a state-operated facility, as defined in 17a-458, the attorney general shall apply to the superior court for an order to revoke or reduce the pension of that

person. And this, it comes in light of what we have seen as far as one of the worst abuse scandals that we have had here in the state of Connecticut, actually probably across the country, in a state-run facility that the state employees are responsible for the care of the most vulnerable patients.

We have had ten people arrested. We have had 30 people lose their jobs, and of the ten, some have pleaded guilty. One person is facing nine counts, just been found guilty, and yet during their tenure, they were systematically tormenting patients, increasing their overtime, and will benefit from this. They will still receive their pensions in jail. I find that to be egregious and so do so many people that I have talked to. I've heard from numerous constituents and citizens in the state of Connecticut across the state on how unfair this seems.

So, the severity of the crime related to the care and treatment by the state employee of the person in the state-operated facility would give the attorney general the ability to decide whether they want to seek revocation of the pension or not, but it gives them the ability to please go after that. And they could base it back on withdrawing all the overtime that was calculated towards the pension and reduce it to the standard pension, but it's something that I feel very strongly we need to address here. Thank you.

THE CHAIR:

Thank you, Senator Somers. Will you remark further on the amendment that is before us? Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Madam President. I actually recognize and respect the fact where this amendment with LCO No. 7763 is coming from, the Honorable Senator Somers, and I have been studying this issue and I truly understand the challenges and concerns that are brought forward, my only hesitancy about this is this is not relevant to the transparency of the nursing home staffing that we are looking at in the current bill. While this amendment has a role maybe in some other vehicle, but this is probably not the one to look at and/or use at this time for the Transparency Bill on the nursing home staffing because this is looking at the nursing home staffing across the board. With that, I would urge my colleagues to not vote in favor of this amendment, and if we were to have a vote, we should do this by roll call, Madam President.

THE CHAIR:

Thank you, a roll call on this amendment will be ordered. Is there any further discussion on the amendment that is before us? Will you remark further on the amendment? If not, -- oh, Senator Somers.

SENATOR SOMERS (18TH):

Thank you, Madam President. You know, while I thank my good and fellow Public Health senator, Senator Anwar, this is something that does apply because the state is funding nursing homes. We do this through Medicaid/Medicare, and these are, at times -- if you wanna look at it this way, the state is paying for the salaries of the folks that are taking care of

those people in nursing homes. So, it's similar. It is germane, the fact that we have state employees that are working in facilities that sometimes are covered by Medicaid, sometimes are not, but in their job as a nurse, they are responsible for caring for the most vulnerable, just like they are in a nursing home.

And to have this type of systematic abuse occur when you agitate a patient to the point where you are required to then work overtime because you need two people to care for the person because they become agitated versus one, and to collect for years and years overtime based on this practice, and then to be charged and now convicted of a crime and yet still be able to collect your overtime payment based on your pension -- because it's been added towards your pension -- seems really wrong. I mean, the state of Connecticut should take a moral stand on this and say we will not tolerate our state employees that abuse patients that our in our care.

And that's why I do think it is important that we take a stand, and it is important that we empower the attorney general to make that decision and to make sure that it sets a standard, so people will not do that. In no other profession would you be able to -- and I say this as a physician, as a nurse -- to abuse a patient and then expect your company or your hospital to pay your pension because you are found guilty of a crime of your job that you're doing. And this is something that I think really goes to the core of who we are as a state. We have made drastic changes in trying to change the culture there, and we are making progress, but this is still something that's looming and it's something that, in my opinion, really needs to be addressed. We have

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gone after state policemen's pensions for much, much less than this, and I think it's something that I hope this circle can embrace and support. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Somers. Will you remark further on the amendment? Will you remark further on the amendment? Oh, Senator Abrams, I do apologize.

SENATOR ABRAMS (13TH):

No problem. Thank you, Madam President. I don't disagree with my colleague's remarks about the issue of people collecting either overtime or pensions after having behaved in criminal ways. However, the reference is to a different kind of facility and a facility that we already have a bill on, and I think that this amendment would be more appropriately placed on that bill and not on this current bill, which is, as Senator Anwar has spoken about, dealing with transparency in staffing levels in nursing homes. And so, I also would agree with Senator Anwar that this would not be an amendment that I would support on this particular bill, although I do believe that it would be very appropriate on another bill. Thank you.

THE CHAIR:

Thank you. Thank you, Senator Abrams. Will you remark further on the amendment? If not, Mr. Clerk, would you kindly call the roll, and the machines will be open.

CLERK:

An Immediate Roll Call vote has been ordered in the Senate. An Immediate Roll Call vote has been ordered in the Senate on Senate Bill 375, Senate Amendment B, LCO No. 7763. An Immediate Roll Call vote has been ordered in the Senate. An Immediate Roll Call vote in the Senate, Senate Amendment B, LCO 7763.

THE CHAIR:

Have all the senators voted? Have all the senators voted? The machine will be locked, and the Clerk would kindly call the tally.

CLERK:

Senate Bill 375, Senate Amendment B, LCO No. 7763.

Total number voting	35
Total number voting Yea	14
Total voting Nay	21
Absent and not voting	1

THE CHAIR:

[Gavel] The amendment fails. Will you remark further on the legislation? Senator Kelly. Oh, sorry, Senator Somers.

SENATOR SOMERS (18TH):

Thank you, Madam President. Madam President, the Clerk is in possession of LCO No. 7523, and I ask that the Clerk -- to please read the amendment -- or call the amendment.

THE CHAIR:

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Mr. Clerk.

CLERK:

LCO No. 7523, Senate Schedule C.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you, Madam President. I would ask for permission to summarize?

THE CHAIR:

Please proceed.

SENATOR SOMERS (18TH):

Thank you. This LCO effectively requires that the Commission of Social Service would provide a rate increase of one percent to the nursing home facilities as of June 30, 2019, due to the impending strike that we have heard about here. We have not finished the budget, so I'm hoping that this could be incorporated into the budget to help avert the strike that we have heard about happening shortly. So, that's what this amendment is for, and I hope that my fellow colleagues will support this amendment. Thank you.

THE CHAIR:

Thank you, Senator Somers. Will you remark?
Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Madam President. Through you, Madam President, first I wanted to thank my honorable colleague and the Ranking Member of the Public Health Committee for this specific amendment. I just wanted to clarify a couple of points, through you, Madam President, if I may ask?

THE CHAIR:

Yes, please. Senator Somers, prepare yourself.

SENATOR ANWAR (3RD):

Through you, Madam President. Senator Somers, is there a fiscal note associated with this please?

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Yes, there will be a fiscal note associated with that. I don't have the exact number as of yet, but this is being done to help avert the potential strike that we will -- that we've been hearing about that's supposed to occur shortly -- I think the day before session ends. And -- but I do not have that final number yet. I know we're still in the midst of budget negotiations, so that's what this is intended to do. Thank you.

THE CHAIR:

Thank you, Senator Somers. Senator Anwar.

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SENATOR ANWAR (3RD):

Thank you, Madam President. It is my understanding that the ask is about a one percent, is that accurate?

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Yes, through you, Madam President. We're asking for a one percent rate -- it's a one percent over the rate that the facilities are receiving now, yes.

THE CHAIR:

Senator Anwar.

SENATOR ANWAR (3RD):

And, Madam President, is the one percent -- was this based on a calculation or just a -- an assessment of immediate needs?

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Yes, thank you, Madam President. I believe this is what the -- the workers of the nursing homes are asking for.

THE CHAIR:

Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Madam President. I'd just like to make a comment. Thank you, through you, thank Senator Somers. I will just make a few comments now.

I actually, in agreement with respect to the need for the -- and I've said it many times publicly that there is a critical need for our state to provide the appropriate level of increase for Medicaid for the nursing home patients. Actually, the fastest growing or the largest segment is the many, many patients which are Medicare and Medicaid patients. This group of patients need more support, and it's important to actually have more resources allocated from the Medicaid and increase that. The numbers actually that have been looked at are two to four percent rather than one percent, but my concern about this particular amendment is that this is not the place because this bill that we are looking at and we are having a conversation on is more about transparency on the workforce in the nursing homes. Again, the fiscal note that I understand has been associated with the current amendment is about \$11.6 million dollars. We need to have the Appropriation and the Finance Committees do the work that they're doing, and that would be the place to address this issue and not through this amendment. So, I would actually encourage the honorable senators in the circle to consider not supporting this amendment because this is not the place for addressing this issue. And -- and I would -- when we do a roll call, I would request that a roll call be called for this.

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THE CHAIR:

Thank you, Senator Anwar. Your request for roll call is noted. Will you remark further? Senator Somers.

SENATOR SOMERS (18TH):

Thank you, Madam President. Again, I will disagree with my colleague. If this is not the place to put an amendment on a bill for a nursing home when we're pending -- we have a pending strike, I'm not sure exactly what is. It's absolutely applicable in the fact that this may be a great bill as far as transparency goes, but we're not gonna have any transparency when we don't have anybody working in our nursing homes. And, quite frankly, the cost to have these folks go on strike is staggering when you have to replace them with temporary workers until they come back.

We would eat up that small increase of \$11.6 million in -- in a matter of weeks if we don't come to an understanding. And I wanna make sure that the people that are working in the nursing homes know how important their jobs are. And I personally know how hard they work every day to care for those who are the most vulnerable, who are Medicaid patients, and I wanna send a message to them that it is important enough for me to put an amendment on here to make sure that they are compensated with the increase that they need. So, I would -- I would respectfully disagree with that. Thank you.

THE CHAIR:

Thank you, Senator Somers. Will you remark further? If not, would the Clerk kindly call a roll call vote? The machine will be open.

CLERK:

An Immediate Roll Call vote has been ordered in the Senate. An Immediate Roll Call vote has been ordered in the Senate, Senate Bill 375, Senate Amendment C, LCO 7523. An Immediate Roll Call vote has been ordered in the Senate, Senate Amendment C, LCO 7523. Immediate Roll Call vote in the Senate.

An Immediate Roll Call vote has been ordered in the Senate. An Immediate Roll Call vote has been ordered in the Senate.

THE CHAIR:

Have all the senators voted? Have all the senators voted? The machine will be locked, and the Clerk would kindly announce the tally.

CLERK:

Senate Bill 375, Senate Amendment C, LCO No. 7523.

Total number voting	36
Total number voting Yea	14
Total voting Nay	22
Absent and not voting	0

THE CHAIR:

The amendment fails. Will you remark further on the legislation before us? Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. Through you, to the proponent of the bill, I have a couple of questions.

THE CHAIR:

Please proceed.

SENATOR KELLY (21ST):

Thank you, Madam President. Could you explain just the difference between the strike-all and the original bill?

THE CHAIR:

Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Senator Kelly. Through you, Madam President. Actually, after the bill had been proposed, there were a number of stakeholders who met and looked at the language, and this was cleaning up the language more than anything else -- the majority of it -- but there some specific penalties that were placed in it that were already in place in the state statute. So, it was simplified and made in a better language. There was no substantial change overall.

THE CHAIR:

Thank you, Senator Anwar. Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. So, with regards to -- could you explain what -- what actually the strike-all does? It appears to be a notice that needs to be posted. Through you, Madam President.

THE CHAIR:

Thank you, Senator Kelly. Senator Anwar.

SENATOR ANWAR (3RD):

Through you, Madam President. Can you repeat the question?

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Certainly, could you explain what the strike-all actually does? I think there's a notice requirement, and then there was something else with regards to retaliation and housing. Through you, Madam President.

THE CHAIR:

Thank you, Senator Kelly. Senator Anwar.

SENATOR ANWAR (3RD):

So, what it does is it revises the definition of transportation duty, so that the staffing hours posted may include staff that are just assisting residents to and from vehicles for a very short duration. It allows the nursing -- the staff in

administrative or management positions to be included in the posting of direct care staff, but only if such staff is providing direct patient care during the primary portion of their shift.

The nursing homes asked for this because there are situations when a nurse is in such a position she or he is also performing direct patient care or is required to perform such care during their shift due to call-outs, etc., and also defines primary portion of their shift. It also adds separate listing of transportation duty direct care staff to schedule consistent with intent of underlying bill and revised changes, and there's a technical correction to make clear the new posting requirement is the citation and adds definition of direct patient care.

THE CHAIR:

Thank you, Senator Anwar. And before we continue with the discussion on the bill, I would welcome our friends in the gallery and just remind you that video recordings [background coughing] and photos are prohibited by the Senate rules. So, thank you very much for respecting our rules, and welcome. Senator Kelly.

SENATOR KELLY (21ST):

Thank you very much, Madam President. I thank you Senator Anwar for your answers. What we're looking at here, I believe, is transparency [ringing] into an issue regarding patients and residents of nursing home facilities. What we always endeavor to do is to seek to make sure that they get not only the best quality of care but best quality of life. And I know that when I was in your shoes, when I was first

elected in the 2010 election, I came in with then-Governor Dannel Malloy. The Rell administration had concluded, and then Governor Malloy's administration started, and unfortunately for the past now nine years, what I saw that administration do was systematically impact the quality of life for people who are on and participating in the Medicaid program.

One of the things that I felt was a very unkind -- probably the most cruel cut that the Malloy administration did to individuals who resided in nursing homes was to cut the Personal Needs Allowance. That Personal Needs Allowance, which today is only \$60 dollars, when I was first elected was \$72 dollars -- \$72 dollars was all an individual had after they had spent their life savings, lost their home, lost their personal belongings. All they had left from their income, Social Security, pension, savings was \$72 dollars a month to pay for things like a haircut, getting your nails clipped, shampoo, chocolate.

This is a dignity issue, and our seniors deserve to be treated better than that. They deserved to be treated better then, and they deserve to be treated better now. I didn't like that cut. I argued against that cut. And every year since then I have proposed a bill to replenish that Personal Needs Allowance, and the dollar amount is not that much. It's only \$1.3 million dollars a year in an over \$20 billion dollar budget -- that's right folks \$20 billion -- we can't find \$1 million dollars a year to give to those people in the greatest generation. These are Americans who fought and made our country what it is today, and we can't even give them the dignity of a \$72 dollar Personal Needs Allowance.

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I can't believe these bills don't just zip right through and go right to the top, but for whatever reason, this is where we decide to cut. Cut the vulnerable. Cut the people that actually paid their dues, that did everything right, and now in the twilight in their life they're left \$60 bucks right now in the state of Connecticut, which doesn't get you very far.

So, Madam President, the Clerk has LCO 7525 amendment, would he please call that?

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 7525, Senate Schedule D.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. I move adoption of the amendment, waive the reading, and seek leave to summarize.

THE CHAIR:

Please proceed.

SENATOR KELLY (21ST):

Thank you, Madam President. What this bill -- or this amendment does is pretty straightforward. It just raises the -- the amount from \$60 to \$72. I think it's a -- it's a prudent amendment. The budget has not been set. There are plenty of places in the state budget to find \$1 million dollars on an annual basis, and I would -- I believe this is pertinent. And I know I'm probably going to hear that this is not the right bill to do it on, but I really do think that this is the time, this is the place, and this is the bill to do this because these people deserve the extra \$12 dollars to bring them up to a human level. Thank you.

THE CHAIR:

Thank you, Senator Kelly. Senator Somers.

SENATOR SOMERS (18TH):

Yes, thank you, Madam President. I rise to support this amendment, and to my good fellow senator, Senator Kelly, I think this is exactly the right place to put this amendment on. I'd like to share with you the story of somebody that I had the privilege of meeting, and her name is Kate. She is 45 years old. She lives in my district in a nursing home. She is a Medicaid patient, and she suffers from MS. She had a thriving career and job before she was stricken with MS. She is not able to walk any longer and lives in a nursing home now. I met with her about the \$60 dollar a month stipend, I'll call it, or allowance that she has, and it was something that I won't forget. It brings tears to your eyes when you think about somebody trying to get a haircut, buying a comb. She has a daughter that she can't buy presents for at Christmas.

This is the most vulnerable part of our society, and this is where we cut. These people need to have a sense of dignity. She couldn't buy a new pair of shoes. She hasn't bought a new outfit in years. So, \$800 dollars a year -- that's all they have right now for disposable income, to buy, as Senator Kelly said, a piece of chocolate, to be able to go to see a movie. Just think about how much it costs to see a movie if you go with your family. The days of my dating years are older. You can't take a date out for \$20 dollars anymore to see movies.

So, this just brings them to a level that we had years ago. So, they have \$12 dollars more. Think about what your Starbucks coffee costs you every day. This is something that folks in that position can't even dream of. So, I think this is, you know, drop in the bucket, pennies in the bank for a population that deserves this.

Now we hear a lot of different things about people deserving, but I want people to go into a nursing home and see what that's like. You can't buy shampoo. You can't buy deodorant. These are things that come out of your personal income, and \$60 dollars a month, as we know, doesn't go very far at all. So, I wanna throw out a -- another reason to support that amendment that failed for our staff because the staff that works in these nursing homes, they're wonderful. They do things to try to help these individuals. They'll bring in little treats. They bring in sample shampoos. They try to do what they can -- out of their own pockets.

So, the state of Connecticut, you know, I think that we have, as Senator Kelly said, a \$20 billion dollar budget. We need to find the extra \$12 dollars a

month to help those who are so in need in our nursing homes, and I implore people in this circle to support this. Thank you.

THE CHAIR:

Thank you, Senator Somers. Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Madam President. Through you, I may -- I wanted to ask a few questions from the proponent of the amendment.

THE CHAIR:

Thank you, Senator Anwar. Senator Kelly, prepare yourself.

SENATOR KELLY (21ST):

Thank you.

SENATOR ANWAR (3RD):

Senator Kelly, I admire your passion, and I truly understand where you're coming from. I wanted to clarify -- why \$72 and why not \$78 -- I mean, how did we come to this number? Through you, Madam.

THE CHAIR:

Thank you, Senator Anwar. Senator Kelly.

SENATOR KELLY (21ST):

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Thank you, Madam President. Seventy-two is what the number was when we started to cut the number back. Seventy-eight, I would welcome. If that's a friendly amendment, I would accept that.

SENATOR ANWAR (3RD):

And -- and through you.

THE CHAIR:

Senator Anwar.

SENATOR ANWAR (3RD):

Through you, Madam President. Again, I share your sentiments, and if I was in the Senate at the time when it was being cut, I would -- probably would have had a problem with this as well. And I recognize the fact that there is very limited amount of disposable income or financial resources individuals have. And even individuals, when they are sending a card to their loved ones or their grandchildren, that's where that comes from -- these are the very personal amounts that they are.

I'm sensing that we do not, as a Senate or as a legislative body, have enough nursing home bills. And the reason I'm saying that is because we have a bill on transparency of staffing, and we are actually using that to take care of the needs of the -- the financial needs of the residents. And that gives me a sense that we have -- as a body, need to do a better job because it's almost like vehicles are not available to try and address this, and we're using alternate ways of getting the word out to be able to do this.

I can -- I can share with you that I completely agree with the fact that this needs to be done, and I think what I will do is in a little bit try to ask the Chair if there are other vehicles that are there that could be available to do this amendment. Because, for example, when we are looking at the Whiting-related issue, there is a bill, and I will be signing into that for that amendment because that needs to be done. Except -- this is not the way to do this, and maybe I'm thinking like a physician because you -- you're trying to do something, and you try to do it, you don't mix too many things and then try to jeopardize the existing role of what needs to be done.

So, I'm gonna look for another vehicle to try and address this very legitimate concern that you have brought forward and then see what are the opportunities that we have to try and address the needs of our residents. This way, this bill -- or this amendment that we have passed already, I'm not sure if that's the one because that is specifically without any fiscal note. Now we are adding a fiscal note of \$1.3 -- \$1.3 million dollars to this, and I -- and frankly, I'm not even sure if that \$1.3 is the right amount. It could be more. So, if I may ask if we can stand at ease, and I can just clarify if there's an opportunity to look at another vehicle? Should we ask Senator --?

THE CHAIR:

Senator Duff, there's been a request for the Senate to stand at ease.

SENATOR DUFF (25TH):

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We will stand at ease then, Madam President.

THE CHAIR:

Thank you.

The Senate will come to order. Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Madam President, and thank you, Senator Duff, for giving us that few moments. That's when I was actually trying to get an idea if there are other vehicles to be able to address this issue. As soon as we actually go and put a fiscal note to the existing bill, it actually takes us in a different direction and would move us away from what we are trying to do -- the transparency.

There's a risk of the Transparency Bill not moving forward because that would not get controlled by us at this time. So, this is something that needs to be addressed, and there's another way to be able to address this. And what I would suggest is that we use some of the aging bills and some of the other bills that are there to address this specific issue, which can work through the Appropriations, through that process, and then there are other bills, which have fiscal notes already with them. This current bill is in the absence of a fiscal note, and therefore this would actually be essentially stopping this process that we are trying to increase the transparency.

So, with that, I would actually request my colleagues to not vote for this amendment -- not because of its value, but because of the fact that

this is not the vehicle to fix what is trying to be fixed. But there are other, better ways to be able to address this, and I appreciate the proponents of the amendment to bring this forward to be able to look at other possibilities of solving this. And then, with that, for the record, I would like to say that we should have a roll call vote for this amendment as well.

THE CHAIR:

Thank you. A roll call will be ordered. Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. President Reagan once said, "If not now, when? If not us, who?" For nine years, I've put this initiative forward -- whether it was the Malloy administration, numerous General Assemblies. The answer is always tomorrow -- your -- the next bill. The problem is we're dealing with people in nursing homes who have an average lifespan of 27 months -- 27 months is the average length of stay in a nursing home. And for nine years, I've been hearing the same thing -- wait till tomorrow, the next bill, the next bus -- whatever the vehicle is, you can hop on that one, don't do anything to this one because this one doesn't wanna get, for some reason or other, contaminated with that. If I put the million dollars on a billion dollar fiscal note, it's not gonna get passed in this fiscal condition, but \$1 million dollars in a \$20 billion dollar budget -- I think there's room there. But, to keep saying wait to Connecticut's greatest generation -- America's greatest generation -- Connecticut's seniors is like saying forget about

it. It's a pocket veto 'cause if we don't do it now, another year will go by. Another session will click through. And the next thing you know, I'm standin' here nine years later advocating for the same thing because I'm always told wait -- wait for the next vehicle, wait for the next opportunity, wait.

Well, the fact of the matter is, some of these people living in nursing homes don't have the luxury of time. Time is not on their side. Time is running against them. But for the people under this dome, it's okay to make them wait. Madam President, I just think this is putting human services back in human services. Let's focus on the people. Let's focus on the human that is sitting in nursing homes struggling with dignity. They've lost everything. They've lost their home, their savings, their family. They're with people -- strangers they don't even know, and we can't give 'em a lousy \$12 dollars in this budget! You gotta be kidding me!

I just think this is -- it's the human thing to do. It's common sense. And for \$1 million dollars, I would -- I would do this all day long. And this is a vehicle. It is germane. It deals with nursing homes. And if we wanna talk about transparency, you can go on the CMS website. You can go on the DPH. You can get all the information you wanna know on various nursing homes to see what staffing levels are and what the quality of care is. That information already exists, but this doesn't. This is something that needs to be reinstated. It was there during the Rell administration, and it has been gone and absent ever since. And it's time that we put humans first! So, Madam President, I ask for a roll call vote so that we can do that.

THE CHAIR:

Yes, a roll call vote has been already requested.
Any -- Will you remark further on the amendment?
Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, I rise in support of the amendment as well. Last month, I was asked to visit a nursing home up in Canaan and had a nice little round-table meeting with people that I've never met before. They came from actually all over New England. They weren't even from all over northwest Connecticut, which I was kind of surprised to find out. So, when I listen to Senator Kelly, and I think about people that are actually thrust into a situation where they are living with absolute strangers and trying to develop relationships, it's quite honestly true.

The only thing that they asked for was this. That was it. The only thing that they asked for was to get the money restored to what it used to be. They didn't ask to make it a hundred dollars. They didn't ask to make it \$200 dollars. They itemized the things that they actually used to be able to buy and can't buy anymore. And it was extraordinary to listen to them -- some in wheelchairs, some who walked in with walkers, some who walked from another building to come in there.

I do respect what Senator Anwar has said about the fact that this does cost money, and maybe -- maybe with a amendment attached to the bill, it would be required to go to the Appropriations Committee. But the truth of the matter is, the Governor's budget

didn't have this in it. The Appropriations budget didn't have this in it. So, two documents have been produced, so far, without the \$72 dollars in there, and I don't think anyone involved in that process would disagree that if you had another \$1.2 or \$1.3 million dollars, this would be a perfectly appropriate place to put it. If the budget was done, and it had gone through both chambers and the Governor had signed off, I would say it's already done. It's done for a year. There's no way we're gonna be able to do this. We actually think that there are some places that we could re-appropriate or redistribute that \$1.2 million dollars.

This is the bill. This is the time. It's a time for us as a chamber, as a circle, to join together on a very simple issue, which is to replenish an account that would give people an opportunity to buy the bare necessities of life. That's really what it comes down to. And so I would ask that rather than have the board lit multiple colors that we join together, adopt the amendment. If the leadership wants to send it to the Appropriations Committee, then send it to the Appropriations Committee. It'll come right back out next week. The Ranking Members here, I'm sure the Chair would agree that this is a valuable expenditure, and I just think it's an opportunity for us to come together and do something very positive. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Will you remark further?
Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Great to see you there this afternoon. I also stand in strong support of the amendment. There's been numerous times where I've been involved with folks in nursing homes, probably the one that is more indelible in my mind is when my wife's grandmother developed Alzheimer's, and what that ended up being was a certain amount of attention while Rose was in her home. At a certain point in time, that was difficult to juggle, so an adult day care was utilized during the daytime, because people just couldn't watch Rose 24/7, and then ultimately at a very good nursing home in Enfield, Parkway Pavilion. And due to the nature of my wife's family, they pretty much visited several times a week for well over a year until Rose finally passed.

And so, if you go, as I went with my wife and her -- her mom and family to see Rose on a very regular basis through those years, you got to know the people working in the nursing home, and you got to look around, and you know some of the smells. And you realize that's a way -- first of all, anybody who works in a nursing home, that's an extraordinarily difficult job. It takes incredible amounts of patience, but you also realize, as so many of my colleagues have said -- and I really commend Senator Kelly's passion on this, and Senator Miner's insights regarding this, and Senator Somers fighting for this -- they don't ask for a lot. Folks in this situation just don't ask for a lot. The very fact of a loved one visiting them, that's probably the number one thing -- not to be forgotten. But, above and beyond that, just the simple things that we take for granted. I would posit to you, no matter what socioeconomic status you may have, sort of scroll through your mind how

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much you might spend at a Walgreens or a CVS or a Rite Aid or similar store over the course of a month just for those simple products, like deodorant, shampoo, and a little bit of this. And if you add it up, you're bustin' through \$60 without breakin' a sweat.

You know, sometimes, on my way home from work or something like that, I'll pop into a Walgreens, and I'll say, all right, I need contact lens solution, I need this and that. And you get to the register, and it's like \$35 dollars. And you go, how did that all add up? And there's nothing magical there. These are the things that you just sorta need to feel like a clean, normal human being. And if someone in a nursing home just wants something a little special, they should be able to have that.

And here we are debating whether to try to go back to where we were about a decade ago. I mean, we're just trying to fight to get -- to treat these folks with minimum decency that was in place about ten years ago. We have gone in the exact opposite direction. Why would we take funds from this pool of individuals? And yeah, if you put it all together, it's upwards of a million dollars. There's all sorts of funds out there that could take the hit without a blink.

Senator Champagne and I are aware of a fund that may be used in another bill proposal comin' down the line that I just learned about this year in the Judiciary Committee. And it's an account that has to do with proceeds from cases settled by the attorney general. It's an attorney general's reserve account, and I guess there's a lot of latitude as -- as to what you could use these funds

for. And this would not even dent that account, and think about how many lives would be made that much better. So, I just feel -- I'm not gonna try to filibuster this bill or amendment or anything like that, but fundamentally we have diminished resources, or we don't have the resources growing as much as we might like.

Clearly, our economy in Connecticut, for whatever reason, is not performing quite as well as many other states in our nation, and we're all about trying to solve those issues, but when you have a small amount that you could set aside that would bring a tremendous amount of good to a large group of people, and as Senator Kelly so aptly pointed out, a group of people that have been stripped of pretty much everything in their lives -- because that is the only way you end up in that place. You may not wake up and see a face that your recognize. You may not even have a room to yourself. You look around and you may have an item or two that was from your life, but that's about it, and God knows whether you have your mobility. Maybe just to go outside and feel the spring sun you need to have a wheelchair, and we can't give them \$12 more bucks a month?

At some point -- at some point, I think we need to err on the side of the greatest good for those most in need, and I think this is a group where we could all come together and yes on this amendment. We'll find the money. It's not gonna break the bank, but it's gonna change the lives of hundreds of people, and it's that little thing that can brighten those lives going forward. So, I would urge my colleagues to support the amendment. Thank you, Madam President.

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THE CHAIR:

Thank you, Senator Kissel. Will you remark further?
Senator Bizzarro.

SENATOR BIZZARRO (6TH):

Thank you. Good afternoon, Madam President. I rise in support of this amendment, Madam President. And with regard to the fiscal note question, if we can find millions of dollars to give to attorneys and other members of state employee bargaining units without so much as breaking a sweat, then surely we can figure out a way to raise this personal needs allowance by \$12 dollars a month. Thank you, Senator Bizzarro. Will you remark further? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. Good afternoon. Through you, to the proponent of the amendment.

THE CHAIR:

Thank you. Senator Kelly, you have some questions from your colleague. Senator Hwang, please proceed.

SENATOR HWANG (28TH):

Less questions -- first, to compliment the good senator on making this proposal, and I think people need to be aware of the senator's experience in -- in the area of aging. And, I'd like to ask him, who are the people that are benefiting from this increase to \$72 dollars? And I wanna compliment the good Chair of the committee for raising the dollar

amount. And in this day and age of fiscal competitiveness and challenge, through you, Madam President, I'd like to ask the proponent of the amendment, who are the people that are really benefiting from this? Through you, Madam President.

THE CHAIR:

Thank you. Senator Kelly.

SENATOR KELLY (21ST):

Madam President, the individuals that we're talking about are individuals who reside in a skilled nursing facility, participate on the Medicaid program, which requires -- because Medicaid is a means-tested program -- that the individual have no more than \$1,600 dollars in total assets. And then as far as income, all the income that they receive from all sources, whether it's interest off that \$1,600 dollars or the pension, Social Security, all that is applied income that goes to, I'm gonna say, help pay for their stay in a nursing home, and what they're left with is \$60 dollars. So, basically, an individual has \$60 dollars a month in income and no more than \$1,600 dollars in total assets. Through you, Madam President.

THE CHAIR:

Thank you, Senator Kelly. Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. I wanna thank the proponent for the explanation because it really is bare minimum ability to survive in the high cost to

live in this state. That being said, I think it's important, as I said before. We are in a state of fiscal challenge, but as we move forward and deliberate and evaluate every aspect of how state government works and its budgeting process, to me and the proponent of this bill and supporter of this amendment, you have placed a priority on those that are the underrepresented, the ones that are within the safety net, our seniors, our valued citizens that are struggling to stay in our state. This is the prioritization that we should have to be able to increase the allocation and recognize that state government has a responsibility to the people it serves and not simply the structure itself. So, I urge support of this amendment, and I wanna thank the proponent for raising the prioritization that -- yes, indeed, we may have to spend money, but I'd much rather spend it on people that I can see and interact and who we represent. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Will you remark further on the legislation? Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I rise in support of this amendment. These are -- you know, when I think of \$60 dollars a month, I think of one trip to the restaurant, half a tank of gas -- actually, it'd be a whole tank of gas, I guess, today, depending on what you drive -- but, you know, we're talking not a lot of money here. And to raise it by \$12 dollars a month and to see what somebody could stretch that \$12 dollars a month for, it blows my mind that we're

not raising this even more, like the good doctor said. But, I'm not a proponent for raising taxes, but this is helping some of the poorest people in our state. So, I do stand in support of this, and I hope that this circle votes in favor of helping some of the neediest people in our state. Thank you.

THE CHAIR:

Thank you. Senator, will you remark further? Will you remark further, Senator Anwar?

SENATOR ANWAR (3RD):

Thank you, Madam President. I just wanted to make a few observations for the benefit of everyone. Look, I'm here for the past six weeks. So, I'm not gonna take the ownership for the past nine years, let's make that clear, but a lot of you have been around for the last nine years and you have voted on the budgets. So, now suddenly trying to take a bill, which has its own legs to stand on, can address the issues that we are addressing, and trying to block it or trying to put a fiscal note and sending it to another committee is probably not the best way to go. I, again, want you to recognize that. Let's do what is the right thing to do. This is a bill which is focused on a specific responsibility that we feel is necessary at this time.

Now, putting something else on top of this to try and change in a different direction is almost like when a patient comes to me, and they're having a problem with a respiratory issue, and I'm thinking of them, and they say well I have a headache as well. I'll say, well, we'll take care of your headache, but you need to go through the specific

process of the headache, which needs to be done by the specialist who deals with it. But, if I actually start to focus on the other aspect, and what about the breathing. So, let this thing breathe on its own, and let's not try to kill the bill through its mechanism and strategy. This is like killing bill 101 that's going on for the people who are observing our scene.

We need to address what you bring up. I am with you, and I will help you with this. I cannot take the responsibility for the past nine years. Having said that, there are other ways to be able to address this. There is a responsibility that we have to take care of the ones who are the voiceless, and this is something that you're suggesting. I recognize this. I'm sure my colleagues recognize this as well. But the bill is not -- should not become the victim of that need for the past nine years that you have observed and arguably not been able to do much despite voting for those budgets. Thank you.

THE CHAIR:

Thank you, Senator Anwar. Will you remark further, Senator Fasano? And may I say happy birthday?

SENATOR FASANO (34TH):

Oh, thank you, Madam President. Thank you very much. I appreciate it.

THE CHAIR:

So glad you're spending the day and the evening with us.

SENATOR FASANO (34TH):

And I actually did yesterday -- oh today, that's right, earlier this morning I was here, so.
[Laughing] Madam President, a couple things -- one is the way we move business in this building and bring ideas to a bill when you're a minority is by doing amendments to bills. So, we raise concerns that perhaps were overlooked by the majority party, perhaps weren't thought of by the majority party, or is it a bill that we put in and the majority party did not see eye-to-eye. The way we do that is to bring it in front of this full body and say let's let others of this body take a look at it. But, Madam President, the reason why I stand is it is time for a real, real reality check. Let's be clear -- every single union contract that came up that passed virtually on party lines, I have said number one, let's be clear, when you vote for that union contract and you vote for more expenses, you are doing it at the suffering of social services. Every time you increase 3.5 percent to a union contract, you are crowding out social services. Every contract -- I said it -- and by the way, remember it, 'cause there's six more, and I'm gonna say it six more times.

This is the clearest example. We're talking a million bucks -- a million dollars. There's a contract coming to Appropriations on Friday that's asking for a raise, retroactive, for \$1.8 million -- retroactive. We could take that \$1.8 million, give a million dollars, and put \$12 dollars in people's pockets. They don't have the pensions, the healthcare that the individuals have in that contract. They're not getting 3.5 percent increase each and every year irrespective of the economy.

And we're gonna say, no, you person under our thumb, we can't give you \$12 dollars -- we gotta give \$1.8 million on the most lucrative union contracts in the country. That's what we're gonna say? People who can't afford food, medicine, a towel if they need it too. We're gonna say, no -- we have to increase these contracts 3.5 percent per year, retroactive in some cases, because we can't. And you're just gonna have to wait your turn!

We're going on year 11 since we made this cut after Jodi Rell. We're going on year 11, so I guess somewhere in the future, perhaps, maybe, could be, possibly it could happen, we'll give you \$12 dollars. But, while we're waiting for that, let's take the union contracts that are coming forward, completely wipe out the salary reserve account -- because those six contracts will wipe out the salary reserve account. I think the sentence was clear, but just in case -- those contracts will wipe out the reserve account to the point that you've depleted the reserve account that was put away for the budget, and now you've gotta figure out what you're gonna cut -- or raise taxes -- to pay for these contracts. And maybe some afterthought will be the \$12 dollars for the elderly, primarily, who are looking for \$12 dollars. Twelve dollars! I urge you around this circle to read those contracts, not just for the increases but what else they pay for -- shoes, dry cleaning, lunches, travel. The list is ridiculously endless. And we can't take dry cleaning out and say let's give that money, \$12 dollars, to the poor, who can't have any other way of making their means?

The core function of social service are those people. That's the core function of why we're here

-- the people who need protection. Far too long I hear, well, you know, maybe one side of the aisle is not as sympathetic as the other. I am telling you, if we can go back \$1.8 million dollars retroactively to give people raises in a lucrative contract, we can find \$1 million dollars for those who can't even afford to survive, frankly, day-to-day with \$60 dollars a month -- \$60 dollars a month!

Madam President, I have said each and every contract this was coming. I have said time and time again that now is the time to send the message. Now is the time that we start telling people we can't afford to do this because it is hurting our social services. There is no more clear an example than the contract that goes back for 1.8, and the fact that we can't find out of a \$17 billion dollar budget \$1 million dollars. We haven't been able to find it for budget years.

Madam President, this amendment should pass. I hear people around this circle tell you healthcare is a civil rights matter. Maybe it is, but human care is a civil rights matter. That's all this is about -- a million dollars. Budget's not done. Budget's not gonna be done till at the earliest next week. There's time to put a million dollars in. At the earliest, it's done next week. We can look between the cushions of some agency and find a million bucks. We can look at overtime, which has been ridiculous in many of our departments. When I say ridiculous -- hundreds of millions of dollars in this fiscal year, and we can take out \$1 million dollars of that and put it to this. But no, that's asking too much of the majority. That's asking too much to ask for -- too much scrutiny, too much fiscal responsibility.

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This is the time to do it. We can find the savings. It's a million dollars. It is the point. It is a principle. It is about the people in need. I support this amendment. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further, Senator Looney?

SENATOR LOONEY (11TH):

Thank you, Madam President. Madam President, rising in opposition to the amendment, which I think does make a number of good points and equity arguments, but I disagree with the idea of setting this increase in the Personal Care Allowance up against contracts for the state employees as if they were undeserving. And that clearly the Personal Care Allowance is certainly a worthwhile cause, and I certainly would -- would support providing an increase in -- in our budget for that purpose and will certainly devote my efforts toward -- toward making that happen. And -- but again, I think that's -- that's an issue that needs to be addressed in the budget. There is, I think, broad-based support for that as an equity issue, would support inclusion of funding in the budget, but would oppose the amendment today. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further? If not, would the Clerk please call the vote, and the machine will be open.

CLERK:

Immediate Roll Call vote has been ordered in the Senate. Immediate Roll Call vote has been ordered in the Senate, Senate Bill 375, Senate Amendment D, LCO No. 7525. Immediate Roll Call vote has been ordered in the Senate on Senate Amendment D, LCO 7525. Immediate Roll Call vote in the Senate.

THE CHAIR:

Have all the senators voted? Have all the senators voted? Seeing -- seeing that they have, we will close the vote. And would the Clerk kindly call the tally please?

CLERK:

Senate Bill 375, Senate Amendment D, LCO 7525.

Total number voting	35
Total number voting Yea	14
Total voting Nay	21
Absent and not voting	1

THE CHAIR:

[Gavel] Amendment fails. Will you remark further on the bill? Will you remark further on the legislation? If not -- Senator Anwar.

SENATOR ANWAR (3RD):

Madam President, should we have a roll call on the bill?

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Oh, we will definitely have a roll call on the bill, especially now that you've asked. [Laughing] So, with that, Mr. Clerk, would you please call the vote, and the voting machines will be open.

CLERK:

Immediate Roll Call vote has been ordered in the Senate on Senate Bill 375 as amended by Senate A. Immediate Roll Call vote has been ordered in the Senate on Senate Bill 375 as amended by Senate A. Immediate Roll Call vote in the Senate.

THE CHAIR:

Have all the senators voted? Seeing that they have, the machine will be closed. And, Mr. Clerk, if you would announce the tally.

CLERK:

Senate Bill 375 as amended by Senate A.

Total number voting	35
Total number voting Yea	31
Total voting Nay	4
Absent and not voting	1

THE CHAIR:

[Gavel] Measure passes. And now, we will entertain a point of personal privilege. [Background talking] And we won't entertain a point of personal privilege. Senator Carlo Leone. Senator Leone, good afternoon.

SENATOR LEONE (27TH):

Good afternoon, Madam President. What we are doing is we are waiting for the Boys and Girls Club to come up here. They are having their annual event for Youth of the Year. They are en route, so if you would just indulge us for a moment.

THE CHAIR:

Absolutely.

SENATOR LEONE (27TH):

And could we just be at ease while we get them up here?

THE CHAIR:

We will stand at ease while they are arriving. And I think they are --

SENATOR LEONE (27TH):

Oh, and here -- as we speak.

THE CHAIR:

And their timing is impeccable.

SENATOR LEONE (27TH):

[Background talking] Madam President?

THE CHAIR:

Yes, Senator Leone, please introduce all of these energetic young people that we have here.

SENATOR LEONE (27TH):

Thank you, Madam President, and to my fellow colleagues, I wanna just take a moment of everyone's time, if you would indulge us. What we wanted to do is introduce the Boys and Girls Club members for Youth of the Year. These are young kids that have given back to their community, our leaders in training. They are accomplishing so much, and they have been provided an avenue to be the very best they can be with this stellar program. The Boys and Girls Club of America is very well established here in the state of Connecticut in multiple communities, and they offer a range of services to provide a youth -- a safe haven to be the very best they can be, and what you see in front of us is the very best of the best for this year. So, we wanted to take a chance -- a moment to showcase this premier recognition program that the Boys and Girls Club has, and these are the members that embody the values of their leadership and service, their academic excellence, and the healthy lifestyles that they've learned at the club.

So, please join me in welcoming the 15 members, Youth of the Year, from the birthplace of the Boys and Girls Club movement in our very own state. And I'll just quickly run through the list of names, and as I call your names, just raise your hand so everyone can see who you are. And then, if you could, we could all just give a quick round of applause for their great accomplishments.

So, first up, we have Tyrese Gallant from the club of Waterbury [applause following each name], Michael Rincon from Greenwich, Xavier Arrocho from Meriden, Joseph Marchionni from Milford, Manuel Benitez IV

from New Britain, all right, Jesse Campbell from New Haven, Maureen Ferrer from Stamford, Nevaeh Sorrentino from the Naugatuck Valley, Aracelis Figueroa from Hartford, Stanley Cardona from Bristol, Kelsey Lynn Morales from New London, Renee Cauchon from Ridgefield, Caitlin Trutnau from Ulbrich, Rory Smith from Wakeman, and heading from -- for all of us, Colin Holm-Hanson from Redding-Easton. [Applause]

So, please give a well-deserved round of applause for these -- these great kids for all that they do and all that they are going to accomplish in their lives under the tutelage and guidance of the Boys and Girls Club of America and in the state of Connecticut. We thank you for all that you do. You are leaders for your colleagues and peers, and we wish you nothing but success and happiness in your endeavors going forward. So, thank you, Madam President. [Applause]

THE CHAIR:

Thank you, and I just want to say to the young ladies and gentleman that are here, on behalf of Governor Lamont and I, congratulations and we look forward to seeing you in the Senate and House chambers in just a few years. Good luck and have a great summer. [Applause/crosstalk]

If the Senate could come to order, we have -- I'd like to recognize Senator Hartley.

SENATOR HARTLEY (15TH):

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Good afternoon, Madam President, and thank you very much. And my congratulations to all our visitors today in the chamber. [Background noise]

THE CHAIR:

[Gavel] Hang on, Senator Hartley. We will come to order. If you'd like to step out for a photo, please -- please do so, and please give Senator Hartley your attention.

SENATOR HARTLEY (15TH):

Thank you, Madam President. And all of our visitors, congratulations, and thanks for taking the time to be with us. And also, I would like to introduce to the chamber an individual who I have such admiration for and who has done such an incredible job on a municipal level in the city of Waterbury -- that is our town clerk, Chick Spinelli. I think Chick has gotten a name throughout the entire state working with the Association, and they are actually here today in Old Judic having an event, so be sure to stop down to see your town clerk. And if you would join me in saying thank you to all the town clerks, and in particular, our Waterbury Town Clerk. Thank you, Madam President. [Applause]

THE CHAIR:

Thank you, Senator Hartley. And may I just say to Madam Clerk, Chick Spinelli, thank you for the great work that you do in Waterbury. Thank you for your leadership on the Town Clerks Association. So nice to see you, and I'm looking forward to stopping down to visit for the town clerks coffee. Thank you.

Mr. Clerk.

CLERK:

Page 48, Calendar No. 141, substitute for Senate Bill Number 927, AN ACT CREATING THE ENVIRONMENTAL INFRASTRUCTURE FUND WITHIN THE CONNECTICUT GREEN BANK. There are amendments.

THE CHAIR:

Thank you, Mr. Clerk. Senator Bergstein, good afternoon.

SENATOR BERGSTEIN (36TH):

Good afternoon. Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

The question -- the question is on passage. Will you remark?

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. The Clerk is in possession of an amendment. It is LCO 8486, and I move adoption of the amendment and waive its reading and seek leave to summarize.

THE CHAIR:

Thank you. Mr. Clerk, if you would read that amendment number please.

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CLERK:

LCO No. 8486, Senate Schedule A.

THE CHAIR:

Please proceed.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. This is AN ACT TO CREATE THE ENVIRONMENTAL INFRASTRUCTURE BANK WITHIN THE GREEN BANK OF CONNECTICUT. And for those who don't know, the Connecticut Green Bank is a shining example of Connecticut innovation and achievement. It was established in 2011 with bipartisan support, and since then it has a stellar track record of taking our public funds and leveraging them six times with private investment in order to create 16,500 jobs, \$1.5 billion dollars of investment in our state's economy, lowering energy costs for many thousands of Connecticut homeowners, and also reducing five million tons of carbon dioxide, which in turn has led to a cost savings of over \$200 million dollars for healthcare costs for people who otherwise would have suffered from the impacts of fossil fuel consumption.

In 2017, Harvard University recognized the Connecticut Green Bank as the best in class for government innovation and efficiency. This is what we expect from our government. We expect smart policy, innovation, efficiency, and an excellent return on investment. That is what the Connecticut Green Bank has done for us in the past eight years.

So, because it was the first such green bank established in this country, and it did so well, other states have followed suit. They've also established green banks, but they've given their green banks more bandwidth to do projects that go beyond just energy projects. So, for eight years, the Connecticut Green Bank has been limited to doing just energy projects, which in most cases means that they help finance the installation of solar panels in communities, mostly low and middle-income communities. And I have a list of all the projects they've done throughout the state, and it touches every district that we represent.

The projects are financed not through tax dollars but from a Ratepayer Fund -- .1 penny of every dollar spent on energy bills, and that goes into a Ratepayer Fund, Clean Energy Fund, and that's how they do these projects. Now they have an excellent track record. I already gave you some of the numbers of what they have achieved for us in terms of environmental responsibility and also fiscal responsibility. What I would like to do with this bill is to expand the scope of the Green Bank's authority, so they can start to do other types of projects -- environmental infrastructure projects, which can include everything from biodigesters, recycling programs, electric vehicle charging stations, bike-sharing programs, all sorts of things that they do not currently have the authority to explore. So, with that, Madam President, I would like to move adoption of the amendment.

THE CHAIR:

Thank you. The question is on adoption. Will you remark further on the amendment that is before us?

Will you remark further? Senator Berthel, good afternoon.

SENATOR BERTHEL (32ND):

Good afternoon, Madam President. Thank you for the opportunity to remark. Through you, I do have a couple of questions for the proponent.

THE CHAIR:

Please proceed.

SENATOR BERTHEL (32ND):

Thank you, Madam President. Madam President, through you, if the proponent could address on -- in the amendment, which I guess will become the underlying bill should it pass, lines 28 through 32 speak to some very general ideas and topics with respect to the types of projects that would be covered under the environmental infrastructure. I'm wondering if the good senator might speak to specifically some examples of what those projects might be. Through you, Madam President.

THE CHAIR:

Thank you. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President, and thank you to my Ranking Member on Banking Committee for his question. I'd be happy to explain some examples. So, the things that the Connecticut Green Bank could do would be projects -- in a broad sense, projects

that help mitigate climate change, lower energy costs for consumers, alleviate traffic and congestion in our cities and on our roads, and produce cleaner water, cleaner air for the consumption and benefit of all our citizens.

Now, how they do that, here are some specific examples. They could, for instance, help finance the installation of electrical vehicle charging stations. I drive an electric vehicle, and I can assure you, there are not enough charging stations available. They could also help finance biodigesters to take some of the trash, hopefully one day all of the trash, that we produce and turn it into energy. We do have the technology to do that, and we should be doing that. They could also help finance the remediation of brown fields and other compromised land, so that we could actually put this land into use, make it productive again and not just an eyesore.

They could also help with projects involving reforestation and coastal resiliency. We all know that because of climate change our sea levels are rising, and there's a lot that we can do and should be doing to protect our shoreline, which is a precious resource in Connecticut, and we should be protecting it from sea level increase. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Berthel.

SENATOR BERTHEL (32ND):

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Thank you, Madam President, and I thank the Banking Chair for the answers. With respect to lines 67 through 76 in the amendment, I'm curious as to the language here that says the fund may receive any amount required by law to be deposited into the fund and may receive any federal funds. Besides the federal funds, I'm wondering where those other funds are coming from? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President, and thank you for the question. In the lines that you're specifying, 67 through 76, this actually carves out funds that may not go into the Green Bank because they are currently in the cognizance of other agencies. So, this was -- this is language that was the product of discussions with the Treasurer's Office, with the Department of Public Health, and the Department of Energy and Environmental Protection. So, clean water fund -- funds collected from a water company -- may not go into this Environmental Infrastructure Fund. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Madam President, and I thank the Chair for the clarification. And the last question I have with respect to the amendment, on -- beginning on

line 80 of the bill, just below the section we were just discussing, there is -- and forgive me if -- if this may be outlined somewhere else in the bill, but I think it's good to perhaps talk about this -- line 80 speaks to a comprehensive plan that will be developed and maintained, and I'm just wondering who -- I'm assuming that this is developed through the Green Bank. I'm wondering who's involved in that development, if that is the current structure of the Green Bank, or if there's -- if there are other people that will be involved with respect to the development of this comprehensive plan? Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. While it's not specified in the bill who will give input to the comprehensive plan, the Connecticut Green Bank has a long history of working in collaboration with agencies, with foundations, with communities, community banks. So, I am confident that they will continue to receive input from all the stakeholders in developing a comprehensive plan. And the reason for the comprehensive plan, I think, is quite obvious. We want to make sure that projects are not just done haphazardly or without a strategy, an overall strategy, to achieve the goals of the Green Bank. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Berthel.

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SENATOR BERTHEL (32ND):

Thank you, Madam President. Again, I thank the Chair for the answer. So, just one final question with respect to that answer. So, assuming that this plan will be developed in the manner just described, I'm wondering what -- what kind of opportunity there is, if any, for viewing that plan or for either the legislative body or the public or others to comment and participate in the development of that plan. Through you, Madam President.

THE CHAIR:

Thank you, Senator Berthel. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. The comprehensive plan would most likely be part of the annual report that is required from the Connecticut Green Bank. The annual report -- this is in lines 367 on down -- the annual report is required to be disclosed to DEEP, to the legislative committees that have cognizance over the Green Bank, which includes Energy, Environment, and Commerce, and through that process, I believe the public would have access to it as well. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Berthel.

SENATOR BERTHEL (32ND):

Okay. Thank you, Madam President, and again, I thank the good Chair for the responses to the

questions. Madam President, I -- I support the amendment, which will upon passage, or soon passage, will become the underlying bill or become the bill, and while I'm sure there will be some other questions here this afternoon, I would encourage support of the amendment at this point in time. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Berthel. Will you remark further on the amendment? Will you remark further, Senator Formica?

SENATOR FORMICA (20TH):

Good afternoon, Madam President.

THE CHAIR:

Good afternoon.

SENATOR FORMICA (20TH):

Thank you. I rise for the purpose of a few questions and a few comments for the proponent.

THE CHAIR:

Please -- please proceed.

SENATOR FORMICA (20TH):

Thank you very much, Madam President. I'm just gonna get to -- Thank you. Good afternoon, Senator. How are you?

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SENATOR BERGSTEIN (36TH):

Very well, thanks.

SENATOR FORMICA (20TH):

Thank you. I have some questions with regard to the expansion of the authority of Green Bank from energy to environment. You just spoke about the reporting, I think, to Senator Berthel. And the same report will go to both the Energy and the Environmental Committees, or will it be one report inclusive of both? Through you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I believe the intent is to have one report -- one annual report that's issued to all of the agencies and legislative committees I just mentioned. Thank you, Madam President.

SENATOR FORMICA (20TH):

Thank you very much.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you very much, Madam President. Thank you, Senator. In line 77 to 80, specifically under line 79, "upon authorization of the Connecticut Green Bank established pursuant to this section, any amount in the fund may be used for expenditures that promote investment in environmental infrastructure with a comprehensive plan to foster growth, commercial and development and, where applicable, preservation of environmental infrastructure." Could you give some instances of environmental infrastructure this bill contemplates? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Through you, Madam President, yes. The environmental infrastructure projects can encompass a wide range of projects, some of which I've already mentioned, things like land conservation, recycling programs, biodigesters, electric vehicle charging stations, brown field remediations, waste water treatment projects, ride-sharing/bike-sharing programs, coastal resiliency, and reforestation. Thank you, Madam President.

SENATOR FORMICA (20TH):

That's a fairly significant expansion of opportunities for -- for the Green Bank, and it's gonna be done by the people that operate the Green Bank currently? Through you, Madam President.

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Thank you, Senator Formica. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

I'm sorry. I didn't actually hear the question. There was some noise behind me. Could you repeat it, Senator, please?

SENATOR FORMICA (20TH):

Of course, Senator. Thank you. The question was -- it's quite an expansion of opportunities that the Green Bank is going to get themselves involved in. I'm wondering if it's the same people that operate the energy portion of the Green Bank now will be operating in the environmental portion? Through you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, they are not contemplating adding any employees. They're not asking for any money from the state. So, yes, the same team has the capacity to explore new opportunities and expand the scope of what they do. Thank you, Madam President.

SENATOR FORMICA (20TH):

Thank you very much, Senator. Thank -- through you, Madam President. Administrative expenses incurred by the Green Bank and capital costs incurred by the Green Bank in connection with the operation of the

fund and implementation of this and other -- did the state provide the seed money to establish the Green Bank way back when through bonding or through capital infrastructure, and has that money been repaid and now they're operating independently and resourcefully on the money that they've made and perhaps received as a result of repurposed loans? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, the state did provide some seed funding for Connecticut Green Bank. They also took a lot of funding away, and yet the Green Bank has thrived. A total of \$237 million dollars of public funds have been invested over eight years, but that has generated \$1.5 billion in investments. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. And the money, I think, that I wanted to make sure was it did not come from the state bond funds or state operating expenditures, it was funded by another source. Through you, Madam President.

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Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, they are contemplating other sources of funding, not state funding. They can actually issue their own bonds -- green bonds. They can also receive financing from private investors, from foundations, philanthropic organizations. So, there are other sources. They're not looking for a handout from the state.

SENATOR FORMICA (20TH):

Thank you, Senator. Thank you, Madam President, in advance.

THE CHAIR:

Thank you. Thank you, Senator Formica. Will you remark further? [Laughing]

SENATOR FORMICA (20TH):

So, I guess what I was -- thank you, I will -- what I guess I was going after was that the money funded to seed the Green Bank comes from electric ratepayer dollars through the bill that they receive every month -- the ratepayers receive every month. Through you, Madam President. Would that be correct?

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Yes, currently the Clean Energy Fund, which is already established, is funded through the Ratepayer Fund, and there is a firewall now between that fund and the -- if we adopt it -- the new Environmental Infrastructure Fund. So, those funds cannot be rated. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. So -- thank you, Senator -- so, I think you're referring -- it sounded like two different things, but I think the environmental funds that are going to be used to fund this new program expansion and the energy expansion come from the ratepayer funding that everybody participates with when they pay their electric bill. That's where the money comes from to seed Green Bank. I think what you were speaking to -- the money being rated -- was a couple of budgets ago, the money was diverted from that source to pay for the Medicare Savings Program in essence in the budget, and then last session, we provided an opportunity to make sure that that didn't happen in the future. I think -- so, it sounded like you were referring to one thing there, but I think there were two separate things you were referring to. Through you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

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Thank you, Madam President. Well, I just wanted to clarify that the Clean Energy Fund of the Green Bank will continue and will continue to be funded from ratepayer funds, and that will be segregated from any funds going into the Environmental Infrastructure Fund. Madam Chair.

THE CHAIR:

Thank you, Senator Bergstein. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. So, I thought I was clearing myself up, but I think I just got more confused. So -- so we have one entity, the Connecticut Green Bank. They're funded by the funds generated through the ratepayer portion of their electric bill that goes to the Clean Energy Fund. That's how the Green Bank has been established over the period of years. With this expansion, it's going to be the same. We're not asking for an increase in ratepayer funds to add this expansion of opportunities that the Green Bank is gonna enter, but they will manage that one line item that they get through the Connecticut Energy Fund -- the Clean Energy Fund on the electric bills. They're not looking for an expansion or an addition to that, and then they leverage other dollars that they bond and finally get repurposed when those -- once those get paid back. Am I correct in that? Through you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. You are correct.

SENATOR FORMICA (20TH):

Thank you very much.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. With regard to lines 216 -- 216 refers to a single entity LLC, and it talks from line 213 -- I don't know if you see that -- "The subsidiary of said banks will be deemed a quasi-public agency for the purposes of this chapter or have all the privileges, immunities --" and then underlined, it looks like this is in addition to the bill, "unless such subsidiaries, a single member limited liability company that is disregarded as an entity separate from its owner." And I'm not familiar with that term, and I wonder if you might be able to help me, Senator? Through you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. The explanation I received for this language -- and I will just read it to you -- is that, "The tax status of

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subsidiaries, typically quasi-subsidiaries, are tax exempt. The Green Bank's enabling legislation currently states that Green Bank subsidiaries are taxable to take advantage of federal income tax credit for solar leases and power purchase agreements, the PPA. This change allows the Green Bank additional flexibility to have non-taxable subsidiaries consistent with other quasi-publics." Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. So, in this, this refers to an LLC opportunity that the Green Bank would create for itself, amongst itself in an effort to try to create opportunities that it wouldn't -- it would be tax exempt on. Is that pretty much --?

THE CHAIR:

Thank you, Senator Formica. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. To the best of my knowledge, that is correct.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

All right. Thank you very much, Madam President, and thank you, Senator. I am looking at now, Senator, line number 277, which talks about some of those repurposed funds. So, the funds repurposed from existing programs providing financing support shall be used for the expenses of finance grants and loans, and then it says, "provided not required to deposit the Clean Water Fund." That is kept separate. Do you know why? Does that mean they're not involved in clean water opportunities or just can't comingle with the Clean Water Fund? Through you, Madam President.

THE CHAIR:

Senator Formica, thank you. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. The Clean Water Fund, as I understand it, is -- is off-limits; however, if there is excess funds -- there are excess funds in the Clean Water Fund or projects that DPH or DEEP cannot do, don't have the capacity to do, then for those excess funds, the Clean -- sorry, the Green Bank could apply for those. That is my understanding. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. So, energy projects, environmental projects that you spoke about, the potential for water -- lines 323,

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it talks about shall not be eligible, I believe, for grants under the Federal Water Quality Act. And what I'm trying to do is get as much on the record here for what they wanna do and what this bill contemplates allowing them to do because I believe there's another bill surfacing somewhere that talks about their opportunities to expand their opportunities in federal programs, which has nothing to do with that, but, you know, it looks like we're building a stepping stone from one to the other. And you did mention earlier about not adding any employees as a result of this expansion, and they'll do it within the available number of employees that they have. Do they report those employee scrolls and payroll opportunities as part of the report for the energy and environmental report that they'll do? Do they give a balance sheet or a profit and loss based on that, or do they just talk about specific projects that they may have applied for, accomplished, or are in the middle of with regard to that? Through you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I have a copy of an annual report right here. So, I will look at it and see if they actually do disclose -- you're looking for employee salaries disclosure? Madam President.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Line 367 talks about issuing annually a report ["Yes -- right" in background] reviewing the activities of the Green Bank in detail, and it doesn't say specifically whether it's a P and L or a balance sheet plus, you know, a list of projects or opportunities that they may -- they may be going through. So, I didn't know if you knew. If you don't know, that's -- that's okay, 'cause it's not clear here either, so. Through you, Madam President.

THE CHAIR:

Thank you very much, Senator Formica. Senator Bergstein.

SENATOR BERGSTEIN (36TH): Thank you, Madam President. Yes, they do disclose their list of projects and financials as well.

SENATOR FORMICA (20TH):

They do -- they do financials?

SENATOR BERGSTEIN (36TH):

Yes.

SENATOR FORMICA (20TH):

All right, great. Thank you. Thank you, Senator. I don't have any further questions for the senator, Madam President, but I'll just make a comment or two, and I thank the good senator for the answers that she provided. You know, I have, as a member of

the Energy Committee, been watching Green Bank grow and provide some of the projects moving forward that they've been able to develop [background talking] in public/private partnerships throughout the state of Connecticut. This seems to be a significant expansion to their role, and I'm not quite sure, to be honest with you, how I'm feeling about that. I think there may be an opportunity to do things that perhaps might be outside the budget of the DEEP and accomplish some things that perhaps otherwise would not be accomplished. So, that may be a good thing.

On the other side of the coin, I'm just not sure, when you have a quasi-public agency that is expanding its power in one bill through banks and asking to expand its power in another bill through the Energy Committee, kind of where we're going and would that be problematic as we move forward. So, Madam President, I have some concerns. I -- again, I've supported the good work of Green Bank, and I wanna just close with a note that I have that the Treasurer submitted some reservations regarding the possibility of funding being redirected from existing programs. So, I'm not quite sure what that means, but again, I wanna thank the good senator for her answers, and thank you, Madam President, for the time today.

THE CHAIR:

Thank you, Senator Formica. Senator Bradley.

SENATOR BRADLEY (23RD):

Thank you, Madam President. I rise in support of this amendment, and I thank the good senator for all the hard work that she's done through her committee

to make this happen. And the reason I rise before you, Madam President, is that this is exactly what government needs to be doing. It's about having a vision of what the state of Connecticut is going to be. And I've owned several properties in the city of Bridgeport, and I can tell you, I don't do anything as exciting as what the Green Bank is doing. But dealing with the bureaucracy, dealing with government, and trying to -- getting permits, and trying to understand what the law is and what you can and cannot do when you're just simply doing a rehab on an old home, it is arduous. It is difficult. It is cumbersome.

The Green Bank streamlines a lot of this new technology that is new to municipalities, new to cities, and not only that, has made a market proposition that they're going to incorporate green new technology in urban areas, in impoverished areas, in small towns -- something that the world said could not be done, something that the world said would surely fail. The Connecticut Green Bank not only engaged in that endeavor but has thrived and succeeded. It's a huge honor to see that they're doing such remarkable work in the state of Connecticut, and I harken back to the words of Warren Buffett in his biography *The Snowball Effect*. And when they asked the Oracle of Omaha, how do you know or how did you know throughout your life that this corporation or that corporation would be successful, and he said, well, I would go to that company, and I would speak to the CEO, and I would speak to the president, and I'd speak to management. And I'd take 'em out to McDonald's, and I'd sit down and I'd get an understanding of what it is that makes them tick, and what it is that gets 'em energized. And when I'd hear the passion in what

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they're doing, when I'd hear the vision in what they're doing, I'd know if it's an appropriate investment or not to give this particular corporation money.

And if you go to the Connecticut Green Bank, and you speak to people like Bryan Garcia, who has studied in some of the best institutions that this country has to offer -- specifically dealing with green energy, specifically dealing with the business component of how to make this marketable -- you understand why this institution is thriving. When you go and you speak to the workers that work there, people like Emily Basher [phonetic], who also studied at some of the best institutions this country has to offer, and you see how she has engaged in this endeavor of making green jobs, of making this new technology available for us -- and not only available for all of us, but profitable -- you understand why this institution is thriving.

This is the epitome of what we need to be doing as government -- looking forward, having a vision, having an understanding of what the state is going to be, but not only that, understanding that business, government, and these new technologies can come together and work for some wonderful things. So, I really commend you, Senator, for the work you're doing, and I am fully in support of this. Thank you.

THE CHAIR:

Thank you, Senator Bradley. Will you remark further? Will you remark further? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, I have some reluctance on the matter before us, and it's not necessarily directly related to the Green Bank, per se. It's probably more with respect to the quasis in -- about the state of Connecticut. When we look at the past quasis we've had in our state, what we do is we create these entities, and we sorta shove them off-shore and say go do the work we want you to do. And we expect them to do that work, and then they're out of sight. And the next time they appear in front of us is when we see some headline on *Capitol Report* that strikes a nerve that this isn't why we created these quasis.

Most recent example, which most of us lived with last year at this time and maybe two years before it culminated last year, is the Lottery Commission, where there was debacle after debacle, payments for employees that weren't supposed to be employees, but when they left, somehow they became employees. We ended up paying full pensions and medical. There was a CHFA issue, where an employee was dismissed, for reasons that we still don't know why, and was paid a \$250,000 dollar fee upon cutting ties with CHFA. We have no idea what these quasis are doing. I think we well-intention that they go off in a direction that perhaps even with the legislation and the individuals at the helm today all understand the vision, but over time, the Legislature changes, the individual changes, and therefore the entity becomes an island of its own, who do things on their own.

For example, salaries -- none of us approved those salaries of any quasi. None of us get informed about the salaries at any of the quasis. None of us have control over the contracts of the quasis. They do what they want to do in their own little world,

which one would argue -- if they get close to each other, which they do 'cause they're working together -- it may be tough to make a distinction between should I give 'em a 10 percent increase or a 20 percent increase. You're not a corporation looking at your profits and saying, we made X, let's give this increase. The mother ship, which is the state of Connecticut, is your backer. The mother ship, which is the state of Connecticut, is funding you. It's not your money, so there's no real accountability when you give out the salaries.

Now, Madam President, if I may, to the proponent of the bill, in line 28 through 32 -- the amendment is now the bill, is that my understanding, 'cause I stepped out, right? In line 28 through 32, it says the environmental infrastructure, and it lists a whole bunch of items there -- land conservation, agricultural, parks and recs. Through you, Madam President, to the good senator. With respect to those items, is there a limitation of what they could do, or is it -- could they buy agricultural land, for instance? Could they purchase recreational areas along the waterfront? Could they purchase and run zero-emission stations? Through you, Madam President.

THE CHAIR:

Senator, before Senator Bergstein answers the question, I will say, we are discussing the amendment. We're on the amendment. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President, and thank you, Senator Looney -- sorry, Senator Fasano, for your question.

And I just wanna say, I completely agree with your skepticism about quasis in general, but I would offer you humbly that quasis should be judged just as any entity is judged -- based on their performance. And the performance of the Connecticut Green Bank is unmistakably excellent. All we have to do is look at the metrics, what they have produced. First of all, let me also clarify that the employees of the Green Bank are not state employees, so a discussion of state pensions, I don't think, is germane.

So, there performance speaks for itself -- \$1.5 billion in investment in our economy, 16,000 jobs created, \$75 million in new tax revenues, and many, many tons of carbon dioxide that has been prevented. So, an entity that takes one dollar of public funds and turns it into six dollars of investment that promotes clean energy, clean environment, healthy communities, sustainable economy, new jobs, also supports local community banks -- I would say that is an excellent, excellent example of how a quasi can be successful. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. But perhaps, the question that I posed was in line 28 through line 32, could the Green Energy Bank purchase lands for conservation, purchase agricultural property, purchase and operate zero-emission vehicle refueling areas? Would that be in their purview based upon line 28 through 32? Through you, Madam President.

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THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. It does not explicitly state in lines 28 through 32 whether they could purchase such properties, and that has not been their model to date. They're not landlords or property owners, but they finance such projects. So they would work in collaboration with property owners to structure and finance projects that enhance the value of properties. Through you, Madam President. [Ringing]

THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President, and through you to Senator Bergstein. Is there anything that prohibits them from purchasing those items that are referenced through 28 through 32? Could they, if they desired, purchase and operate a zero-emissions vehicle refueling station? Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. There is no explicit prohibition on the purchase. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

And through you, Madam President, rather than going through every item -- and I recognize that parks are municipal in nature, but private parks is what I'd be referring to -- any item within this, is there any prohibition from 28 through 32 in environmental infrastructure for them purchasing any of the items that would be listed here? Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Again, there is no explicit prohibition on the purchase, but that is not their model. Their model is to finance projects that are owned by others. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

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And with respect to that, it's my understanding the Green Bank can create a subsidiary, and within that subsidiary, it's my understanding that the green bank could be the sole single member of a limited liability company and operate as well. Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. May I ask Senator Fasano which lines in the amendment you're referring to specifically?

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Well, I think a couple of lines -- line 203 through 204, etc., as I understand it, it allows Green Bank may form one or more subsidiaries to carry out the purpose. So, they could create a subsidiary of the Green Bank. Is that accurate? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, they may create a subsidiary. Thank you.

SENATOR FASANO (34TH):

You --

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Sorry, Madam President. Madam President, I have more questions on the amendment, but perhaps -- 'cause it will lead to amendments I have -- perhaps it would be better if I withhold my questions, allow the amendment to go forward, and then reconvene the questioning. I think it would make more sense. Thank you, Madam President.

THE CHAIR:

Okay. That would be fine, Senator. Will you remark further on the amendment that is before us? Will you remark further on the amendment that is before us? If not, let me -- go ahead, go ahead, Senator.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I'd like to ask for a voice vote on the amendment.

THE CHAIR:

A voice vote? Thank you, all in favor then --

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SENATOR BERGSTEIN (36TH):

No, sorry -- [Crosstalk]

THE CHAIR:

Okay. So, the question is on adoption of the amendment that has been discussed. Let me try your minds. All in favor of the amendment, please signify by saying aye. ["Aye" in background] Opposed? The amendment is adopted. Will you remark further on the bill as amended? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. I wanted the amendment -- and it was fine with the voice vote. Thank you. So, if I could ask to the proponent of the bill, can you help explain line 213 through 218, where the new language says, "unless such subsidiary is a single member limited liability company that is disregarded as an entity separate from its owner"? Relative, I'm just tryin' to figure out that scenario -- it's -- other than the initial change and some language change, this kinda speaks out to a particular scenario, perhaps, and I'd like you to help me understand that sentence or two. Through you, Madam President.

THE CHAIR:

Thank you. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. My understanding is that this language was added simply to -- to make

this consistent with what other quasi-public agencies have. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

So, if I read that correctly, it's saying that the subsidiary that we talked about in line -- I think it was 203 -- that the quasi Green Bank could create would be subject to Chapter 12. If I -- and help me out on this -- however, if it is a subsidiary of a single member, it would not be subject to Chapter 12. I get a little confused on the language here. I'm wondering if you could -- if that's an accurate understanding of those lines. Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. It does read that no such subsidiary of said bank shall be deemed a quasi-public for purposes of Chapter 12, unless such subsidiary is a single member LLC -- that is disregarded. So yes, I believe that is accurate. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

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And why would we allow a single member LLC created by the Green Bank to be excluded from the rules relative to quasi under Chapter 12. What would be the public policy, other than other quasis perhaps do it, which may be an issue, but why would we put that in there? What's the policy of doing that? What is the relief granted that the Green Bank is looking for to have this exception. Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Well, I am a lawyer but not a bankruptcy lawyer, so I imagine that there may be some protections for single member LLCs. I don't have a complete answer at this time but can provide further information in conjunction with a discussion with the Green Bank executives. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President, and I appreciate the honesty of the answer. It raises concerns for me because we're taking a quasi, who's now allowed to create a subsidiary of a single member LLC, and that is now no longer subject to Chapter 12 of our statutes that deal with quasis. So, essentially, when you boil that all out, they're removed from the

statute, removed from any authority that this Legislature could have over whatever this subsidiary does with the seed and perhaps continue feeding of taxpayers' money. So, they're able to be created. They go through all the gyrations. They get the money we created, and they get spun off and we no longer have control. That's a little bit concerning to me as I read that. Now, there might be well-intentioned reason for this, but as I stand here now, I'm not sure I understand that.

Madam President, as I mentioned, I think that the quasis have raised my antenna, and unfortunately it's very difficult to separate out one from the other. And where I think in the bill Senator Bergstein's right that the employees of this Green Bank are not state employees, but I would also add, as we saw in the lottery, the person who left wasn't supposed to be a state employee either. But, as they left, they became a state employee subject to our pension rules and our healthcare rules that applied. How that happened is still under investigation, frankly, by many different groups, but that's the type of stuff that makes me nervous.

Madam President, if we look at the Green Bank's salaries, they're significant. And I'm not saying that people deserve the money or don't deserve the money. This is complicated stuff. Without a doubt, it is complicated stuff. But, once again, these salaries are given and these increases are given -- maybe rightly so and maybe deservingly so -- but when you see that a group of people are giving themselves salary, there is no objective overview to determine whether or not there's an objective point-of-view. You just can't help it. If you're in a room with a group of people and you all know each

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other, and you all know you're working hard, there's no objectivity to it.

Madam President, I would like the LCO 8814 called, if I may, please.

THE CHAIR:

Thank you, Senator. Mr. Clerk.

CLERK:

LCO No. 8814, Senate Schedule B.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you. Thank you, Madam President. I would move the amendment and request permission to summarize.

THE CHAIR:

Please proceed.

SENATOR FASANO (34TH):

Thank you. Madam President, this is a very simple amendment. Basically, what it says is that no salary -- this goes for not just this but quasis across -- that we have in our portfolio -- but basically it says that no annual salary should be greater than \$150,000 without first receiving a vote of approval on the salary from the Joint Standing

Committee of the General Assembly. So, if it was the lottery, it would be Public Safety. If it was - - if it was this particular Green Bank, it would be the Banking Committee. Basically, it's just to have another set of eyes to make sure that the salaries are warranted.

Madam President, the reason why I raise this is because we have an obligation to our constituency that our taxpayers' money are being used appropriately, and therefore I would urge adoption of this amendment. And remember that these employees, as I understand it, for the Green Bank, as I understand it, do -- we do pay a fringe, so there are some benefits that go with this. So, when you talk about \$150,000 dollars, it's 92 cents on a dollar for fringe. So, for instance, if someone's making \$180,000 dollars at the Green Bank, our fringe benefit cost -- so, we're payin' \$150,000 -- \$180,000 rather -- our fringe benefit costs are \$157,000 dollars a year. So, \$180,000 base salary, yields \$157,000 fringe. I just think we have a right to say we reviewed it, and we're okay with it.

So, Madam President, all this does is have it go to the appropriate committee to receive a vote of approval for salaries that start to get above greater than \$150,000 dollars for quasis. I look forward to adoption. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark, Senator Bergstein?

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I fully concur with the underlying premise of the amendment, which is that our taxpayer money should be used appropriately and that there should be full transparency and accountability for any quasi. However, I also believe that we should limit any excess bureaucracy, any excess demands that we make on our Legislature and ensure that there are no gratuitous exercises that we create for them.

I would oppose -- respectfully oppose this amendment simply because, as I stated before, the performance of the Connecticut Green Bank speaks for itself. The numbers tell the story -- that our taxpayer money is not only being used appropriately, it's being used effectively, outstandingly. We have a tremendous return on investment with every dollar we spend through the Connecticut Green Bank. So, to look at their salaries under a microscope and say someone's making let's say \$151,000 dollars, or maybe more than that, is I think irrelevant to their performance. What we really should be looking at is the portfolio, as any company does. We don't judge a company necessarily based on the salaries of their employees. We judge a company based on the quality of their product and their profit -- what they're doing, what they're actually contributing, the value they're contributing. And I strongly urge my colleagues to judge the Green Bank on those same -- by those same criteria -- performance, quality, value, what they're actually doing for our state and not to create another layer of bureaucracy, another demand on legislator time by having to scrutinize individual employee salaries through a legislative process. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Will you remark further? Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, I've served my time here in the Legislature on both the Finance Committee and Appropriations Committee, and during that time, we've had many conversations about wages and benefits -- many times, especially within the budget-making process, done -- had rather deep discussions about the costs associated with not only state employees but quasi-public agencies' employees. I don't think it's a gratuitous exercise. I think it frankly could serve to support the points that have been made by the gentlelady with regard to their worth.

Certainly, some of the quasi-public agencies that we have here in the state of Connecticut deal with some rather specific areas of expertise. It may very well be that in those cases there is a value much higher than some threshold we may wanna have a review over, but I think it's a legitimate exercise. I think it's a thoughtful exercise. I think it allows us all to answer questions from constituents more frankly, especially when more often than not someone here takes a sound-bite of a number or a sound-bite of an exercise and then communicates it to the whole state. And so, I think it is a worldwide -- a worthwhile exercise, and I stand in support of the amendment. And, Madam President, when the vote is taken, I would ask that it be taken by roll call.

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Thank you, Senator Miner. Will you remark further on the amendment? Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President. Through you, a question to the proponent of the bill.

THE CHAIR:

Yes, um, the --

SENATOR CASSANO (4TH):

I guess maybe it'd be to -- to Senator Fasano on the amendment. This amendment would apply only to this particular quasi-public agency and not to any of the others, is that correct?

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

It would apply to all of the quasis. Through you, Madam President.

SENATOR CASSANO (4TH):

All of 'em. Thank you.

THE CHAIR:

Will you remark further on the amendment that is before us? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. Through you, to the proponent of the bill, in regards to the intent. And I think the first question was answered -- that it applies to all quasi-publics. So --

THE CHAIR:

Okay, so you said the proponent of the bill, that is Senator Bergstein. The proponent of the amendment?

SENATOR HWANG (28TH):

It would be proper for me to address it to the amendment, correct Ma'am?

THE CHAIR:

Yes, yes.

SENATOR HWANG (28TH):

Because we're in a debate on the amendment?

THE CHAIR:

Yes. Senator Fasano, if you could stand ready to answer questions from Senator Hwang. Please proceed.

SENATOR HWANG (28TH):

Thank you, Madam President. Through you, to Senator Fasano, when it was cited here from the issue of having this salary review, the proponent of the underlying bill cited performance, value, measures. I think, for me, when I look at the ability to

review that fulfils that requirement, the fiduciary responsibility that we have as a legislative body, and I understand that may be the purpose of your amendment -- to have an underlying review of the standards of performance, and value, and obviously the ability to make the dollar -- every tax dollar worthwhile. Through you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Thank you for the question. I would think if I was a very successful quasi, I would give -- I would want every opportunity to come in to the committee that gave me birth and explain to them what I have done with your money as a seed entity, the return of investments that I have done, and brag about the success that I have brought to the state of Connecticut and the landmark things that I have done being the Green Energy Bank. And I would think that would not be unabashed with saying, as a result of that, the good work that these folks are doing, who probably can make more money in the private sector, absent fringe, I ask that you give them a raise for their hard work based upon the return of investment. I would think this would give them the platform to sell who they are because none of us in this -- strike that -- a lot of folks in this circle, and I've been here quite a while, Green Bank is doing its thing, but you don't hear a lot about them -- when we do budgets we do -- but we don't hear a lot about them. And it's a complicated area. I would think this is a great platform for them to say how

good they're doing. And I'd certainly be someone to say, listen, I want you to come in front of my committee, want you to say the good work. I wanna support that raise. I wanna see people who are gonna turn down folks who have made this state better with green energy and surged ahead.

This was a unique model that was put together by Commissioner Esty back in the day. So, I think that this would give 'em that platform. Through you, Madam President.

SENATOR HWANG (28TH):

Through you, Madam President. I think the key is the quasi-public status, and this amendment would apply to all quasi-publics, and that's the unique aspect of this debate is because these entities are collaborations with state government, utilizing state funds. Look, if this was a private company, they would have their own internal board of directors measuring compensation, performance, and value. But, as a quasi-public, the state and legislative bodies is a partner in this process, and to ask that we are allowed a review of a salary beyond a certain point to ensure those performances are met, the value is there, and ultimately, as the proponent of the amendment said, if the performance is outstanding, then perhaps the salary and the possible increases are merited. This is all about transparency. This is all about meeting the obligations of a quasi-public, not a private company. You are in a partnership with the state, and we're asking as a legislative body to partner with you, to do the performance review, and we're asking for an opportunity to do that.

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So, I urge support for this amendment. I wanna thank the proponent for raising it. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Will you remark further on the amendment that is before us? Senator Fasano.

SENATOR FASANO (34TH):

For the second time, you know, I just wanna bring out this one issue. In the lottery issue, for those of you who may or may not recall, there was a president of Lottery who resigned, and then we took another person and moved them to president, and with that gave them a salary commensurate with an acting president. When I say "we," the Lottery Commission did it with their board outside the scope, which they had every right to, of the Public Safety Committee.

Then the Lottery Commission hired a new president at a little bit higher than the one they had as acting president. But the acting president, who went back to non-acting president duties, never got a reduction for their salary. That's what I'm talkin' about. I think a committee would say, okay, I get it. You want this person to act as president, temporarily we'll give that salary. Now you got a president -- I get it -- we gotta pay this person to come in and do these really good things. But you can't have two presidential salaries. But why can't they do that? Because none of us even know what the budget is at the Lottery Commission. They take money from the lottery and they hold back to use for their expenses, and their answer is -- when you

question 'em -- is we're making you money, just be happy. This is how quasis get out of control. This is why we have the problem in the state with our budgets, and when we read an article by Jon Lender, who writes these things, we're all shocked that these things come up because we don't look into it till an issue arises by someone else bringing it to our attention. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I would just like to assure Senators Fasano, Hwang, Miner, and everybody else who is legitimately concerned about how quasis are spending their money on salaries and otherwise that for the Connecticut Green Bank, every single one of their transactions -- every check they write, every salary they pay -- is currently visible to the public on the *OpenCT* website. So, we do not have a transparency problem. We have full transparency with the Connecticut Green Bank. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Will you remark further? Senator Cassano, for the second time.

SENATOR CASSANO (4TH):

Madam President. I don't disagree with the intent of the amendment. I do disagree with the process. I have no doubt in my mind that there should be, on

an annual basis, some process that has been established by this body that would require that -- or on a biannual basis -- that would require that the -- each of these agencies come before them with a budget, with a plan, and so on -- consistently, not -- not because the Green Bank happens to be on the agenda. Because they're on the agenda, we have an amendment that deals with all of 'em.

Several years ago, you might remember the collapse of one of those. That was the CRRA, and I was the mayor at the time, and the mayors of Old Saybrook and myself ended up becoming co-chairs of CRRA for about a year-and-a-half tryin' to get 'em out of the mess that was there. And there was really no rules or regulations or anything else. I mean, they were -- they were quasi-public. They got money from the public, and they ran themselves.

There should be some answering to this body, but I don't think it should be through an amendment process. I think we ought to be creating what those requirements are and a process so this is done on an annual basis, and we have control -- because that's the thing that's missing here. I think what Senator Fasano is looking for is to have some bit of control and say in how money is being spent and what's being done. I kind of feel the same way. They shouldn't float by themselves, but it shouldn't be part of an amendment. So, I oppose the amendment process. I'd be glad to work with anyone to put together a process that has oversight. Thank you.

THE CHAIR:

Thank you, Senator Cassano. Will you remark further? There has been a request for a roll call

vote on the amendment. So, with that, Mr. Clerk, if you could please call the vote, and the machine will be open.

CLERK:

Immediate Roll Call vote has been ordered in the Senate. Immediate Roll Call vote has been ordered in the Senate, Senate Bill 927, Senate Amendment B, LCO 8814. Immediate Roll Call vote has been ordered in the Senate on Senate Bill 927, Senate Amendment B, LCO 8814. Immediate Roll Call vote in the Senate.

THE CHAIR:

Have all the senators voted? Have all the senators voted? The machine will be locked, and Mr. Clerk, if you would please announce the tally on the amendment.

CLERK:

Senate Bill 927, Senate Amendment B, LCO 8814.

Total number voting	36
Total number voting Yea	14
Total voting Nay	22
Absent and not voting	0

THE CHAIR:

[Gavel] The amendment fails. And I just wanna welcome to the chamber, before he leaves, former Representative Bill Dyson. The Honorable Bill Dyson, welcome to our esteemed chamber. [Applause] It's always a pleasure to see you, sir, and you look

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exactly as we left you. Retirement is a very beautiful thing, at least from public service. Nice to see you, sir.

All right. The chamber will come back to order.
Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. It is good to see Bill Dyson in the chamber. I remember going to my first meeting, and he got into a dispute with someone. And I thought he was really upset, and he looked over at me because I must've looked a little taken aback, and he winked at me, as if to say, don't worry, everything's okay. So, that was my first day in the Legislature. [Laughing]

Madam President, I think that Senator Cassano hit upon a point that I wanna talk a little bit about. He had said, look, there's two things -- one, he had said, we shouldn't do this through an amendment process, and I think he's right. However, I would point out, I did submit a bill this year that GAE did not act upon, and it was the same bill I submitted the year before, which is the same bill I submitted the year before, and I think it's the same bill I submitted the year before. And every time there was a public hearing, the quasis would run to those folks in charge of the committee and say it is not necessary, we're cool, we're doin' it fine, Fasano's out of his mind, we got this -- and the bill would die. Why won't they let us under the hood? Why not? That's the problem.

I would agree with you, sir, if this was the first time I brought this issue to the table, or quasis

came up and said, you know what, Len, let's talk about what your concerns are so we can address them and make sure it's running smoothly. The answer is, we got this, we're a quasi, keep your nose out of our tent and we're fine. I can't accept that -- not after the historical period we had for the last six years, where there's been issues after issue after issue. So, I appreciate the comment, but I will also say to Senator Bergstein, who talked about slowing down the process, there's another way of doing this. If I could have our Clerk call LCO 8423?

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8423, Senate Schedule C.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. I move the amendment, and I request permission to summarize.

THE CHAIR:

Please proceed.

SENATOR FASANO (34TH):

Madam President, this doesn't clog up anything. What this says is that the quasis must send to OPM, and therefore they don't have to appear -- they send to OPM a breakdown of the board of directors. They submit a report on its hours, wages, conditions of employment. [Ringing in background] They give their budgets. They give their finance and revenue reports. They give their raises, their salary increases from year-to-year, incentive pays. Basically, this is a financial report that we get to look at.

If we're curious, we go to OPM. We get to look at it and say, this is where our money's going in the quasi, this is what they're spending it on, these are the salary increases percentage-wise, here are the incentive bonuses. Because, mind you, I don't know how many of you know, but mind you, with the Green Bank there are incentive bonuses. So, they go out and they sell their products, and they get a salary, but if they close a deal, they get a bonus for closing the deal. I don't know how much these bonuses are, but as I understand it, there are bonuses for closing the deals.

Well, these are things we should know about. We may be perfectly fine with it. We may wanna tweak it, but all it does is say please send this report to OPM so that we can look at it when we wanna look at it. Is that really asking too much? Is that really asking too much of a quasi -- to send a report that just details the employment for the next year, how many more people they employed -- basically, as a stockholder, which we are, asking for financial information?

Madam President, all this does is just give -- the word around this building I hear all the time -- transparency, transparency, transparency. Well, apparently we don't want transparency when raises -- when salaries get over \$150,000. Maybe we want transparency just to know what we're doing in these quasis. Maybe we just wanna know where these funds are going and who is getting what and to what extent. I don't think that's too much to ask. If you go on the website, particularly for the Green Bank -- and I'm not picking on them, 'cause I think this is true with all the quasis, but I just had a look -- you cannot look at their checkbook and say how much they're spending, 'cause it's not broken down -- \$2000 went here, \$5000 went here. It's \$2 million dollars, \$2 million dollars -- \$3 million dollars to an account -- that's it. No one knows -- not that they're doing anything wrong, but nobody knows what that is for.

We can't even question whether or not we can cut expenses, or whether or not the job that they're doing is fair and equitable without knowing the full story. So, Madam President, I think this is really a minor push, if I may, but it gives you voluminous information at very little cost to the agency. They've gotta do it for their accountants, so they should be able to do it for us. Madam President, I urge adoption.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the amendment that is before us? Senator Formica.

SENATOR FORMICA (20TH):

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Thank you, Madam President. I rise to support this amendment. I believe this is an natural extension of the conversation that we're having today. If it's important for the Green Bank to provide its opportunity in one sector of energy, and this bill contemplates expansion of that into another sector, then it certainly makes sense to have good reporting. You know, in our business, we have -- we have a saying that everything measured improves, and everything that measures and is reported on improves exponentially. And I believe that this will only make this a better bill, will only make the project a better project, and I urge adoption of this amendment. Thank you, Madam.

THE CHAIR:

Thank you, Senator Formica. Will you remark further on the amendment that is before us? Will you remark further on the amendment? Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Again, while I agree with the underlying premise of the amendment, that we need full transparency and accountability for quasis for all government agencies, we already have that, and I will cite how. The Green Bank discloses all of their salaries, all of their checkbook transactions on the *OpenCT* website, and in fact, they were the first quasi to volunteer this information.

So, they are always out in front in terms of accountability and transparency. They also have an annual audit report, which discloses all of their projects and their financials in a very digestible

format. And, on their website, they disclose all of their board meetings and transactions again. Board meetings are also open to the public, and in fact, members of the board are appointed by the minority leader and majority leader. So, they could not be more open to public input, public scrutiny. We have all the information we need, and they deserve the respect of being able to continue their work in a timely fashion without imposing more burdens on their time, but also really the burden would be on OPM to try to discern what they're supposed to do with this information.

I would say we want a leaner government. That means not making further requests on the agencies that we have with limited capacity, and we need to recognize and support models that work really well. The Connecticut Green Bank is a model of innovation, efficiency, transparency, and accountability. So, let's agree that that is -- those are the objectives that we're working towards in government, but I respectfully request my colleagues to vote against this amendment. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Will you remark further on the amendment that is before us? Will you remark further?

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

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Madam President, for the second time, I agree the salaries are on the website, but you go on *Open Checkbook*, details are not on the *Open Checkbook*. These are just large sums. I've had my staff just check it to see if I missed it. That's what I'm talking about. And this thing about burdensome on Green Bank. Oh, God forbid, we ask quasis that we create and fund to do a little work for us so we know what we're doin' is right. That's the whole point of this. We can't let them be autonomous. We have a fiduciary responsibility. It's like me owning a company and saying, I don't need them to tell me what they're doing -- they're just doin' fine, I'm gonna leave 'em alone. No. How burdensome is it? You've gotta keep books and records -- I hope so -- so just put that down, what it is. Is it really hard to say what your salary increases? Is it really hard to tell us what your bonuses are? How could that possibly -- I can't even fathom that concept -- that we'd be bothering an agency -- a quasi -- to give us information in one that we give the lifeblood to and the breath to.

So, Madam President, if it is burdensome for them to show up to a hearing and tell us what they're doing on salaries, then ask us for a vote. It cannot be burdensome to ask them to give us papers already generated and put 'em through a copy machine or scan and send it to us in email to OPM. And OPM doesn't have to do anything but collect it. And if you look at our statutes, they collect a lot of information. Thank you.

THE CHAIR:

Thank you. Will you remark further on the amendment that is before us. If not, Senator Bergstein --

SENATOR BERGSTEIN (36TH):

Thank you, Madam --

THE CHAIR:

The request has been made for a roll call vote. So, with that, Mr. Clerk, if you would kindly call it, and the machine will be open.

CLERK:

Immediate Roll Call vote has been ordered in the Senate. Immediate Roll Call vote has been ordered in the Senate. Senate Bill 927, Senate Amendment C, LCO No. 8423. Immediate Roll Call vote has been ordered in the Senate on Senate Amendment C, LCO No. 8423. Immediate Roll Call vote in the Senate.

Immediate Roll Call vote has been ordered in the Senate. Immediate Roll Call vote has been ordered in the Senate. Immediate Roll Call vote in the Senate.

THE CHAIR:

Have all the senators voted? Have all the senators voted? The machine will be locked, and the Clerk would please announce the tally. Mr. Clerk.

CLERK:

Senate Bill 927, Senate Amendment C, LCO No. 8423.

Total number voting	35
Total number voting Yea	15
Total voting Nay	20

Absent and not voting 1

THE CHAIR:

[Gavel] The amendment fails. Will you remark further, Senator Fasano?

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, I don't have any other amendments. I just have a few questions for the proponent of the bill. Through you, Madam President. Would you say that the Green Bank was mildly successful or very successful? How would you characterize their financial success? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I think they have achieved the objectives that were set for them by the Legislature, and they have been successful.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Through you, Madam President. Madam President, it is my understanding that you had indicated that -- that return of investments were very well. Do you know what the return of the investments have been with respect to the investments that the Green Banks

have made in the marketplace or for the green energy and the return that they got? I'm not puttin' you on the spot. If you don't know, I perfectly understand it. But do you know what those returns have been, either roughly or characterize those returns? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. What I do know is that they've invested a total of \$237 million dollars, which they were able to leverage with private investments 6:1 ratio to achieve a \$1.5 billion dollar investment in projects. So, the projects that they're doing are solar panel installations around the state, which save consumers many, many hundreds of thousands of dollars in energy consumption costs. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

And, through you, Madam President. Do you know what the rate of return on those investments is -- is it ten percent, five percent, seven percent? If you know -- if you don't, once again, I know that these are detail --

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Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I don't have that particular number.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Through you, Madam President. Are they well capitalized to the best of your knowledge? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I would say they are undercapitalized, but they are incredibly creative and innovative with the -- and they create opportunities for themselves. Thank you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

So, when you say undercapitalized, you're indicating that they need more money from the state? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. No, I'm not suggesting any such thing. I'm saying that if we had fiscal health in this state, and if we had money to invest, which we may not at this time -- I'm not asserting that we do -- but if we did have money to invest, this would be a great investment. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

So, through you, Madam President. The return of investment that you talked about earlier -- you had said they had a great return of investment -- do you still stick by that statement? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

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Thank you, Madam President. Yes, I do stick by my earlier assertion that we have had a great return on investment because there are many metrics by which we can judge the success of the Green Bank. And it's not just dollar-for-dollar how much money was invested in green energy projects, it's also how much -- how many other benefits were created in terms of health, climate change, mitigation, adaptation to a green economy, and just general awareness of what we need to do at a much bigger scale in our state to become resilient, to become energy independent, and to ensure that we have a sustainable economy going forward that is not reliant on fossil fuels. And another thing that Green Bank does is makes our energy grid stronger, more resilient, and sustainable. Thank you, Madam President.

SENATOR FASANO (34TH):

So, Madam President, through you. Is it true that the way that the current Green Bank is funded is identified in line 34 through 37?

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Just asking for clarification. Is Senator Fasano asking about lines 34 through 37 as the -- I'm sorry, may I see which - which lines you're referring to?

THE CHAIR:

Senator Fasano.

SENATOR BERGSTEIN (36TH):

Oh, yes. No, no, no -- sorry -- that's the Ratepayer Fund. That's only going into the Clean Energy Fund. That has nothing to do with the Environmental Infrastructure Fund. So, the way the Environmental Infrastructure Fund will be funded -- if that's your question?

THE CHAIR:

Okay, Senator -- this is getting hard, but we're good. Senator Fasano, go ahead.

SENATOR FASANO (34TH):

No, I was talking about not the Infrastructure Fund but the Clean Energy Fund itself gets funded out of the tax -- out of the rates on electricity -- a portion of it goes to Clean Energy Fund, is that correct?

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Through you, Madam President. That is correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

So, Madam President -- thank you, Senator, and I appreciate indulging the questions. So, Madam President, I think that the success of the Clean Energy Fund and the investments that they have have gotten a greater return, and they have invested the money. But this money's not free. This comes out of our rates that are charged on electricity. These are electrical rates. In Connecticut, our electrical rates go up.

The question is, now we're giving more authority to the Green Bank, more investment opportunities, at the cost of continued higher interest rates. If you were to close the loop -- and maybe they're expanding because the amount of solar panel requests, residential and commercial, have bookend -- in other words they've grown, and now they're kind of plateauing off, and they're looking for another area to go in. I would argue, what is better? Do we reduce the energy cost to taxpayers by reducing the rate on our energy bills and let them take the investments that they're getting and the return on that investment and reinvestment, or are we gonna say, look, you got that money tied up over there -- we're gonna give you a new venture, and we're gonna continue to fund you from the electrical rates that consumers, whether they're business or residential, continue to bear and understand our burden to them as they live in the state of Connecticut. That's what gives me pause.

We don't know where the money is going. We don't know what the plans are. We don't know what the rates -- what the salary increases have been. We don't know what the bonuses have been. We don't know what the capital is. We don't know where the money is going. But yet, we're continuing to take

it out of our electrical rates, and now we want more authority because we found other investments -- maybe good policy, maybe not -- other investments, and we gotta continue to take money out of the electrical rates. Why not say, can we take a breather? Let's give people in Connecticut a break. Let's not take any more money out of the ratepayers' account, UI account or whatever the rate is -- whoever you have, and let's not cause that energy to go up, and let's hold still for a little bit.

It's free money to the Clean Energy Fund, but it's a cost to consumers. And there isn't a person in this room -- to a person, I have not heard that the cost of energy is killing business, manufacturers, and even consumers. So, Madam President, that's another issue that gives me pause, and why I'm not sure I can support this bill -- not because it's Clean Energy Folks, who are good people, but because it is a quasi that's unaccountable, that's asking for more opportunities. We're taking the money from ratepayers. I don't see an end in sight. You know, this [coughing] Clean Energy Fund was started by Commissioner Esty, and Commissioner Esty wrote the book *Green to Gold* and then three other volumes thereafter, and he was talking about using money off the electrical rates to get this off the ground so that they could help invest and spur the development of solar panels across the state and other energy efficiencies that go along with it. [Background coughing] That was the purpose that we went into it. Now we're going down a whole different avenue. I don't remember when Dan Esty brought this up -- Commissioner Esty -- that he talked about step one, step two. His whole argument was, if we're gonna do solar panels, we need to have Connecticut make the investment at the lowest interest rates, use the

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power, faith, credit of the state of Connecticut, which they do, and get it moving. Mission accomplished. But now we gotta move to another area.

Madam President, it's just very tough for me to support this bill without any oversight, without any understanding of where the money is going and controlling the money. So, Madam President, more likely than not, gonna be a no on this bill. Thank you.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further? Senator Maroney.

SENATOR MARONEY (14TH):

Thank you, Madam President. I rise in support of this bill. At one point, Connecticut led the country in patents per capita. We were the most innovative state in the nation. Current ranking has us as the fourth most innovative state in the nation, and hopefully we will return to that top spot, but innovation can't just apply to the businesses in our state. We need to apply that to government as well, and this is a prime example of how we can apply innovation to our government.

I've long been interested in pay-for-success financing, what some may call social impact bonds, but I've also become interested in their corollary, environmental impact bonds. This bill will allow us to apply innovation to improving our environment, and we will only pay for what works. This will enable the Green Bank to provide resources and

intellectual capital to the cities to help them structure programs to improve environmental outcomes.

One example is what's been done in Washington DC, Baltimore, and Atlanta, where they have used programs where in those cities there's storm water runoff in the waste water. Well, the waste water, sewage, and storm water runoff are comingled. And what happens in those instances is, when we have high rain as we've had in the last couple of weeks, you end up dumping raw sewage into a body of water, which is not good for the environment.

In Connecticut, a number of our cities still have the waste water and storm water runoff -- the sanitary sewage and the storm water runoff comingled. Bridgeport is involved in a program, but New Haven, trying to separate them, but they still have a ways to go. New Haven, New London, Hartford, they're all comingled. And what this does is it's a way of separating that to improve the environmental outcomes in an innovative matter of financing that. So, I stand in strong support of this bill, and I thank Senator Bergstein for bringing it forward.

THE CHAIR:

Thank you, Senator Maroney. Will you remark further? Will you remark further? Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, if I might, just a couple of questions to the proponent of the bill, as amended.

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THE CHAIR:

Thank you, Senator. Senator Miner, please proceed.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, I've listened -- I've listened to this conversation, and am I correct that the Green Bank funds cannot be used for any of the other purposes outlined in this bill? Through you.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. You are correct that the Ratepayer Fund that's currently going into the Clean Energy Fund of the Green Bank cannot be used for other purposes. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

And with regard to all the important infrastructure ideas that Senator Maroney spoke about, where will the dollars come from to capitalize those projects? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President, and thank you for the question, 'cause it is an important one. The funds will come from green bonds, which is -- which the Connecticut Green Bank is authorized to issue, and I would lead you to the lines 133 to 148 in the original amendment. The Green Bank has the authority to issue bonds and which are repaid by revenues from revenue-producing projects. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Miner.

SENATOR MINER (30TH):

And, through you, Madam President. Will there be any other legislation required to authorize surcharges or fees that might be levied in relationship to those capital projects to repay those bonds? Through you.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I do not anticipate any further legislation. Thank you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

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Thank you, Madam President. So, under -- under current statute, there are some mechanisms to repay clean water expenditures for sewer treatment plant upgrades and infrastructure improvements. There are usually thresholds, upside limits, based on whatever the improvement might bring in terms of an asset value to the real estate. So, in statute, I think, and in common law, there are limits as to how much WPCA can charge in user fees. Will the Legislature revisit any of those types of ideas so that consumers, theoretically, will not run the risk of being overcharged for any capital improvements that they may seek out through these funds, or will it be up to this quasi-public agency to establish the rate, repayment structure, and whatever fees may be levied? Through you.

THE CHAIR:

Thank you, Senator Miner. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. No further legislation is contemplated at this time. Consumers are also not being overcharged. Because consumers are actually benefiting from the projects, their energy costs are going down, their environment is getting cleaner and safer, the economy is becoming more resilient. So, I would assert that consumers are benefiting from all of these projects. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President, and I thank the gentlelady for her response. Madam President, I -- prior to becoming elected to state office, I was a first selectman, and there were many occasions we had to discuss rates and fees, user fees. As I said, there's plenty of case law. And so, is it anticipated that the environment value will somehow be used as a benefit for which all that would be benefiting, or at least using some kind of a capital improvement, would at some point get to vote on? Is there anticipated any mechanism where the users would be polled in some way before a fee is levied, if it never comes back to the Legislature? Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Public polling is not anticipated as a form of input in designing these projects. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I don't have any further questions, and maybe I -- polling was the wrong choice of words, maybe it should have been a referenda or something similar. Look, I understand

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that there's great movement toward green energy, trying to become more resilient to climate change, and to some extent, I think all my constituents believe that we are at a crossroads and should begin to think about some of those capital investments. The question for me is whether or not this is the place where we have that full and broad conversation. I think there's a way to capitalize some of the infrastructure improvements that are contemplated in the bill. In fact, I've had conversations with the DEC -- new DEC -- DECD commissioner about that very matter, that perhaps the state of Connecticut could bring private-public partnerships to bear, so that we can back away from the Clean Water Fund -- not in concept, but maybe our money's no longer necessary, maybe the private bond market is the place where entrepreneurs can make investments, recapitalize infrastructure, and because of discounted rates or what have you our public dollars are no longer necessary for that purpose.

I just worry that this bill as it's drafted seems to have a number of open-ended sections that contemplate something else happening [ringing] -- that I don't know what it is. I don't think any of us know what it is. Maybe some of us know what some of it is, but I'm not sure, as we vote on it today, we'll know really what we've done until it starts to roll itself out in a -- in a fashion that is not really contained within the Legislature, it'll be through this agency, and so that's what gives me pause. I do thank the gentlelady for her work on this effort. As I said, I do think that some of my constituents are keenly aware of ideas, concept with regard to energy -- green energy, waste water, trash to energy, the whole nine yards. But I do think

that historically we have served the public better when we've had more control over it, and this seems to be rather open-ended. Thank you.

THE CHAIR:

Thank you, Senator Miner. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President, and I appreciate the good senator's comments about public-private partnerships because that's exactly the model of the Connecticut Green Bank. And if I may, I'd just like to read a quote from the president of banking at Key Bank, one of the many partners of the Green Bank, and he said, "The importance of public-private partnerships like the one between Key Bank and Connecticut Green Bank cannot be overstated. Our partnership with the Connecticut Green Bank through the CT Solar Lease led to over \$100 million dollars of investment to reduce the energy burden of nearly 1,200 families and 75 businesses in our communities." And that is just one example of the hundreds, hundreds of projects and partnerships that the Connecticut Green Bank has achieved over the last eight years.

And I would say that they are a model of innovation and accountability and efficiency and transparency. By every metric, they have been a success, and we should be so proud because we, the Legislature, created this model eight years ago. They have proven their worth. They have proven that they can do what we hoped they could do. Now, all we are asking is that we unclip their wings and let them expand their model to other opportunities. So, I

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would ask at this time, Madam President, if the -- we have another amendment. This is now a friendly amendment. The Clerk is in possession of amendment 8827, and I would ask that he please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8827, Senate Schedule D.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam.

THE CHAIR:

Please proceed.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I move adoption of the amendment, waive its reading, and seek leave to summarize.

THE CHAIR:

Please -- please do.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. So, this is a friendly amendment between Senator Fasano and myself which simply asks that the Green Bank, when they issue their annual report also send it to the Banks Committee. They have cognizance over the Green Bank, as does Energy, Environment, and Commerce, so we're simply adding the Banks Committee. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. I thank the senator for adopting the amendment. I won't be 0-for for the evening on this, so I appreciate that. I like the amendment. I think that banks should have a right to see what's going on with respect to the report, and therefore I urge adoption. Thank you.

THE CHAIR:

Thank you. Will you remark further on the friendly amendment? If not, let me try your minds. All in favor, please signify by saying aye. ["Aye" in background] Opposed? The amendment is adopted. Will you remark further on the bill as amended? Will you remark further on the bill as amended? If not, Mr. Clerk, would you kindly -- oh, Senator Leone, did not see you -- please proceed.

SENATOR LEONE (27TH):

That's quite all right, Madam President. Pleasure to see you. I just wanted to rise in support of

this legislation for many reasons, but I also wanted to thank the good senator for her leadership, Senator Bergstein, on crafting this bill because it's something that we should be doing for the future of our state. As was mentioned, the Green Bank, when it was first proposed a number of years ago, it was due to the fact that we needed to start preparing for the future on how we need to invest in our environmental infrastructure, in our sustainability. And as we realize with fossil fuels on the decline and the impact that it has had, not only in our local environment but in our global environment, the impact on our climate, the trends are somewhat obvious as to where things are goin' if we don't make improvements, and it's all about bein' sustainable and how to invest in the future in the right way.

Given that the track record of the Green Bank has been a positive one, expanding it so that they can do a little bit more to retain that mission of making sure we invest in the proper future industries as we try to move away from the past that has done such damage, this is the way to do it where we have a bit of oversight as well. With the fact that it's a quasi-agency, they're a little bit more nimble to act, and we've seen many of their successes in a lot of our local towns. And it's a way to inspire other businesses to do the same and to have everyone play their part in moving towards a new future that is sustainable, that is right for the planet, and is also right for business and for our consumers. So, it's that mission and that mindset that makes this product as good as it is, which we now hope will be better. The track record of the past successes hopefully is a precursor for what might be, and based on that, I think we have a

-- something that we can hopefully look forward to some positive impacts based on the past.

So, it's with that I wanted to voice my support for this bill, for this legislation. It's about our future, making sure that there's one there for our children and their children. Thank you.

THE CHAIR:

Thank you, Senator Leone. Will you remark further on the bill as amended? Will you remark further? If not, Mr. Clerk, kindly call the vote, and the machine will be open.

CLERK:

Immediate Roll Call vote has been ordered in the Senate. Immediate Roll Call vote has been ordered in the Senate on Senate Bill 927 as amended by Senate A and D. Immediate Roll Call vote has been ordered in the Senate on Senate Bill 927 as amended by Senate A and D. Immediate Roll Call vote in the Senate. [Background talking]

THE CHAIR:

Have all the senators voted? And I would encourage the senators to please stay in the chamber because we anticipate one more vote very shortly. So while we have your attention and your presence, please stay right here, so that we can finish our business. [Background talking]

Have all the senators voted? Have all the senators voted? The machine will be locked, and Mr. Clerk, would you please announce the tally?

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CLERK:

Senate Bill 927 as amended by Senate A and D.

Total number voting	36
Total number voting Yea	34
Total voting Nay	2
Absent and not voting	0

THE CHAIR:

[Gavel] The legislation is adopted. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, a couple notations. On Calendar page 11, Calendar 168, Senate Bill 904, I'd earlier marked that to go to Finance, and I'd like to remove that referral and just mark that as PR.

THE CHAIR:

So noted.

SENATOR DUFF (25TH):

Thank you, Madam President. And on Calendar page 40, Calendar 437, Senate Bill 880, I'd like to refer that to the Appropriations Committee.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. I'd like to mark two more bills go. One is Calendar page 9, Calendar 138, Senate Bill 70, followed by, if we can actually -- followed by Calendar page 1, Calendar 48, House Joint Resolution 165, and I move for a suspension to take up that item.

THE CHAIR:

Thank you, Senator Duff. Mr. Clerk.

CLERK:

Page 9, Calendar 138, substitute for Senate Bill Number 70, AN ACT ESTABLISHING THE CONNECTICUT INFRASTRUCTURE BANK. There is an amendment.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill. The Clerk is in possession of Amendment No. 8724. I move adoption of the amendment, waive its reading, and seek leave to summarize.

THE CHAIR:

Mr. Clerk, if you would please call the amendment.

CLERK:

LCO No. 8724, Senate Schedule A.

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THE CHAIR:

Senator Bergstein, please proceed.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Quick summary. This would be AN ACT ESTABLISHING THE CONNECTICUT INFRASTRUCTURE BANK, along the lines of the model of the Green Bank. This would be a -- an infrastructure bank that would simply leverage public funds with private investments and be a transformative model for creating more accountability and transparency in our infrastructure projects, so we could do them faster, cheaper, higher quality, and bigger scale. I move adoption of the amendment, Madam President. Thank you.

THE CHAIR:

Thank you. The question is on adoption. Will you remark further. Will you remark further? Senator Formica. No? Will you remark further? If not, all in favor of this amendment, let me try your minds. All in favor, please signify by saying aye. ["Aye" in background] Opposed? The amendment is adopted. Senator Bergstein. Ah, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move that we refer this item to the GAE Committee please.

THE CHAIR:

So ordered. Mr. Clerk.

CLERK:

Page 1, Calendar 488, House Joint Resolution Number 165, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE ROBERT J. DEVLIN, JR., OF SHELTON TO BE A JUDGE OF THE APPELLATE COURT AND A JUDGE OF THE SUPERIOR COURT.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Good afternoon, Madam President.

THE CHAIR:

Good afternoon -- evening.

SENATOR WINFIELD (10TH):

Or, good evening more accurately. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Thank you, the question is on adoption. Will you remark?

SENATOR WINFIELD (10TH):

Yes, thank you, Madam President. This is Judge Devlin who came before the Judiciary Committee -- I should say again, he's been before us several times in many ways. As many members of the circle know

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that he's a leader on the Sentencing Commission and has a lot to do with those bills that come here every year for the last several years that have helped to make our state better, leading a commission that is a commission made up of people from all parts of the discussion that we're talking about, so that we can have a better system. Judge Devlin has a distinguished career, impressive in the Judiciary Committee, and I urge adoption.

THE CHAIR:

Thank you, Senator Winfield. Will you remark?
Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Good evening as well. I'd like to associated myself with the remarks of Chairman Winfield and have the highest regard for Judge Devlin. He is indeed 69 years old, approaching the mandatory retirement age. Although, in the state of Connecticut, even though you will hit age 70, there are still many roles that you can perform, and he will indeed do that, to be of service to the people of the state of Connecticut, as an ancillary assistant to the Appellate Court in the various roles that we allow.

What I wanna highlight though is that over the last probably decade or so, we have striven mightily to diversify our bench in a variety of ways. For example, Connecticut led the nation in the first Muslim judge of the Superior Court, and indeed he came back this year after his first eight years and said Texas has an individual that has that faith as well, but Connecticut took the lead on that. We

have folks on the Appellate Court and Supreme Court that never were on the Superior Court but had various backgrounds such that they would bring diversity, either gender, or race, or ethnicity. And so, we went -- went down that path, and those folks ascended to those benches.

The interesting thing about Judge Devlin is he's been a Superior Court judge for well over 20 years. He brings a tremendous amount of criminal law background to the Appellate Court. So, that'll be a great addition to the Appellate Court, but also I think it sends a really positive message to all the other folks that are working day-in and day-out as Superior Court judges. You're never too old if you have the capacity and the abilities to be elevated to the Appellate Court or Supreme Court, and Judge Devlin is the perfect example of that at age 69. He will bring great strength to the Appellate Court, and so that if there's other judges out there saying -- jeeppers, I have to be a certain kind of person to get elevated, and I'm just working here and the part A's or the GAs are on the civil side, and I guess my chance to be elevated has passed me by. That is not the case whatsoever. Judge Devlin is your role model, 'cause anything can happen to anyone in this great country of the United States and in the state of Connecticut if you work hard and you're willing to be a fantastic public servant, and indeed he is. As Senator Winfield stated, he has done a fabulous job heading up the Sentencing Commission. We have proposals before us that they have striven mightily to get their arms around, and so for a variety of reasons, as I have stated here on the floor of the Senate, I strongly support Judge Devlin to be a member of the Appellate Court and would urge my

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colleagues' support as well. Thank you very much,
Madam President.

THE CHAIR:

Thank you so much, Senator Kissel. Senator Bradley,
will you remark?

SENATOR BRADLEY (23RD):

My very first criminal trial was heard by Judge
Devlin. What a gentleman. I was a rookie lawyer,
hadn't tried a criminal trial ever in my life
before, and he was an absolute gentleman. I really
wanna associate my remarks with what my -- Senator
Kissel said -- my colleague, Senator Kissel said.
He is a role model for everyone, a true jurist, a
person who's passionate about the law, a person who
extends himself to make sure that there's fairness
and equity throughout the entire process, a person
who does not -- doesn't show whether he's a Democrat
or Republican, doesn't show whether he's Progressive
or Conservative, a person who's in pursuit of
justice and the truth. And it was such a tremendous
eye opener for me -- Connecticut law, a lot of
times, has a reputation of being a good ol' boy
state, of being a state that's biased towards
people, of being a state that doesn't look at the
truth and the facts. Judge Devlin dispels any of
that in his courtroom.

I am so honored that he's being elevated, and
absolutely, Senator Kissel, these are the type of
people we want. And yes, while diversity is very
important for me, and I want to see more African
Americans, I want to see more Hispanics, I want to
see more women become judges and be elevated as

well, but equally is important is that whoever we select, that they show the character that Judge Devlin has. So, I commend him on his appointment, and I think that was an outstanding selection.

THE CHAIR:

Thank you so much, Senator Bradley. Will you remark further? Will you remark further? Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President, and good evening. Rising in support of Judge Devlin's nomination for elevation to the Appellate Court. I agree wholeheartedly with the remarks of Chairman Winfield and Ranking Member Senator Kissel and Senator Bradley that Judge Devlin is entirely deserving of this elevation. He has been one of the -- the leading bright lights among our Superior Court judges during his whole career as a Superior Court judge for more than 20 years, especially on the criminal side -- because his experience, again, prior to becoming a Superior Court judge, he had quite a major distinguished career handling major criminal prosecutions as a federal prosecutor, as an assistant U.S. attorney. But he is somebody who I think all of us know -- and Senator Bradley and I know as defense counsel -- who has been very fair and even-handed to the defense. He is not -- not somebody who has shown a prosecutorial bias in his years on the Superior Court. He's been even-handed, fair, with a significant sensitivity to the particular circumstances and nuances of each case that comes before him, and that's exactly what we need to see in judges at all levels.

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He's also scholarly, someone who's really steeped in the -- in the law -- in the criminal law. He will, I think, add significantly to the criminal law expertise on the Appellate Court because, of course, many of the major cases that do come to that court are appeals of criminal convictions.

And my great regret, as mentioned earlier, is that he wasn't appointed to this position earlier in his career because he will have one year to serve, and obviously he will have an opportunity as a referee thereafter to continue. But I certainly applaud the appointment and celebrate it as someone who will add a great deal to our Appellate Court. Thank you, Madam President.

THE CHAIR:

Thank you so much, Senator Looney. Will you remark further on this resolution? Will you remark further? If not, would the Clerk please call the vote, and the machine will be open.

CLERK:

Immediate Roll Call vote has been ordered in the Senate on House Joint Resolution 165. Immediate Roll Call vote has been ordered in the Senate on House Joint Resolution 165.

Immediate Roll Call vote has been ordered in the Senate on House Joint Resolution 165. Immediate Roll Call vote has been ordered in the Senate on House Joint Resolution 165.

THE CHAIR:

Thank you. The machine will be closed, and the Clerk would kindly announce the tally on the resolution.

CLERK:

House Joint Resolution Number 165.

Total number voting	36
Total number voting Yea	36
Total voting Nay	0
Absent and not voting	0

THE CHAIR:

[Gavel] The resolution is adopted. Are there any points of personal privilege? Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. Two points of personal privilege. First, I'd like to ask the chamber to stand and for a moment of silence in recognition of National Law Enforcement Officers Week. Today is the recognition of fallen law enforcement officers. [Moment of silence in the chamber]

Thank you very much, appreciate that. And while you're standing, you might as well put your hands together and wish Len Fasano a very happy birthday 'cause today is his birthday. [Applause] Thank you, Madam President.

THE CHAIR:

Thank you, Senator Witkos. Senator Needleman.

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SENATOR NEEDLEMAN (33RD):

Thank you, Madam President. Madam President, during the debate on Calendar 141, Senate Bill 927, Amendment C, which was LCO 8423, I was out of the chamber on urgent legislative business and missed the roll call vote. I would like the Journal to reflect that I wish to be recorded in the negative.

THE CHAIR:

Thank you so much, Senator Needleman. The Journal will so reflect that. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, that concludes our business for today. I wanna wish everybody a safe travel home. Tomorrow Senate Democrats will meet in caucus and 10 o'clock, and the Senate will meet in session at 11 o'clock tomorrow. And with that --

On motion of Senator Duff of the 25th, the Senate at 6:54 p.m. adjourned subject to the call of the Chair.

CONNECTICUT GENERAL ASSEMBLY

SENATE

Thursday, May 16, 2019

The Senate was called to order at 5:12 o'clock p.m.,
the President in the Chair.

THE CHAIR:

The Senate will please come to order. The Senate
will please come to order, and we then invite our
chaplain, Rabbi Lazowski, to lead us in the opening
prayer.

RABBI LAZOWSKI:

Our thought for today is from the book of Proverbs
chapter 11 verse 2, "When pride comes, then comes
disgrace, but with humility comes wisdom."

Let us pray:

Eternal God, Source of all being, look favorably on
this body of women and men, our dedicated Senators,
as they strive to do the work of the people of the
State of Connecticut. Keep them humble, but give
them the wisdom, courage, and integrity to fulfill
the noble tasks they have been elected to complete.
Make them messengers of hope, advocates for justice,
and makers of peace. Look favorably upon our
nation, President, our state, and our leaders.
Protect our defenders of freedom from all harm.

Hear our prayer, O God, as we pray. And let us all say, Amen.

THE CHAIR:

Thank you very much, Rabbi. I would ask Senator Bergstein to come forward and lead us in the Pledge of Allegiance.

SENATOR BERGSTEIN (36TH):

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

THE CHAIR:

Thank you, Rabbi -- thank you Senator. Our distinguished majority leader, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Mr. President, and good evening, Mr. President. Good to see you up there today. Mr. President, does the clerk have any business on his desk?

THE CHAIR:

Mr. Clerk?

CLERK:

The clerk is in possession of Senate Agenda No. 1 and Senate Agenda No. 2, dated Thursday, May 16, 2019.

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THE CHAIR:

Thank you, Mr. Clerk. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Mr. President. And, I move all items on Senate Agenda No. 1 and 2, dated Thursday, May 16, 2019, to act upon as indicated and that the Agenda be incorporated by reference in the Senate Journal and Senate Transcript.

THE CHAIR:

Thank you, Senator. Without objections, so ordered.

SENATOR DUFF (25TH):

Thank you, Mr. President. Will the Senate stand at ease for a moment please?

THE CHAIR:

The Senate will please stand at ease. [Pause]. The Senate will please come back to order. Mr. Majority Leader.

SENATOR DUFF (25TH):

Thank you, Mr. President. Mr. President, for markings for our goal list, please?

THE CHAIR:

Please proceed, Senator.

SENATOR DUFF (25TH):

Thank you, Mr. President. On Calendar page 50, Calendar 288, Senate Bill 1078, go. Followed by Calendar page 20, Calendar 279, Senate Bill 1000, go. Followed by Calendar page 8, Calendar 135,

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Senate Bill 861, go. Followed by Calendar page 1, Calendar 38, Senate Bill 804, go. Followed by Calendar page 38, Calendar 435, Senate Bill 831, go. Followed by Calendar page 32, Calendar 400, Senate Bill 1114, go. Followed by Calendar page 2 -- I'm sorry. Calendar page 12, Calendar 182, Senate Bill 1026, go. Followed by Calendar page 52, Senate Bill 448 -- I'm sorry. Calendar 448, Senate Bill 3, go. I'd like to do that again. Calendar page 52, Calendar 448, Senate Bill 3, go. Followed by Calendar page 43, Calendar 475, Senate -- House Bill 5004, go. Followed by Calendar page 43, Calendar 478, House Bill 7364, go.

Thank you, Mr. President.

THE CHAIR:

Thank you, Mr. Majority Leader. Mr. Clerk.

CLERK:

Page 50, Calendar No. 288, substitute for Senate Bill No. 1078, AN ACT CONCERNING DOULA CERTIFICATION AND MEDICAID REIMBURSEMENT FOR DOULA SERVICES.

SENATOR DUFF (25TH):

Thank you, Mr. Clerk. There are amendments.

THE CHAIR:

Thank you, Mr. Clerk. Senator Marilyn Moore, distinguished Chair of the Human Services Committee from the great city of Bridgeport.

SENATOR MOORE (22ND):

Thank you, sir. Good afternoon, Mr. President.

THE CHAIR:

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Good afternoon.

SENATOR MOORE (22ND):

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

THE CHAIR:

Thank you. The bill has been moved. Will you remark? Senator Moore.

SENATOR MOORE (22ND):

I would ask that the clerk please call the amendment, and I seek leave of the Chamber to summarize LCO 877?

THE CHAIR:

Yep, and Mr. Clerk.

CLERK:

LCO No. 877, Senate Schedule A.

SENATOR MOORE (22ND):

I move adoption of the amendment.

THE CHAIR:

Thank you, Senator Moore. Senate Amendment Schedule A has been moved. Senator Moore, will you remark?

SENATOR MOORE (22ND):

Yes. This amendment is actually a strike-all, which is now the bill. It's regarding the certification of Douglas and creating a workgroup.

Thank you.

THE CHAIR:

Thank you, Senator. Will you remark on the amendment? Will you remark on Senate Amendment Schedule A? Senator Logan.

SENATOR LOGAN (17TH):

Thank you, Mr. President. And, I rise in support of the amendment. I urge my colleagues to do the same.

Thank you.

THE CHAIR:

Thank you, Senator Logan. Would you remark further on the amendment? Would you remark further on Senate A? Remark, if not, I will try your minds on Senate A. All in favor please indicate by saying aye. (All) Aye. Opposed, nay. You guys have it. Senate Amendment Schedule A is adopted. Senator Moore.

SENATOR MOORE (22ND):

Thank you. Mr. President, this bill is about Doulas, and for those of you who have not -- are not familiar with a Doula, they are people who are trained in the community to help women during their pregnancy. There is a high incidence of mortality among minority women, and you will find Doulas in most communities of color. They are trained, and there are some places where they do certification. Over the course of the last three or four months many of the Doulas have met throughout the state, and they would like to be certified, and we are going to start a workgroup to understand what other

certifications that we need under DSS to complete this, and the workgroup will report by -- I believe it will begin on -- on September 1, 2019, and will come back and give a report to the Committee of Cognizant regarding the outcome. I would hope that my colleague would support this bill and have a huge impact on all the communities, but it is a women's health bill.

Thank you.

THE CHAIR:

Thank you, Senator Moore. Will you remark further on the bill as amended by Senate Amendment Schedule A? Senator Logan.

SENATOR LOGAN (17TH):

Thank you, Mr. President. I rise in support of this bill, and I'd just like to say that in terms of the Doulas, they're providing a great service to our community, particularly women in our community, and I think that it is time that we come up to speed in terms of what is actually provided in our community, and I think taking a look at this and having this report come back will guide us to properly move forward in the future session.

Thank you.

THE CHAIR:

Thank you, Senator Logan. Will you remark further on the bill as amended? Will you remark further? If not, Senator Moore.

SENATOR MOORE (22ND):

Thank you, Mr. President. If there's no objection, I ask that this be put on the consent Calendar.

THE CHAIR:

Thank you, Senator Moore. The bill has been moved to the consent Calendar. Is there objection to placing the bill as amended on the consent Calendar? I'm seeing none. It is so ordered. Senator Logan.

SENATOR LOGAN (17TH):

Nope. I'm good. Thank you.

THE CHAIR:

Okay. Thank you. The bill will be placed on the consent Calendar. Mr. Majority Leader.

SENATOR DUFF (25TH):

Thank you, Mr. President. Mr. President, if we can on the next bill, Calendar page 20, Calendar 279, Senate Bill 1000 -- if we could just PT that for the moment and move on to the next bill please?

THE CHAIR:

Thank you, Mr. Majority Leader. Mr. Clerk.

CLERK:

Page 8, Calendar No. 135, Senate Bill No. 861, AN ACT CONCERNING THE DEFINITION OF "SERVICE IN TIME OF WAR" AND STATE RESIDENCY REQUIREMENTS FOR CERTAIN VETERANS' SERVICES.

THE CHAIR:

Thank you. Senator Maroney, the distinguished Chair of our Veterans' Committee.

SENATOR MARONEY (14TH):

Good evening, Mr. President.

THE CHAIR:

Good evening, Senator.

SENATOR MARONEY (14TH):

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

THE CHAIR:

Thank you, Senator Maroney. The bill has been moved. Will you remark, Senator Maroney?

SENATOR MARONEY (14TH):

Thank you, Mr. President. This bill cleans up the definition of service in the time of war. It removes some redundant text from the definition, and it clarifies that service in the time of war would be -- it could be less than 90 days during a conflict if you were separated because of an injury during that conflict. In addition, it moves the residency requirements for the Veterans' home at Rocky Hill in line with current practice. It states in there two years, but the practices that they have been actually allowing for that upon residency in the state, so it just brings us in line with existing practice of the Department of Veterans' Affairs.

THE CHAIR:

Thank you, Senator. Would you remark further on the bill? Senator Logan.

SENATOR LOGAN (17TH):

Thank you, Mr. President. I rise in support of the bill as adequately described by the good Senator. This is a matter of -- of bringing into line more our current -- with current policies. I think in terms of minimizing or limiting confusion in terms of the process in dealing with the Veterans, I think it's a plus, and I think we should do all we can to approve this bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Logan. Would you remark further on the bill? Would you remark further? Senator Maroney.

SENATOR MARONEY (14TH):

Mr. President, if there is no objection, I move to place this item on the Consent Calendar.

THE CHAIR:

Thank you, Senator. The bill has been moved for placement on the Consent Calendar. Is there objection? Is there objection? I'm seeing none. We will add the bill to our Consent Calendars. Thank you, Senator. Mr. Clerk.

CLERK:

Page 1, Calendar No. 38, Substitute for Senate Bill No. 804, AN ACT CONCERNING A COMMUNITY OMBUDSMAN. There are amendments.

THE CHAIR:

Senator Maroney.

SENATOR MARONEY (14TH):

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Thank you, Mr. President. Nice speaking with you again. I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Thank you, Senator. The bill has been moved. Senator Maroney, would you remark?

SENATOR MARONEY (14TH):

Yes. Mr. President, the clerk is in possession of an amendment LCO No. 8530. I move the amendment and seek leave to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO NO. 8530, Senate Schedule A.

THE CHAIR:

Thank you, Mr. Clerk. Senator Maroney.

SENATOR MARONEY (14TH):

Thank you, Mr. President. This amendment would change the date for the program to be developed from September 1, 2019 to January 1, 2020, and I move adoption.

THE CHAIR:

Thank you, Senator. The amendment has been moved for adoption. Would you remark further on the amendment, Senate Amendment Schedule A? Would you remark further? If not, we will try your minds. All in favor please indicate by saying aye. (All)

Aye. Opposed? The ayes have it. The amendment is adopted. Senator Maroney.

SENATOR MARONEY (14TH):

Thank you very much, Mr. President. I also wanted to thank Senator Kelly for his help with that amendment. This bill would help create a community ombudsman as we move more towards aging in place. We want to make sure that we're offering the same protections to people who are being served in their home as we do to those being served in a nursing home, so this bill instructs the state ombudsman to develop a program for community ombudsman and to report back on that program to the Aging and Human Services Committee on January 1, 2020.

THE CHAIR:

Thank you, Senator. Will you remark further on the bill as amended? Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Mr. President. And, I also rise in support of this bill, and I'd like to align my comments with those of Senator Maroney in that this is a -- a good initiative as we try to transition and realign more community and home-based services rather than institutional. What we also want to do is make sure that the proper protections for individual safety are there in the community. We have these protections in the institutional setting, and what this will do is now allow those to be provided to individuals in the community-based service environment. I think this is smart legislation, and I certainly support the bill.

Thank you.

THE CHAIR:

Thank you, Senator Kelly. Would you remark further on the bill as amended? Would you remark further on the bill as amended? If not, Senator Maroney.

SENATOR MARONEY (14TH):

Thank you, Mr. President, and I thank Senator Kelly for his advocacy on this concept. If there's no objection, I move to place this item on the Consent Calendar.

THE CHAIR:

Thank you, Senator. The bill has been moved for inclusion in our Consent Calendar. Is there objection? Is there objection? I'm seeing none. It will be so ordered. The bill will be placed on our Consent Calendar. Thank you, Senator. Mr. Clerk.

CLERK:

page 38, Calendar No. 435, Substitute for Senate Bill No. 831, AN ACT CONCERNING MINOR REVISIONS TO SPECIAL PAROLE AND PAROLE DISCHARGE STATUTES.

THE CHAIR:

Senator Winfield, distinguished Chair of our Judiciary Committee.

SENATOR WINFIELD (10TH):

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

THE CHAIR:

Thank you, Senator. The bill has been moved. Will you remark? Senator Winfield.

SENATOR WINFIELD (10TH):

Oh, yes. Thank you, Mr. President. This is a bill that comes to us through the Judiciary Committee. What the bill does is when the Board of Pardons and Parole considers terminating a special parole for someone, the Office of Victim Services would notify any registered victims in the case. Those victims may submit a statement pursuant to that intention. It also allows for the termination of special parole without a court order, and then it changes the membership of the panels that are doing the consideration from two to three. One of those individuals would be the chairperson or a full-time member of the Board of Pardons and Parole. It's a good bill. It came through us -- to us through the Judiciary Committee, and I would urge adoption.

THE CHAIR:

Thank you, Senator. Would you remark further on the bill? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Mr. Chairman. I just would like to stand and associate myself with the remarks of Chairman Winfield. I'm in support of the bill and committee, and I'm happy to support it now, and urge my colleagues to do likewise.

THE CHAIR:

Thank you, Senator Kissel. Would you remark further on the bill? Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. If it's still okay with you, I'd like to ask a question of the proponent of the bill?

THE CHAIR:

Thank you, Senator. Please proceed.

SENATOR CHAMPAGNE (35TH):

Thank you. Through you, Mr. President. The -- when the victim's advocate is notified, do they have an opportunity to speak to the parole board?

THE CHAIR:

Thank you, Senator. Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Mr. President, and through you, Mr. President. Because I missed the beginning of the question, could the question be asked again?

THE CHAIR:

Thank you. Senator Champagne, would you repeat the question?

SENATOR CHAMPAGNE (35TH):

Yes. Through you, Mr. President. The -- the victim, when notified, do they have a chance to go to the parole board to plead their case before the ending of this special parole?

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Through you, Mr. President. I'm looking for the line about that -- in that section. It's in section one. So, what it says is any victim may submit a statement to the board concerning whether such persons -- the person that we're talking about period of parole should be terminated, so they are allowed to submit a statement about whether or not that parole should be terminated.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Winfield. Senator Champagne, you have the floor.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President, through you. So, the person can't show up -- or the victim cannot show up in person to testify?

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Mr. President. The bill doesn't talk about the form in which that statement would be submitted, so I think it would be pursuant to the rules established by the Board of Pardons and Parole, and I can't speak to you about those rules. I don't have them in front of me.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Winfield. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. I do know that if we rule with the side of the court that the victim should have an opportunity to speak, especially depending on which crime it is. There's some pretty serious crimes out there, and I understand they can submit a letter, but I think when you do present in person it makes a statement.

Thank you, Mr. President. I'm all set.

THE CHAIR:

Thank you, Senator Champagne. Would you remark further on the bill? Would you remark further on the bill? If not, Senator Winfield.

SENATOR WINFIELD (10TH):

If there's no objection, I'd ask this be placed on Consent.

THE CHAIR:

Thank you, Senator. The bill has been moved for placement on our Consent Calendar. Is there objection to including this bill in our Consent Calendar? I'm seeing none. It will be so ordered. Thank you. Mr. Clerk.

CLERK:

Page 32, Calendar No. 400, Substitute for Senate Bill No. 1114, AN ACT CONCERNING PAYMENTS FROM THE DEPARTMENT OF CORRECTION TO A MUNICIPALITY THAT PROVIDES AMBULANCE SERVICES ON BEHALF OF A CORRECTIONAL FACILITY.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

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

THE CHAIR:

Thank you, Senator. Will you remark?

SENATOR WINFIELD (10TH):

Thank you, Mr. President. Yes, I will. This bill causes the commissioner of corrections to reimburse municipalities for municipal ambulance that would be moving of the people in their care in the same manner that it would reimburse non-municipal ambulances in the case of an individual who doesn't have insurance. This ensures that the municipality is reimbursed totally.

Through you, and I urge passage.

THE CHAIR:

Thank you, Senator. Would you remark further on the bill? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you -- thank you very much, Mr. President. And, it's remiss of me not to say great to see you up there this afternoon. I would like to thank Chairman Winfield for moving this bill forward. The way it is drafted, it would apply to any community that has a correctional facility, but in particular, in my district, there is one facility that has

pretty much when inmates get to be 55 or older they end up in Osborn, which is in the small town of Somers, and what we're finding is that just like the state of Connecticut, as people get older they have more medical issues, and while there's a fairly lucrative contract with the private provider of ambulance services that basically does the regular runs, the little town of Somers in particular has just two ambulances for the whole town, has been getting increased -- steadily increased calls to respond to medical situations at that particular institution, and their reimbursement rate is substantially -- I mean hundreds and hundreds of dollars less than the private provider, and unfortunately -- and there has been ongoing meetings with the Corrections folks and the Commissioner of Corrections that what has been occurring in the recent years is that -- okay, let's say someone is set to go on a regular visit to it could be St. Francis, Hartford Hospital, or UCONN, and the private providers call and they say, all right, we'll be there in three or four hours, and sometimes the folks in the department say, well that's just not fast enough for us, so then they hang up and call the town 9-1-1, and the town has an absolute obligation to respond. And, so hopefully, this will continue the conversation that folks are having with representatives with the Department of Corrections, and alleviate the situation not only for folks in the town of Somers but any other municipality that has a correctional facility, and again, very thankful to the leadership of the Judiciary Committee for moving this bill forward.

Thank you, Mr. President.

THE CHAIR:

Thank you to the distinguished Ranking Member of the Judiciary Committee. Will you remark further on the bill? Will you remark further on the bill? Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Mr. President. If there is no further conversation, I'd ask this be moved to Consent?

THE CHAIR:

Thank you, Senator Winfield. The bill has been moved for placement on our Consent Calendar. Is there objection to inclusion in this matter on our Consent Calendar? I'm seeing none. It will be so ordered. Mr. Clerk.

CLERK:

Page 12, Calendar No. 182, Substitute for Senate Bill No. 1026, AN ACT ESTABLISHING CERTAIN INCENTIVES TO GROW THE BIOSCIENCE INDUSTRY IN THE STATE. There are amendments.

THE CHAIR:

Thank you, Mr. Clerk. Senator Hartley, the distinguished Chair of the Commerce Committee. Good afternoon, madam.

SENATOR HARTLEY (15TH):

Good afternoon, Mr. President. Always a delight to see you there, sir. I move acceptance of the Joint Committee's favorable report, sir, and passage of the bill.

THE CHAIR:

Thank you. The bill has been moved. Would you remark? Senator Hartley.

SENATOR HARTLEY (15TH):

Yes. Thank you, Mr. President. This is another initiative by the State of Connecticut to once again put an anchor in the ground regarding the bioscience sector. Thus far, the State of Connecticut has distinguished itself in becoming a bio-hub by a number of initiatives -- a number of ones that the state actually has participated in, and right now, we -- the reports that we have 39,000 workers in the bioscience industry, which is in -- representing about 2500 companies throughout the state, and we will all recall the initiatives of the Jackson Lab and then more recently the TIP program at the University of Connecticut, which have helped to grow and support this sector by bringing in talented and skilled workers and being a fertile place by which many startups can initiate themselves. So, Mr. President, there is an amendment, sir.

THE CHAIR:

Please proceed, Senator.

SENATOR HARTLEY (15TH):

It is LCO 8892, and I ask that the clerk please call and I be granted leave to summarize, please?

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8892, Senate Schedule A.

SENATOR HARTLEY (15TH):

I move adoption.

THE CHAIR:

Thank you, Senator, for moving adoption. Will you remark on the amendment? Senator Hartley.

SENATOR HARTLEY (15TH):

Yes. Thank you. And, so, Mr. President, Senate Amendment A will continue the initiative that this state has thus far invested in and help us to leverage that and to telegraph the fact that Connecticut is a place, which is poised to continue to grow and be a leader quite frankly in the bioscience area. What Amendment A does is it actually strikes sections 1 through 4 and section 6 and 7, and leaves section 5, which initiates a marketing campaign to be conducted by Connecticut innovations to basically broadcast and telegraph all of those bio companies that -- the 2500 bio companies, the 39,000 workers in an effort to connect them as a strong bio ecosystem, but more importantly to also telegraph to the rest of the region, the country, and even internationally, that this is a network of -- a strong network of bioscience, and so the -- with the marketing campaign, which by the way was the initiative and work from the bioscience strategic -- strategy plan, this will help us to once again reach many other prospects to grow this sector, which is such an important part of our economy. So, I -- I move adoption, sir.

THE CHAIR:

Thank you, Senator Hartley. Will you remark further on the Amendment, on Senate Amendment Schedule A? Senator Martin.

SENATOR MARTIN (31ST):

Good afternoon, Mr. President. Good to see you up there.

THE CHAIR:

Good afternoon.

SENATOR MARTIN (31ST):

I rise in support of this -- this amendment along with the underlying bill. I think it's a great idea. It requires the Connecticut innovations, along with the bioscience industry to really put their heads together and to come up with an advertisement strategy and to put a plan together to market that sector and to increase our bio footprint here that is doing extremely well, so I rise in support, again, for this piece of legislation.

Thank you.

THE CHAIR:

Thank you, Senator Martin. Will you remark further on the amendment, on Senate Amendment Schedule A? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Mr. President. It's good to see you up here. I rise in support of this amendment. I also want to take a moment to compliment the remarkable hard work of the proponent of this bill. She has been remarkable along with the Commerce Committee in

advocating the bioscience for many a years, and this bill reflected on its original purpose, much more dramatic input and input for this project, and I want to raise that even though this amendment cuts down some of the language, I want to take a moment to acknowledge some of the original vision of -- of the -- of the base language where we are looking at capital base tax credits for our biosciences, which is critical to motivate investment and to build out advantage in the bioscience sector. We are looking at corporate tax credits limited for excess credit. Another example of the vision and the understanding that we need to make investments in the sector, and we cannot shortchange them because they have far too many choices throughout this country and throughout the world to set up their base and also to -- to really work on development, research, and economic assistance, matching grant that has been stripped in this amendment, and it is critical for us to understand that we have to make the proper investment to be able to attract people. With that said, I urge support of this because it is a step forward, but I would encourage for us to explore the base of this bill and encourage passage down the road.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Would you remark further on the amendment? Senator Formica.

SENATOR FORMICA (20TH):

Good afternoon, Mr. President.

THE CHAIR:

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Senate

May 16, 2019

Good afternoon, sir.

SENATOR FORMICA (20TH):

I rise for a question for the proponent of the amendment, please.

THE CHAIR:

Please proceed, sir.

SENATOR FORMICA (20TH):

Thank you, Mr. President. Good afternoon, Senator. Thank you. I see by this amendment we're striking sections 1 through 4 and 6 and 7, which leaves just 5; is that correct?

SENATOR HARTLEY (15TH):

Through you, Mr. President. Yes, it is.

THE CHAIR:

Senator Hartley.

SENATOR FORMICA (20TH):

Thank you, Mr. President. So, section 5 calls for the development of a marketing plan, and it -- and hiring -- I'm sorry. I'm trying to catch back up to where I was here. You might give me a second. So, Connecticut Innovations in consultation with a trade group -- unnamed -- contract with an advertising agency to create a marketing plan. Is there a budgeted dollars within that Connecticut Innovations for this?

Through you, Mr. President.

THE CHAIR:

Senator Hartley, would you care to respond?

SENATOR HARTLEY (15TH):

Yes. Thank you, Mr. President, and through you, to Senator Formica. This will be done within the resources of CI, which has a number of funds, one of which happens to be the CBIF fund, which this fits perfectly under; that is the Connecticut Bioscience Fund, and we have had conversation with leadership of CI, and they are totally committed to this. In fact, they have begun these conversations with the industry in the trade, one of which is the bioscience -- the Connecticut Bioscience Group.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Hartley. Senator Formica, you have the floor, sir.

SENATOR FORMICA (20TH):

Thank you, Mr. President, and thank you, Senator, for that answer. And, CI is funded pretty much through bond funds through the State of Connecticut?

Through you, Mr. President.

THE CHAIR:

Yes. Thank you, Senator. Senator Hartley, would you care to respond?

SENATOR HARTLEY (15TH):

Yes. Thank you, Mr. President, and through you. Yes, and then they also have revolving funds too, which they have within their agency.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Hartley. Senator Formica, you have the floor.

SENATOR FORMICA (20TH):

Thank you, Mr. President. And, I thank the good Senator for her answers. If the dollars measured are good enough for Senator Hartley, who has a pension for measuring dollars, then I suppose they're good enough for me.

Thank you, Mr. President. Thank you, Senator.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment? Will you remark further? I'm seeing none. Will -- I'm seeing none. We'll try your minds. All in favor, please indicate by saying, aye. (All) Aye. Opposed? The amendment carries. Senator Hartley. Senate A is adopted. Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Mr. President. And, upon the adoption of Senate A, without objection, I would ask that this be put on the Consent Calendar, sir? Thank you.

THE CHAIR:

Thank you, Senator Hartley. The item has been moved for placement on our Consent Calendar. Senator Hwang.

SENATOR HWANG (28TH):

I support the Consent Calendar. I just wanted to add that I wanted to acknowledge that Senator Cohen and myself as part of the Bioscience Caucus is working very hard to support the Bioscience Initiative, and I wanted to acknowledge Senator Cohen's good work on that and also our commitment as a caucus to support this endeavor as well.

Thank you.

THE CHAIR:

Thank you, Senator. As said, the item has been moved for placement on our Consent Calendar. Is there objection? I'm seeing none. The bill as amended will be placed on our Consent Calendar. Mr. Majority Leader.

SENATOR DUFF (25TH):

Thank you, Mr. President. Mr. President, if we can now call an item that I had previously marked PT? Calendar page 20, Calendar 279, Senate Bill 1000?

THE CHAIR:

Mr. Clerk.

CLERK:

Page 20, Calendar No. 279, Senate Bill No. 1000, AN ACT CONCERNING APPLE ASSESSMENTS. There are amendments.

THE CHAIR:

Thank you, Mr. Clerk. Senator Cohen, distinguished Chair of the Environment Committee.

SENATOR COHEN (12TH):

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

THE CHAIR:

Thank you, Senator. The bill has been moved. Will you remark? Senator Cohen.

SENATOR COHEN (12TH):

Yes. Thank you, Mr. President. So, this bill seeks to provide equity and fairness around apple assessments that are imposed on apple growers throughout the state. The Connecticut Apple Marketing Board, also known as CAMB, in conjunction with the Department of Agriculture place a small fee on apple growers that produce an excess of 1000 bushels per year for the purposes of marketing and promotion of these Connecticut-grown products. The current formula has the top growers paying in excess of 30 percent towards this fund, so this -- this bill would establish a minimum fee of \$100 dollars, again, placed on those growers who produce an excess of 1000 bushels or 1000 for-sale units. It has widespread support in the apple grower community. Mr. President, the clerk is in possession of an amendment, LCO 8834. I would ask that the clerk please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8834, Senate Schedule A.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Mr. President. Mr. President, this amendment seeks to allow those with a manufacturer permit for hard cider --

THE CHAIR:

Senator Cohen, if you could just move the amendment first?

SENATOR COHEN (12TH):

Oh, yeah. I move adoption of the amendment.

THE CHAIR:

Thank you, Senator. Please proceed.

SENATOR COHEN (12TH):

[Laughing]. Sorry about that. So, this amendment seeks to allow those with a manufacturer's permit for hard cider to sell their cider on premises by the glass. Additionally, it would allow holders of said permit to apply for a liquor catering permit in order to provide their products at various events within the state. It's a pro-business amendment that addresses the fact that cider was sort of left out -- and hard cider rather -- was left out in consideration of original liquor law. I think it's a good amendment, and I urge my colleagues to support it.

THE CHAIR:

Thank you, Senator Cohen. Would you remark on the amendment? Would you remark on Senate Amendment Schedule A? Senator Miner.

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Senate

May 16, 2019

SENATOR MINER (30TH):

Thank you, Mr. President. Mr. President, a few questions through you to the proponent of the amendment, please?

THE CHAIR:

Senator Miner, please proceed.

SENATOR MINER (30TH):

Thank you, Mr. President. Mr. President, through you, so the amendment as I read it has to do with the production of cider and not apple assessments; is that correct?

Through you.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

That is correct. Through you, Mr. President. The amendment has to do with hard apple cider.

THE CHAIR:

Senator Miner, you have the floor.

SENATOR MINER (30TH):

Thank you, Mr. President. I thank the gentle lady for that clarification. So, it's not only cider, it's alcohol-related cider, and under the amendment, would apple -- all apple producers be able to produce apple cider, and in this case, hard apple cider?

Through you, Mr. President.

THE CHAIR:

Yes. Thank you, Senator Miner. Senator Cohen, would you care to respond?

SENATOR COHEN (12TH):

Yes. Thank you, Mr. President, and through you, those who have a manufacturer permit or apply for a manufacturer permit for the production of cider would indeed be able to produce hard cider.

THE CHAIR:

Thank you, Senator Cohen. Senator Miner, you have the floor, sir.

SENATOR MINER (30TH):

And, through you, Mr. President. As it's outlined here, it looks as though there may be an opportunity for consumption on premises in -- in those cases where the apple cider -- hard apple cider may have been subject to some farm permit associated strictly with cider and not an alcoholic version of cider -- would -- I guess it's a cidery -- would they be able to make this step without actually going back to a local Planning and Zoning commission and have the conversation or could P and D commission require them to come back to have a conversation about what's outlined in this amendment if it wasn't done as part of a regular farm operation?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator Cohen, do you care to respond?

SENATOR COHEN (12TH):

Thank you, Mr. President. Yes, and through you. My understanding is that they could simply begin sale by the glass of their product that they are currently manufacturing hard cider; however, certainly, just as with any business seeking to do some renovation around that business should they want to expand and include a bar for instance, then that certainly would require Planning and Zoning approval.

THE CHAIR:

Thank you, Senator. Senator Miner, you have the floor.

SENATOR MINER (30TH):

Thank you, Mr. President. So, I just wanted to be clear with regard to what this amendment does and what it doesn't do. We're not saying in this amendment, through you Mr. President, that if someone is approved for a cider mill and they've never produced hard cider at that mill, they would not be able to begin that production with the passage of this amendment unless they had a manufacturer's permit to those premises as well?

Through you.

THE CHAIR:

Thank you, Senator Miner. Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Mr. President, and through you. Yes. That is my understanding.

THE CHAIR:

Thank you, Senator Cohen. Senator Miner, you have the floor.

SENATOR MINER (30TH):

And -- and lastly, through you, Mr. President. So, if the Planning and Zoning approval for the sale of cider didn't include hard cider, the Planning and Zoning commission wouldn't lose any authority by the passage of this language; is that correct?

Through you, Mr. President.

THE CHAIR:

Senator Cohen, do you care to reply?

SENATOR COHEN (12TH):

Thank you, Mr. President. That would be my understanding.

THE CHAIR:

Thank you, Senator Cohen. Senator Miner.

SENATOR MINER (30TH):

Thank you, Mr. President. Mr. President, I thank the gentle lady for her responses. We did not hear in the Environment Committee this additional language with regard to hard cider, and I wonder, through you, if the gentle lady knows whether this language was heard in some other committee or is a part of some other bill that was heard, at which time a municipality or Planning and Zoning commission may have been represented either by cost or CPM, and someone would have been able to address that?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Miner. Senator Cohen, would you care to reply?

SENATOR COHEN (12TH):

Yes. Thank you, Mr. President, and through you. Yes. Indeed, this is currently part of a bill -- a liquor permitting bill that has yet to come before the Senate or the House, and it was also a part of a bill that I had introduced early on in the session. It was heard before the General Law Committee, and this language was in place in -- in that bill prior to that hearing.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator Cohen. Senator Miner, you have the floor.

SENATOR MINER (30TH):

Thank you, Mr. President. I thank the gentle lady for her response. I don't sit on the General Law Committee, and I'm not sure if there's anybody here that does, but certainly, if there was no opposition at that time to this language aside from the fact that it's part of a larger bill that we've yet to take action on here, it does seem to me that it goes hand-in-hand certainly with the production of hard cider and alcohol-related cider, and this seems to open up an opportunity for those places that are appropriately permitted to sell for consumption by the glass as opposed as just in a container. I'm

not sure if there'll be any other comments on this amendment, but I'll certainly listen.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Miner. Would you remark further on the amendment? Would you remark further on Senate Amendment Schedule A? Senator Berthel.

SENATOR BERTHEL (32ND):

Good afternoon, Mr. President. Good to see you up there. I have just a quick question to the proponent of the bill please -- the amendment please?

THE CHAIR:

Thank you, Senator. Please propose your question.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. Through you, in looking at the amendment, I'm just wondering if there is -- and if I have missed it or if it is covered in a subsection, I apologize ahead of time -- but I'm wondering if there is any provision for the taxation of the sale of hard cider on these -- on the premises of these places where it will be sold. I see that there's a requirement for a catering liquoring permit, and I don't know if there is any provision in that permit for the collection of Connecticut taxes on alcohol?

Through you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Mr. President, and through you. I believe that this would be subject to taxation just as through the -- with the taxation requirements on liquor through Connecticut general statutes currently, so this is an addition to that statute.

SENATOR BERTHEL (32ND):

Okay.

THE CHAIR:

Thank you, Senator Cohen. You have the floor, Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. So, through you, just for clarification. We -- we are of the opinion that the permit that would be issues in order for the apple producer to sell cider and apple wine manufactured on the premises by the glass for consumption, etc., etc. is covered by -- by the permit -- the taxation of those sales is covered by the permit? Just for clarification.

Through you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator Cohen.

SENATOR COHEN (12TH):

Yes. Thank you, Mr. President, and through you, yes.

THE CHAIR:

Thank you, Senator Cohen. Senator Berthel, you have the floor.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. That's all I have. Thank you.

THE CHAIR:

Thank you. Will you remark further on the amendment? Will you remark further on Senate Amendment Schedule A? I'm seeing none. We'll try your minds. All in favor, please indicate by saying, aye. (All) Aye. A little more please [Laughing]. (All) Aye. All right [Laughing]. All opposed? The ayes have it. The amendment is adopted. The Senate will stand at ease for just a moment.

[Pause]. [Change of Chair].

Good evening. Will you remark? Will you remark? Senator Miner -- or that would be Senator Sampson. Senator Sampson, good evening.

SENATOR SAMPSON (16TH):

Good evening, Madam President. So, I'm just listening to the discussion about the bill before us. It's rare that I'm at a complete loss on what to do when there's a bill before the Chamber, but that's where I am, to be honest, in this particular case because I don't really know much about this subject, and it so happens that I have five orchards that are in my district according to a document that was just shared with me that show all of the folks that are participating in this program. One of them happens to be Rogers Orchards in Southington, which

is the largest producer on the list, and also the one paying the largest amount, and then there are four smaller orchards. And, my understanding is that if we make this change to put a floor dollar amount for the fee that they are charged at \$100 dollars, that is going to potentially decrease the amount of fee that Rogers Orchards might pay but increase the fee for the four other farms. The thing that I'm concerned with most is I haven't heard from any of them, so I don't know whether any of them like this idea or don't like it, and it's a difficult thing to try and make a vote under those circumstances. I had my aid try and reach out to Rogers Orchards today, but they were unsuccessful.

So, I do have a couple of questions, Madam President, for the proponent that might help me make a determination on how to vote; if I could?

THE CHAIR:

Please proceed. Senator Cohen, prepare yourself.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I guess the first question I would ask is how did this particular legislation come to us?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President, and through you. This legislation came to us by -- through the Department of Agriculture in conjunction with the Connecticut

Apple Marketing Board. They did testify at the public hearing and are in support of this legislation.

THE CHAIR:

Thank you, Senator Cohen. Senator Sampson.

SENATOR SAMPSON (16TH):

Excellent. I appreciate that answer. So, was there a number of people that came to testify in favor of this legislation and why the change?

Through you, Madam President.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President, and through you. So, the change comes about as there are several apple growers. In fact, I believe on the document that my good colleague has in his possession there are 33 apple growers that produce in excess of 1000 bushels in the state at least as of last year, and we see that through this list that a very small percentage of them are paying the bulk of the assessment, and that assessment is used for the marketing of apple products, Connecticut grown products throughout the state. It's a valuable fund that they are all paying into. However, the smaller growers, those that are still in excess of producing 1000 bushels but not really producing many more are being assessed at a much smaller rate; yet, they reap the benefits of this marketing and promotion through this fund, and so the Connecticut Apple Marketing

Board held several meetings, and through those meetings it was determined that they would like to increase the assessment on the smaller growers to a minimum of \$100 dollars; thereby, creating more equity in this assessment, and again, there was no opposition to the bill. In fact, the chairman of the Connecticut Apple Marketing Board is one of the smaller growers that gets assessed very little. In fact, only \$53 dollars last year, and yet, he wrote us a letter during our public hearing in support of this bill.

THE CHAIR:

Thank you, Senator Cohen. Senator Sampson. The Senate will stand at ease for just a moment.

[Pause].

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I'm just going to momentarily PT this bill so we can have a point of personal privilege, and I'd like to yield to Senator Flexer.

THE CHAIR:

Very good. We'll have Senator Flexer speak. Senator, good evening.

SENATOR FLEXER (29TH):

Good evening, Madam President. Nice to see you this evening.

THE CHAIR:

Nice to see you.

SENATOR FLEXER (29TH):

Madam President, I rise for a point of personal privilege and an introduction.

THE CHAIR:

Please proceed. I see we have a very important person in our Chamber.

SENATOR FLEXER (29TH):

Yes. We do, Madam President. Madam President, this evening, we are joined by the 16th incoming President of the University of Connecticut, Thomas Katsouleas, and I'm so grateful that he is here with us today. He has spent the bulk of his day here with us in the State Capitol and has learned a great deal about the General Assembly. We are thrilled that he is going to be leading our state's flagship university. Thomas was educated like me at a community college, and then studied at UCLA, another tremendous public institution of higher education on the other side of the country, so I know his commitment to public higher education is strong. He is currently the provost and executive vice-president at the University of Virginia, and we are thrilled that he is here today and thrilled that he is going to be leading our university. I am proud to have the main campus of the University of Connecticut in Storrs in our Senate district, but I know that everyone in this Chamber has UCONN students, UCONN alum, and many of you have different campuses of the university in your district, so I would ask that the Chamber please rise and give our new UCONN President a very warm welcome.
[Applause].

THE CHAIR:

Thank you very much, Senator Flexer. [Applause]. And, Mr. President, may I say [Speaking Greek] to you. I am a very proud Greek-American. We are very proud to have you. Governor Lamont and I were thrilled that you accepted this new position. We are very excited for our flagship state University. We know that you are the right leader, and may I say your government relations staff, including my sister Gail, are just awesome, and I hope that you appreciate that because she is here working very hard to make sure that the University of Connecticut gets very strong funding, and I am sure she is doing a terrific job at that along with her colleague Joanne Lombardo, so you are well represented here, and know that they are taking care of the University of Connecticut's interest with great aplomb. So, welcome, and I hope that you are having a great evening at the legislature. Thank you so much, and good luck to you. [Speaking Greek].

All right, so with that, perhaps we can get back to our work. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President, and again, welcome to our new UCONN President. Certainly, grateful that you're here in our Chamber. Thank you, sir, for being here, and the rest of the UCONN team. We're very, very proud of our flagship university.

Madam President, the bill I just previously marked PT, if we can mark that as go again, and I would yield to Senator Cohen, please?

THE CHAIR:

So, noted. Senator Cohen, and we will ask if anyone will remark further on the bill? Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President.

THE CHAIR:

Thank you.

SENATOR FORMICA (20TH):

Good afternoon. Good early evening. Senator Sampson is complete with his and we are looking for new conversation.

Thank you.

THE CHAIR:

Thank you very much.

SENATOR FORMICA (20TH):

Thank you.

THE CHAIR:

Okay. Good.

SENATOR FORMICA (20TH):

A question -- a question or a comment for the proponent, please?

THE CHAIR:

Certainly. Please proceed.

SENATOR FORMICA (20TH):

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Senate

May 16, 2019

This is -- good afternoon, Senator. This is the Connecticut Apple Marketing Association?

Through you, Madam President.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President, and through you. This is the Connecticut Apple Marketing Board, also known as CAMB.

SENATOR FORMICA (20TH):

Okay. Thank you.

THE CHAIR:

Thank you. Senator -- Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. And, the Department of Agriculture funds the -- the marketing board as a portion of their agency?

Through you, Madam President.

THE CHAIR:

Thank you. Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President, and through you. The board is appointed by the commissioner. It's comprised of six apple produces, three from the West of the river and three from the East of the river. CAMB in statute the -- the assessment can be set by

the commissioner after 6 cents per sale unit. They must be approved. However, in practice, the commissioner who sits on the Connecticut Apple Marketing Board works very closely with the board, and they set the assessments together.

THE CHAIR:

Thank you, Senator Cohen. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, and thank you, Madam President. And, does the Commissioner of Department of Agriculture have a peach marketing board and a --

Through you, Madam President.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President, and through you. No. I do not believe there is a peach marketing board.

THE CHAIR:

Senator Formica.

Thank you, Madam President. So, I don't mean to be funny, but it just seems one product of all of the products the Department of Agriculture oversees has a marketing board that's not funded by the Department of Agriculture. Are these folks who serve on this board paid from the Department of Agriculture?

Through you, Madam President.

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Senate

May 16, 2019

THE CHAIR:

Senator Formica to Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President, and through you. No. they are not paid by the commissioner.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. So, the assessment that is made on these is a voluntary assessment that these businesses that I have a list of here -- some are very small businesses, some are larger in terms of the number of bushels that are produced -- are these numbers for assessment voluntary or they are mandatory once the Commissioner of the Department of Agriculture decides what they are?

Through you, Madam President.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Thank you, and through you, Madam President. The Connecticut Apple Marketing Board reviews pricing together. They have regular meetings, and they vote to approve the assessment that they determine is the right assessment for the group. They all reap the benefits of some fabulous marketing and promotion around Connecticut grown products. In fact, many other food growers reap those benefits as well

because it is not only for Connecticut apple products but really Connecticut grown products on the whole.

THE CHAIR:

Thank you, Senator Cohen. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. I'm sure the marketing board does -- does a great job. I only question why we have a marketing board that is a mandatory assessment by people who work there and go through a government agency. I will talk a little bit later I'm sure about the Connecticut Restaurant Association or any number of other associations through which businesses can choose to participate and elect a board from members within who wish to volunteer at a higher level. The members then pay their dues to the board, and the board then goes out and does the advertising, so I'm not quite clear as to the purpose of having a statute that would control a marketing board for a group of apple producers or peach producers or fish producers or whatever that the Department of Agriculture would then determine an assessment.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President, and through you. Though I don't know that that was necessarily a question, I think that my answer to that comment would be that

this was born out of Connecticut apple growers requesting some form of a collaboration with one another, and an effort to really get marketing and promotion going within the state of Connecticut around apple production and pick-your-own environment.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Cohen. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you for the answer to my comment. I appreciate that. However, I'm -- I'm still not clear why these apple growers -- some of which are listed here -- don't just have an apple growers association and have a marketing, but why is there a statute that must be there to control this what seemed to be a voluntary opportunity to try to generate interest and more business and advertising for the -- for the Connecticut Apple Growers Association or Connecticut apple growers?

Through you, Madam President.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Thank you, and through you, Madam President. I don't know that I have the answer to that question. I don't have all of the history on the Connecticut Apple Marketing Board that would be necessary to --

to fully and accurately answer the good Senator's question.

THE CHAIR:

Thank you, Senator Cohen. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. We -- we just listened to the good Chair of the Commerce Committee talk about Connecticut Innovations, which is a creature funded by this government through bond dollars, etc., and we talked about a marketing program that -- that they were going to do, but that would seem to be an organization that was created by this government or this General Assembly a couple of years ago, and so therefore, I could understand why there might be some opportunity for us to comment on that and to go through a statute. I'm just having a lot of trouble with the Connecticut Apple Marketing folks being under the Department of Agriculture, having a statute under their own, when the peach folks don't have that and the fish folks don't have that, and so it just -- I'm -- I'm having difficulty. So, I'm wondering if the good Senator could tell me is -- are their dues to belong that they have to pay or is it simply this assessment that is determined by the commissioner, and it goes to the board, and then the total of these dollars equals the total of advertising that is done from the board or is there other funding that comes to help with advertising?

Through you, Madam President.

THE CHAIR:

Senator Formica to Senator Cohen.

SENATOR COHEN (12TH):

Thank you, and through you, Madam President. I am not aware of any other fees that the members of this board pay to the State or the Department of Agriculture in conjunction with being a member of this board. I do know that they -- the assessments provide approximately \$7000 dollars, which is used towards marketing and promotion of their products. Something that, again, this board has reviewed and decided to collaborate on and reap the benefits of together as a board who meet regularly. I suspect it was born out of the want and need to collaborate with the Department of Agriculture on ways that they could really get the word out on their products and their business, and get folks excited about and aware of all of the wonderful opportunities we have in the State for Connecticut pick-your-own products, and the other orchard products that might be available as such places.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Cohen. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. I along with Senator Sampson have some nurseries and farmers that are on this list that live and operate in my district, and one, you know, would see the fees increased, you know, as a result of this, and I quite frankly not heard from them whether they like or don't like the idea of this fee increase, but my understanding is that the lowered number dollars in here all would increase to a minimum of \$100

dollars, and it would drive the higher assessed folks to a lower price?

As a question, through you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President, and through you. Yes. Your understanding is correct. The minimum assessment would now be \$100 dollars, and hopefully, alleviating some of the burdens for the larger assessed orchards. However, as I indicated, the Connecticut Apple Marketing Board can determine what the assessment looks like together. I will tell you that it might alleviate some of your concerns over whether or not your orchard was in favor of this assessment and this change to their assessment in reviewing the Connecticut Apple Marketing Board's minutes over the past several meetings. In fact, the past four meetings, this topic was on the agenda and discussed at length according to the minutes, and they have voted unanimously to impose this fee - - minimum fee of \$100 dollars.

Through you.

THE CHAIR:

Thank you, Senator Cohen. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. And, the board that you speak of, Senator, are all of these people that are on here -- the small and the large? They all make up this board or a portion of these folks?

Through you, Madam President.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Through you, Madam President. No. They are not all on the board, but they are made aware of the board's decisions and minutes through communications.

THE CHAIR:

Thank you, Senator Cohen. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President, and thank you, Senator, for your answers. I'll make a closing comment, and I appreciate your -- your generosity in answering my questions. Madam President, this just seems to me to be a little bit of overreach in terms of why do we need, as a General Assembly, to create a statute to allow apple folks to -- to market their wares when we don't do it everywhere else or unless this is the beginning of what we're going to do everywhere else, so I'm not sure that -- that I'm on board with this particular idea, and I think that if the apple folks want to get together and spend whatever they want to spend on marketing, then I think they should be able to develop a meeting space, call a meeting, have people together, and then make a decision, but I'm not sure that I understand why we need statutes for that kind of thing.

But, thank you, Madam President. I appreciate the opportunity to share my thoughts today.

THE CHAIR:

Thank you, Senator Formica. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, I just have a number of questions, if I might, through you?

THE CHAIR:

Please proceed.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, our caucus has caused me to go back and look at the statute on apple market orders, and it seems in my read of the apple market orders statute that the commissioner has the authority to change the assessment upon certain occurring meetings provided there is some threshold number of apple producers there, and to be quite honest, during the meeting in the Environment Committee, I don't think the correspondence from the Commissioner's office actually directly answered any of the questions that seemed to come from my caucus, and as I read the statutes, the Chair lady's response that the commissioner didn't think he had authority previously doesn't follow the read of the statute. So, under section 22-54q, it does say that the commissioner has the authority upon the submittal of signed petition of 25 percent of the apple producers known to the commissioner. If the gentle lady knows, was such a petition submitted to the commissioner requesting this change?

Through you.

THE CHAIR:

Thank you, Senator Miner. Senator Cohen.

SENATOR COHEN (12TH):

Thank you, and through you, Madam President. This -- the request for legislation did indeed come from the Department of Agriculture, and while I didn't indicate the commissioner didn't necessarily know he had the authority, in statute the fees and assessments can be set by the commissioner, and again, after 6 cent per sale unit, they must be approved. However, in -- in practice, the commissioner sits down with the Connecticut Apple Marketing Board and reviews the assessment, and together they determine a path forward, and that's how it's been done as of late. That is my understanding.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Cohen. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. So, with regard to the specific language in 22-54q, the gentle lady is not aware of whether they met the threshold two-thirds present at any meeting when they would have directed the commissioner to change the apple market order?

Through you.

THE CHAIR:

Thank you, Senator Miner. Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President, and through you. I am not aware and would have to go through those minutes to determine whether or not that was met.

Thank you.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, through you, Madam President. Staying in the same section, it seems to be rather prescriptive, and so once it exceeds the 6 cents, then it requires an even higher threshold. If the gentle lady knows, through you, Madam President, is the current assessment at 6 cents?

Through you.

THE CHAIR:

Thank you, Senator Miner. Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President, and through you. I do not know, although I could probably do some math here as we sit, based on the sheet that my good colleague and I both have in front of us.

THE CHAIR:

Thank you, Senator Cohen. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. What my caucus has pointed out to me is that there appears to be a mechanism in place for the Department of Agriculture

to change that assessment on their own, and because they can change it on their own, if you hit one of the triggers, if you hit that level of apple production after which you're not in the realm of those that have to pay in for advertising -- if it hasn't hit 6 cents, they he or she has the authority to do this. If you have 6 cents, it seems like you still have the authority, but it requires a higher threshold. So, the question that was asked by Senator Formica I think is pertinent because if it was a board meeting that included 10 out of the 30 producers and the statute is silent as to whether you're a producer that pays into the market order or whether you are just a producer, this certainly -- this list is a list of those that qualify to contribute, but there are probably far more than this list, and so I think the statute says that it has to be two-thirds of the larger number, and if that's the case, I question whether this -- this change requested to the statute is an indirect violation of the what's been laid out, and I don't know exactly when this market order was established. Sections 22-54a to 22-54n, which must have been apple market orders earlier says that prior to July 1, 1989 those are obsolete, and so it leads me to believe that this has existed for quite sometime in the state of Connecticut.

THE CHAIR:

Thank you.

SENATOR MINER (30TH):

And -- and so I think the intent of the bill was to socialize the cost of advertising to a broader pool or at least to a greater degree, but I don't see anything under the formula that would even permit us

to establish a floor in the hopes of discounting what the formula requires at the upper end. Does the gentle lady know if I'm correct in that reading?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President, and through you. What I do know and understand is that there are 70 -- approximately 70 orchards in the state. There are 33 apple growers who last year produced in excess of 1000 bushels. I can see from the quick math that it is not 6 cents per sale unit that is being charged currently, and I do not know whether or not the two-thirds would need to be of the 70 apple growers or the 33 apple growers. I do know, again, that the Connecticut Apple Marketing Board in conjunction with its membership has asked for this statute to be put in place, so they are in favor of it, and we did hear from them during our public hearing of the Environment Committee.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Cohen. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, so we're not aware of whether two-thirds of the 30 or two-thirds of the 70 were even present at the time this change was requested. Is that correct?

Through you, Madam president.

THE CHAIR:

Thank you, Senator Miner. Senator Cohen.

SENATOR COHEN (12TH):

I apologize, Madam President. But, could I ask my good colleague to repeat his question for me, please?

THE CHAIR:

Please repeat. Thank you, sir.

SENATOR MINER (30TH):

Certainly. Thank you, Madam President. So, am I correct that we are uncertain based on the minutes that you have reviewed whether two-thirds, which is the prerequisite to request a change, whether -- excuse me -- 25 percent of the apple producers known to the commissioner -- whether 25 percent of either the 30 or the 70 were present during those meetings when a decision was made to request of the commissioner that he put forth this change?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President, and through you. The Connecticut Apple Marketing Board is comprised of six members that are appointed by the commissioner. They review, they discuss, and -- and talk on behalf of these apple growers within the state, the 70

apple growers and certainly inclusive of the 33 larger apple growers, which we have listed in front of us. I am unsure whether the two-thirds needs to be represented by those 33 or 70 apple growers and not just the six members of which the Connecticut Apple Marketing Board is comprised of.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Cohen. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, also the statute's pretty clear that it requires the commissioner to cause a notice of such order change to be published in the Connecticut Law Journal.

Through you, if the gentle lady knows, was that -- was that done? I don't remember that being disclosed at the time of the public hearing. Through you.

THE CHAIR:

Thank you, Senator Miner. Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President, and through you. I do not know.

THE CHAIR:

Thank you, Senator Cohen. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President, and Madam President, if I might through you? So, by establishing a floor meaning that the least an apple producer that would qualify because of the amount of apples they do produce, the least that their assessment would be, would be \$100 dollars. I don't see any section of the statute that actually permits that. Is the gentle lady aware of a section in the statute under the apple market orders that would permit this type of a change?

Through you.

THE CHAIR:

Thank you. Senator Cohen.

SENATOR COHEN (12TH):

Thank you, and through you, Madam President. This new proposal that we have in front of us, SB 1000, creates a new assessment.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Cohen. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, I -- I certainly listened at the time of the public hearing and my recollection was that it was not one of the longer discussions that we had in the Environment Committee, and I would say that while it -- it seems not to track the current statute, I would wonder at this point why there would need to be an elaborate process for which the marketing board could in and of itself make a decision or petition the

commissioner to make a decision if they can just come to the legislature. It seems like when this was established -- and I don't have the year in which it was established, but I see PA 84, so I'm assuming it's been since then, that it was set up in the way it was so that every member -- every producer could participate in that conversation, and being as there wasn't a lot of communication, I'm imagining that some of the people felt that it wasn't going to affect them. We don't have any evidence so to speak that they were notified. There's nothing that I remember that anything was actually published. I don't know what's required in terms of notification of the meeting or the minutes of the meeting, but it certainly seems clear to me that this method of assessment is not consistent with the formula that was developed in the beginning, and if in fact, we haven't hit 6 cents per unit, I guess I would wonder at this point why we aren't just directing the commissioner to go back and meet with this board and determine what the assessment should be in terms of how many cents for the apples that qualify under production?

I do know that at the time we met for the first time to consider requests made by the various commissioners, I believe, there was an interim commissioner, and I further believe the interim commissioner wasn't really even doing the talking. I think there was a former staffer for the commissioner that was making a presentation. And, so given the fact that the commissioner was in flux, there was a new governor, there hadn't been a permanent appointment, we now have a commissioner, I wonder why we wouldn't be better off just remanding this at this point back to the commissioner and having him investigate whether or not a more

appropriate assessment should be established rather than us establishing an artificial floor of \$100 dollars, when the statute when it was originally constructed and has been changed a number of times, never contemplated a floor price before? So, I know there were a number of other questions in the caucus that I tried to answer. I do know that the gentle lady has worked hard on this language and on the bill. I think she's worked with at least her constituents and some of ours, but having said all of that, I wonder whether the best action would be not to take action at least in terms of establishing that floor if there is another mechanism that we could direct them to go back and avail themselves of and do it the way it was originally contemplated?

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Will you remark further?
Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. And, following the remarks of Senator Miner, I guess the question is why is the legislature dipping their hands into this business to determine what the appropriate fee schedule should be? why can't the apple growers amongst themselves be able to make that determination? We have a process, as I understand it, under 22-54o(p)(q) that allow the organization to operate within its own rules with the commissioner, and give it the ability to change the rates, and it seems to me that just the other day when I talked about the need for quasi to be reviewed and paperwork to be transmitted, the

pushback from some folks in this circle was you're making it too cumbersome. Well, clearly anytime they want to make a change to the apples, they would have to wait for us to be in session, give us a bill, have a public hearing, get it out of committee, make its way to various other committees, get in front of the legislature, be approved, and then signed by the governor, and then have an effective date. Well, if my request of sending reports to OPM was somewhat cumbersome, clearly this process has to be cumbersome.

And, once again, government doesn't know the answers, and we can't act swiftly, so I say perhaps the way of doing it is leave it to the free marketplace, and leave it to the growers to determine what's appropriate, and I'll give you the example. What if this Fall we have something -- a drought, something that affects the apples considerably? Maybe the organization would say a decimation to the apple orchard by infestation or what have you would cause a chance to the fee because the money that they thought was coming in wasn't coming in. Well, they would have to make the fee or hold up, wait for us to get back into session, and go through the whole process again. I say let's untie their hands. Let's let them pick the methodology for which they want to govern themselves. This is not uncommon. No pun intended but comparing apple-to-apples, it would be the tourism board that we allow people to join the tourism board, they set their own rules based upon percentages that they would do. Another example would be CCM or cost, so those are examples of how we let the free marketplace determine what's in the best interest of the organization. So, with that, I would ask the clerk to call LCO 8935.

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Senate

May 16, 2019

THE CHAIR:

Mr. Clerk.

SENATOR FASANO (34TH):

Did I say it right? 8935, Mike? You don't have 8935? 8935. Yeah, that one. Try that one and see what happens with that one.

SENATOR COHEN (12TH):

How about them apples? [Laughter].

SENATOR FASANO (34TH):

All right.

CLERK:

LCO No. 8935, Senate Schedule A.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

I request permission to summarize and move the amendment?

THE CHAIR:

Please proceed.

SENATOR FASANO (34TH):

Thank you. To get to the core of the problem I think -- [Interruption]

CLERK:

LCO No. 8935, Senate Schedule B.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Okay. I move the amendment and request permission to summarize?

THE CHAIR:

Yes. Please. Please proceed to summarize.

SENATOR FASANO (34TH):

So, what this amendment does is seek to get to the core of the problem. What it does is it -- is an attempt to repeal the apple provision of 22-54r. [Laughter]. So, Madam President, as a seed for thought, if we were to allow the apple orchard folks to get together and bring their ideas to the organization and say this is how we want to govern ourselves, this is how we think it should be done, let's let them do that. Let's allow them the right to organize themselves and set the rules appropriately to achieve the best harvesting of the ideas so that they can get their business to where they want it to be without governmental interference. So, Madam President, as I said by repealing 22-54r, it would allow the organization to exist under the preceding sections, and allow these ideas to come in, govern themselves, and move them accordingly and work fast towards that end.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator --

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Senate

May 16, 2019

SENATOR FASANO (34TH):

I request a roll call vote. I apologize.

THE CHAIR:

Yes. A roll call will indeed be ordered. Will you remark further on the amendment? Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President. And, in keeping with my good colleague's fun puns, while his amendment may have some appeal to some, I would stand in opposition to the amendment and remind everybody that the chairman of the Connecticut Apple Marketing Board did in fact provide testimony to us in favor of the underlying bill, and I worry that he is in fact a small apple grower, so I want to remind everybody of that, so his assessment would be impacted. He would, in fact, be paying more under this legislation, and he is in favor of it, and as requested that the legislature move passage. I worry that without this bill in place Connecticut grown products, specifically Connecticut apple products will be hurt as right now they have a great system in place with which they pay into a kitty -- if you will -- for the use of -- for the purpose of marketing and promotion of our wonderful Connecticut grown products, so I urge my colleagues to vote no on this amendment.

Thank you.

THE CHAIR:

Thank you, Senator Cohen. Will you remark further on the amendment that is before us? Senator Somers.

SENATOR SOMERS (18TH):

Thank you, Madam President. And, I rise in support of this amendment because I do agree with Senator Fasano that it seems almost unnecessary what we're doing here, and I have to ask the question -- maybe these apple growers would be better served if they actually didn't include the state of Connecticut in their marketing because we've seen how well we've done with our tourism slogans, etc. Maybe they would be actually better served if they worked with -- pooled their money, got together, and made a decision to use a private industry expert rather than the Department of Ag that actually might work to their benefit, and I do think it's strange that we have this just for one particular farming organization and not others as it's been pointed out, and I'm concerned that some of the smaller orchards -- even though we've heard from the good Senator that some of them have agreed -- that they are actually at a disadvantage. It looks to me from looking at this like one of the larger growers will actually reap the benefit and the smaller growers that are not producing quite as many apples will actually pay the difference, so I support this amendment. I think it's a wise decision, and putting the power back into the actual growers and the business folks' hands on their own to decide their marketing I think is the best way to go.

Thank you very much.

THE CHAIR:

Thank you, Senator Cohen. Will you remark further on the amendment that is before us? Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. Good evening. I rise in support of the amendment as well. You know, I don't know too much about the apple industry, but you know, when it first -- we first started screening it in caucus, I just raised an eyebrow immediately wondering why are we -- why are we involved in an organization that -- who is sort of assessing themselves and it -- I don't know if they're using the State of Connecticut as an administratively to -- to market. Don't know that for sure, but I just didn't get it, and I just felt that these are a bunch of small businesses that if they're meeting together they should be -- form an organization, not through the State of Connecticut, no different than the Board of Realtors, no different than the -- you know, I heard the good Senator Formica talk about the fish market industry. It just didn't -- I just didn't feel or think that this is not our job as a state to be in the middle of this. If these guys wanted to get together and be an industry and market themselves, that's the way it should be. So, I'm in support of this Amendment B.

Thank you.

THE CHAIR:

Thank you so much, Senator Martin. Will you remark further? Senator Miner for the second time.

SENATOR MINER (30TH):

Thank you, Madam President, but I think this is the first time on this Amendment.

THE CHAIR:

First time on the Amendment. I stand corrected.

SENATOR MINER (30TH):

No, no. Thank you.

THE CHAIR:

Please proceed.

SENATOR MINER (30TH):

So, Madam President, when I asked the questions earlier about how the vote was taken with respect to the current statute, it was the -- it was the crux to the problem I think we were having in our caucus that -- that while there seemed to be a well thought out statute currently in place and we couldn't determine at least whether there was still some opportunity to increase the assessment, we could determine, based on our read of the statute that establishing a floor really wasn't contemplated by apple producers. At least it hadn't been contemplated up until now. If I recall, the gentle lady, she didn't know if there were 25 percent or two-thirds of 30 or 70 or all the apple producers in the state, and frankly, I wouldn't expect her to know because I don't think we got that information.

I think the amendment currently before us is appropriate for a number of reasons. One is that apple producers have the ability to make these decisions on their own. The statute is clear that the money paid in is not to be considered general fund money. It stays within this organization for the purposes that they decide, so my read of the statute at this point is that we don't need to be collecting. We don't need to be in that business. If they want to assess themselves, if they want to change the assessment in some way, the rest of the

statute allows them an opportunity to do that. I do remember that the acting commissioner at some point had opined that they thought it should be a broader group of people, that the assessment should include others, and I think the committee, certainly the leadership of the committee pushed back and said, no we don't want it to affect even smaller producers. So, that leads me to believe that even the agency at that time didn't really understand what authority they had. So, I do support the amendment. The list that was provided to us seems to indicate that at least one individual has not yet paid or hadn't yet paid. I don't know if they've currently paid or not paid, but they're one of the largest apple producers there are. And, so Madam President, while I do support kind of a collective effort to advertise and I do want to make sure that apple produces in Connecticut have a place in the Connecticut market and outside the Connecticut market, I'm not sure that the statute as it's currently being administered is what was intended, and that's why I think the amendment is appropriate and that it should be adopted and allow the individuals that produce apples in the State of Connecticut to establish their own assessment, to make determinations on how they want to spend the money with regard to advertisements in state, out of state, and so on.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Will you remark further on the amendment? Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Good evening.

THE CHAIR:

Good evening.

SENATOR FORMICA (20TH):

I rise in support of the amendment, which I think I won't belabor the point, but it speaks to the conversation we had earlier with regard to whether we need to be in this business or not in this business to Senator Miner's point. You know, as I said earlier, we had a couple of very large apple producers in East Lyme, and you know, I enjoyed taking my young children there and enjoying all the things that happened in and around picking your own apples and all of the festivities that they would have, so I understand the importance of moving awareness for this program because it's a short season and because there's an opportunity to have some fun while you're doing some business, but you know, there's also an ice cream trail that's through the tourism marketing program in the State of Connecticut. There's an antique trail, but we don't do the same thing with those businesses as we are here with the apple business, so I just think that this is a little much. I think the opportunity has been heard, is there in the statute for them to proceed to market their apples.

But, I thank you, Madam President, for the opportunity to share my voice. Thank you, Madam.

THE CHAIR:

Thank you, Senator Formica. Will you remark further? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President, and for the second time. The Chairman of the Connecticut Apple Marketing Board is a great guy, and I think he does wonderful work, and I think his heart and soul is in the right place. And, although he spoke in favor of this bill, that doesn't necessarily mean he would be against a provision that struck the portion that this amendment speaks to. It just means that in front of him was a proposal, and given the scenario, he was in favor of that proposal. I don't know if he'd have a different result should the option had been to get rid of the statute. Nevertheless, Madam President, it speaks to the ability to allow this industry to govern themselves, regulate themselves, and then also move more quickly with respect to the adaptation of environmental issues or a bad crop or what have you.

So, Madam President, I urge adoption. Thank you.

THE CHAIR:

Thank you. Senator Cohen. Will you remark further? Will you remark further? If not, Mr. Clerk, would you kindly call for a roll call vote and the machines will be open?

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Senate Bill 1000, Senate Amendment B, LCO No. 8935. Immediate roll call vote has been ordered in the Senate, Senate Bill 1000, Senate Amendment B, LCO No. 8935. Immediate roll call vote in the Senate. Immediate roll call vote has been

ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Amendment B, LCO No. 8935. Immediate roll call vote has been ordered in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be closed, and would the clerk please announce the tally?

CLERK:

Senate Bill 1000, Senate Amendment B, LCO No. 8935.

Total number Voting	33
Total voting Yea	11
Total voting Nay	22
Absent not Voting	3

THE CHAIR:

The amendment fails. Will you remark further on the bill before us? Will you remark further? If not, we will call for a roll call vote. Mr. Clerk, if you would kindly call the vote, and the machine will be open?

CLERK:

Immediate roll call vote has been ordered in the Senate on Senate Bill 1000, as amended by Senate A. Immediate roll call vote has been ordered in the Senate on Senate Bill 1000 as amended by Senate A. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote in the Senate. Immediate roll call vote in the Senate on Senate Bill 1000, as amended by Senate A. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked, and the clerk would please announce the tally?

CLERK:

Senate Bill 1000, as amended by Senate A.

Total number Voting	33
Total voting Yea	26
Total voting Nay	7
Absent not Voting	3

THE CHAIR:

Legislation is adopted. Mr. -- Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Will the Senate stand at ease for a moment?

THE CHAIR:

The Senate will stand at ease.

[Pause].

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, if we can go to the next item on our go list, please?

THE CHAIR:

Yes. Mr. Clerk, please call that item.

SENATOR DUFF (25TH):

Mr. -- Madam President.

THE CHAIR:

Yes.

SENATOR DUFF (25TH):

Thank you, Madam President. I just want to make sure that our -- I may need to just change the order. Our next item should be Calendar page 43, Calendar 478, House Bill 7364.

THE CHAIR:

Mr. Clerk.

CLERK:

Okay. Page 43, Calendar No. 478, House Bill No. 7364, AN ACT CONCERNING THE REMOVAL OF CERTAIN TEMPORARY NOTES ISSUED BY THE TOWN OF WOODBRIDGE. As amended by House Amendment Schedule A, LCO No. 8098.

THE CHAIR:

Senator Bradley.

SENATOR BRADLEY (23RD):

Thank you, Madam President. I ask this vote -- excuse me, Madam President. I move the acceptance of Joint Committee and favorable report and passage of this bill.

THE CHAIR:

Thank you. The question is on passage. Will you remark?

SENATOR BRADLEY (23RD):

Thank you. I just want to commend the hard work of Senator Cassano, who's unfortunately not here to be able to present this, and I as Vice-Chair have been delegated this fine duty. This, in essence, would allow the town of Woodbridge a five-year extension on a note that they have there to make them more solvent as a town. As we know, our cities and towns are the backbone of ensuring that Connecticut is moving forward, and I also know that throughout this committee process Senator Maroney has been instrumental in informing us of -- of a lot of the issues that the town of Woodbridge would be facing if the Senate wouldn't move forward in allowing them this kind of grandfather clause to have this time period, so I want to also highlight and commend the hard work of Senator Maroney.

THE CHAIR:

Thank you, Senator Bradley. Will you remark further on this legislation? Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I rise in support of this as well. This is an extension of money that was put forth to help the town of Woodbridge. There is no new funding that will be needed, and I urge all of my colleagues to support this.

Thank you.

THE CHAIR:

Thank you, Senator Champagne. Will you remark further? Senator Maroney.

SENATOR MARONEY (14TH):

Thank you, Madam President. I just want to thank Senator Champagne and Senator Bradley for the work with the Planning and Development Commission -- Committee on this bill, and I want to thank the Senators. This bill will help the town of Woodbridge in -- as Senator Bradley has mentioned in being fiscally responsible in extending their note. I also would like to thank Senator Logan for his work. It's been -- we've worked with each other on this issue.

So, thank you very much.

THE CHAIR:

Thank you, Senator Maroney. Will you remark further? Senator Bradley. Ah, Senator Logan. Will you remark?

SENATOR LOGAN (17TH):

Thank you, Madam President. I rise in support of the bill, and I want to also thank everyone. I'm glad to see all the bipartisan support on this matter.

So, thank you very much. Thank you, Madam President.

THE CHAIR:

So noted, Senator Logan. Will you remark further? Senator Bradley.

SENATOR BRADLEY (23RD):

Madam President, if there's no further objections, I move to place this on the Consent Agenda?

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THE CHAIR:

I'm seeing no objection. So, ordered. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, we're going to stand at ease.

THE CHAIR:

The Senate will indeed stand at ease.

[Pause]. [Change of Chair].

The Senate will please come back to order. The Senate will come back to order. Our distinguished Majority Leader, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Mr. President. Mr. President, our next bill is what is supposed to be Calendar page 32, Calendar 448, Senate Bill 3. I'd like to just PT that and move on to the next bill. We will be returning to that one, but the next bill up is Calendar page 43, Calendar 475, House Bill 5004.

THE CHAIR:

Thank you, Mr. Majority Leader. Mr. Clerk.

CLERK:

Page 43, Calendar No. 475, House Bill No. 5004, AN ACT INCREASING THE MINIMUM FAIR WAGE. As amended by House Amendment Schedule A, LCO No. 8234.

THE CHAIR:

Distinguished Chair of the Labor Employee's
Committee, Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Mr. President. I move acceptance of the
Joint Committee's favorable report and passage of
the bill in concurrence with the House of
Representatives.

THE CHAIR:

Thank you. The bill has been moved in concurrence
with the House. Will you remark? Senator Kushner.

SENATOR KUSHNER (24TH):

Certainly. Thank you, Mr. President. This bill
will increase the minimum wage here in Connecticut
starting on October 1, 2019, to \$11 dollars,
September 1, 2020, it will go to \$12 dollars, August
1, 2021, \$13 dollars, July 1, 2022, \$14 dollars, and
June 1, 2023, it will go to \$15 dollars. After such
time, it will be indexed starting January 1, by the
employment cost index. This bill also changes the
training wage to a new wage that will be established
for persons who are 16 and 17 years of age. They
will earn the greater of \$10.10 an hour or 85
percent of the minimum wage for a period of up to 90
days. It also provides protections in case of
negative growth in the state's gross domestic
product for two consecutive quarters, at which time
the DOL will issue a report and recommendation to
the governor, and the governor then will make
recommendations and can recommend the suspension of
scheduled increases to the General Assembly.
Furthermore, it freezes the employer's share of the
minimum wage. For those who are tipped wage

earners, it will freeze that at \$6.38 for hotel and restaurant workers who are most often receiving gratuities, and for bartenders \$8.23. It provides that no worker shall face displacement or reduction of hours so that the employer can hire a younger worker and pay the subminimum wage. It also provides for a study by DOL of tipped workers that will look at patterns for tipped workers, and that study will be due no later than January 17, 2020.

So, that is the substance of the bill. I have to say it's a great honor for me to be standing here in this Chamber bringing to you the new minimum wage bill. I have spent my entire life fighting on behalf of workers, and it's an incredible honor to now be in a position to lift the wages of so many of our state's workers and -- and get them closer to what would be a living wage, so I urge all of my colleagues to vote for passage of this bill, and I think that's a good summary.

THE CHAIR:

Thank you very much, Senator Kushner. Would you remark further on the bill, which is before us in concurrence with the House of Representatives?
Senator Miner.

SENATOR MINER (30TH):

Thank you, Mr. President. So, is the bill before us as amended from the House?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

That's correct. This is the bill that passed the House last week.

THE CHAIR:

Senator Miner, you have the floor.

SENATOR MINER (30TH):

Thank you, Mr. President. And, so if I could, a couple more questions to the Chairwoman of the Labor Committee, please?

Through you.

THE CHAIR:

Please proceed, Senator Miner.

SENATOR MINER (30TH):

Thank you, Mr. President. So, if my recollection is correct, the bill that was in the Labor Committee had an effective date or at least a start date upon which the increase would occur, as I recall was January 1, 2020; is that correct?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

That is correct.

THE CHAIR:

Senator Miner, you have the floor.

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SENATOR MINER (30TH):

Thank you, Mr. President. And, under the bill that passed the house, if I understand it correctly, that effective date is moved up to October 1, which would be this coming October; is that correct?

Through you, Mr. President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

That is correct.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, through you, if the gentle lady could tell the Chamber what was the reasoning behind moving the start date up I think it's about four months earlier?

Through you.

THE CHAIR:

Senator Kushner, would you care to reply?

SENATOR KUSHNER (24TH):

Thank you, Mr. President. Yes. We did this in response to some -- from what we heard from both small businesses and other businesses here in Connecticut and of our colleagues that they would prefer keeping the increases under a dollar, and they would prefer extending it over five increments.

THE CHAIR:

Thanks, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

Thank you, Mr. President. And, so the way to accomplish that was to start the clock earlier as opposed to extending it from the original state date of January 1? Mr. President, through you, in the second section of the bill starting on line 33, there is some -- some verbiage here that talks about establishing a fair minimum wage. Under no scenario within this bill as I read it, can that fair minimum wage be less than what is in section 1? Am I correct in that reading?

Through you, Mr. President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Yes. The minimum wage in the State of Connecticut is established in section 1, item -- in the first section there.

THE CHAIR:

Senator Miner, you have the floor.

SENATOR MINER (30TH):

Thank -- thank you, Mr. President. And, so as I continue on reading through the bill, there seemed to be some other point in time at which the minimum wage is able to be less than the established minimum wage in section 1. If the gentle lady could explain to the Chamber how is it that those other scenarios

are permitted when the plain language on line 33 and 34 say that the minimum fair wage needs to be what's in that schedule?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

I believe that section that you're referring to on line 33 is followed by words that are important to suggest that if it were to go -- it could go up in effect if the federal minimum wage was increased, but I assume you are talking about other places where there's a set minimum wage articulated?

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

So, I am aware that there are provisions under the federal law if we were to be below the federal minimum wage at any point that we would be required to increase. But what I'm asking about is if there are section in the bill that seem to allow for a payment of minimum wage that is less than the schedule? And, I think this is the only opportunity the public gets a chance to make it clear that if they fit in one of these other categories there is a wage raise below the fair minimum wage as described in section 1 that could be paid and would be applicable without penalty. Am I correct?

Through you, Mr. President.

THE CHAIR:

Senator Miner -- Senator Kushner, just stand at ease for just a moment.

[Pause].

SENATOR KUSHNER (24TH):

Senator Miner, you are correct. There are provisions in this bill for someone to be paid a subminimum wage or be paid according to tipped wage credit schedule.

THE CHAIR:

Senator Miner, you have the floor.

SENATOR MINER (30TH):

Thank you, Mr. President. And, so in section 5, this appears to be one of those areas where although there's a wage scale for minimum wage, there is also an opportunity for all persons under the age of 18 years to be paid a wage rate of not less than 85 percent of minimum wage for the first 90 days of such employment. So, am I correct, this would be one of those sections that would operate concurrently with this fair minimum wage rate, but it would be 85 percent -- could be 85 percent for those that are under the age of 18?

Through you, Mr. President. Oh, a switch-a-roo. [Laughing]. Madam President.

THE CHAIR:

Senator Miner. Please proceed.

SENATOR MINER (30TH):

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Thank you, Madam President. I asked the question.

THE CHAIR:

And, Senator Kushner. Good evening. Good to see you. Please respond. Thank you.

SENATOR KUSHNER (24TH):

It's great to see you, Madam President. And, Senator Miner, you are correct. There are circumstances where a person under the age of 18 could be paid 85 percent of the minimum wage.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Am I correct that would be for the first 90 days of such employment?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

That would be up to 90 days.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, through you, Madam President. Is that 90 eight-hour days or could it be something else?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

That would be 90 calendar days.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, through you, Madam President. Ninety calendar days -- are those 90 calendar days for which someone actually appeared for work and was on a schedule?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

That would be 90 days from the first date of employment.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

So, given that response, if -- if I ran a hardware store, and I hired someone under the age of 18, and they reported for work on May 1, 90 days after that even if they didn't actually have another work shift but maybe once a week, that beginning wage would be appropriately paid at 85 percent of minimum wage for no more than 90 calendar days no matter how many

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days the individual actually worked at that job? Am I correct?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

That's correct.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, if I could, through you, Madam President? So, I think the starting age at which someone can legally work in the state of Connecticut in different positions is at the age of 14, and so if I hired somebody in that hardware store to clean the shelves at the age of 14, and then after some period of time, that employee decided they didn't want to work there anymore, they wanted to go try doing something else. Does the next employer have to pay that employee the full rate minimum wage, or are they entitled to hire someone below the age of 18 and the clock starts again with a new employer?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

Give me one moment. It's 90 days with the same employer. If you move to another employer, it would start over at 90 days.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, so if that same employee started this summer or the first summer after the effective date of this bill and worked for a period of time during that summer, left employment, and wanted to come back to the hardware store again and instead of being someone that cleaned the counters, did some other task that was a different task, still learning opportunity; would the same employer have an opportunity a year later to the same discount on the wage rate even if it was the same employer the employee had previously been hired at?

Through you.

SENATOR KUSHNER (24TH):

Thank you --

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

Give me one moment.

THE CHAIR:

Certainly. The Senate will stand at ease.

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[Pause].

SENATOR KUSHNER (24TH):

Madam President.

THE CHAIR:

The Senate will be called to order, and Senator Kushner, please proceed.

SENATOR KUSHNER (24TH):

After confirming with counsel, I would like to correct an earlier statement. It would be 90 days per employee, so that employee when they work 90 days, once they've completed that 90 days, they would have to be hired at that full minimum wage regardless of whether it was the same employer or a different employer, so regardless of it was that summer or the next summer.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Now, I'm baffled, Madam President. So, the bill contemplates a learner's wage for someone under the age of 18, and I guess it's not a learner's wage, it's actually forgetting learner's, it says all persons, and that -- if that -- if that individual actually had employment previously and went to someone new, what would be the -- what would be the evidence that someone would show to prove that they had previously been employed or what kind -- yeah, what would the evidence be that they would show that they had previously been employed in the prior summer for instance?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

As you pointed out, this is no longer a learner's or beginner's wage. It's now applied to all persons under the age of 18, and I believe that the Department of Labor will have to come up with guidelines for how they can establish that with the next employer.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

And -- and through you, Madam President. There's some language on line 54 and 55 that speaks to institutional training programs as being exempted by the commissioner. If the gentle lady could describe for the Chamber what those might be?

Through you, please.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

That's existing language in statute, and I know that it has referenced waivers that the federal government has given out to certain institutional training programs.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

And, through you, Madam President. So, in those cases where it was previously existing language and there may have been a discount or a reduced wage rate pay that was acceptable to the commissioner, in all cases, will those still exist?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

This bill does not change the -- the underlying bill except where noted.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President, but Madam President, I would argue that I think the bill does change the underlying statute certainly with respect to lines 33 and lines 34 where it says in no event shall the minimum fair wage be less than the amount on the schedule, so what I'm trying to find out is how would someone know whether the institutional training programs that were previously exempted will continue to be exempted? Is there any language in the bill that will give people some comfort so to speak? As I recall, we had testimony provided by parents, caregivers of individuals with special needs that were concerned that by changing the

language we were somehow going to create a scenario where their employment opportunities would be something less, and therefore, their opportunities for socialization, their opportunity for earning some income would somehow be diminished?

Through you.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

This bill does not change those underlying statute exemptions.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. So, in the case of those individuals with special needs, if they work for an employer that did peace work and the wage work for that peace work as demonstrated previously was some dollar per hour based on the efficiency, the level of competency, would that still be the same wage rate after the passage of this new language?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

The same exemptions and federal waivers that existed will continue to exist.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

And, if I could, through you, Madam President? When the gentle lady says the same exemptions will exist, are they the same exemptions to the same degree or are they the same exemptions against a higher wage rate as directed in section 1?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Where this bill addresses a change in a subminimum wage, I think it addresses it clearly whether it's based on age, it would be \$10.10 or 85 percent, whichever is greater, or the tipped wage credit that is articulated a little later in the bill.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

So, in this case, Madam President, what I'm trying to do is I'm trying to make clear what the circumstances will be for individuals with special needs. So, they're not tipped wages, they're a proficiency-established wage, and what I'm trying to get to is whether or not people who are concerned about their loved ones being priced out of a job, whether they would have kind of an equal opportunity for the same number of hours or whether this

language forces a higher wage upon which that discount would be -- will be taken from?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

I think this bill clearly articulates where there is a change in the existing statute for a subminimum wage. I think all other exemptions are written in, in definitions of the statute in other places in the statute, and those would continue to exist. If it's done as a percentage, it would be -- continue to be a percentage.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, I'm recalling that there's some language in here with regard to displacement. Is it the intention of the new language to limit the ability of an employer from reducing the scheduled hours of someone who might have a higher wage rate because they're over the age of 18 if that position can be filled by someone under the age of 18 at the reduced wage rate at least during that beginning 90-day period?

Through you.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

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SENATOR KUSHNER (24TH):

The intention of the bill is to protect such that no employer will take advantage of a subminimum wage and reduce the hours or displace an employee who is over 18 because they have the opportunity to hire someone under the age of 18.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

And, so again, through you, Madam President. In the case that an employer puts up a schedule of work hours and the aggressive younger employee might fill their name into a block of time to work at that hardware store, and that's been the policy of the store is to let people kind of fill in the schedule at will, if it was later determined that that exercise reduced the number of hours to a more senior employee, what would the mechanism be for that person filing a claim that somehow the employer had created that circumstance where they favored the younger less expensive employee?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

The bill calls for the labor commission to make that determination.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

And, through you, Madam President. Is it the obligation of the employee whose hours have been reduced to make that claim and how would they make them to?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

I think the bill makes it clear that it would be the labor commissioner who would make, and that would be the labor commissioner of the DOL to make that determination in cases such as this. In other statutes, it is the responsibility of the person who feels aggrieved to make that claim.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

And, if the gentle lady knows is that language -- I guess is that language part of the current statute or is that new language and have regulations been developed yet to establish how that process will work?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

I'm sorry, Senator Miner. I was distracted for a moment. Are we still talking about the same paragraph?

SENATOR MINER (30TH):

We are.

SENATOR KUSHNER (24TH):

Okay. This is new language, and it would be proactive. It would mean that the employer would have to engage in practices to either reduce hours or limit or displace employees, so the example you were using is a little confusing because you gave an example where workers sign up for hours, so this would have to be proven to be a practice of the employer, not the voluntary sign up of hours.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

And, so as it's anticipated then in the language, if it was voluntary upon which people signed up on the schedule and it wasn't directed by the employer, they would still be operating within the confines of a new statute and not subject to a penalty, and that would require a hearing of some sort?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

I think this bill points out very clearly that an employer would have to have an intention. It says for purposes of hiring persons under the age of 18 years of age at a rate below the minimum fair wage, that I believe that would be the language that would show that the employer has to have intent to do that, and they would go to DOL, and I assume there would be a hearing similar to other adjudication processes that currently exist for other aggrieved employees.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I wanted to jump over I guess to camps and camp workers for a moment, if I might? And, so I'm recalling I think during the Appropriations Committee meeting there was an opinion offered that this new language did not affect summer camps. Am I correct with that?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

And, the definitions in this section of the statute, it does define employee, and it says employees who are working at a summer camp who is operating for fewer than six months a year would be exempt.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

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SENATOR MINER (30TH):

And -- and for those camps that may have a totally separate purpose but still operate let's say for more than six months. I'm thinking of one that's in my district. If they continue to operate as they currently do, which is weekend seminars for which people can come and sign up and do scrapbooking or something similar to that, so that the period of time in the calendar that they're actually functioning during the calendar year is more than six months; does that subject them to the new fair minimum wage for all employees including those that work during the summer months of summer camp?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

The employee/employer relationship does not exist for employees who are hired to work at a summer camp that is few than six months -- operating fewer than six months of the year.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. So, once again, this is -- this is the public's opportunity to try and get a sense of what this language actually says and what it doesn't say, and during the testimony in the committee, there was a fair amount of angst expressed over whether or not a change in the fair

minimum wage was going to price some camps out of business, and to the extent that the opinion has been offered that this does not apply to camps that function less than six months or less that exist in the State of Connecticut whether it's a boy scout camp, a girl scout camp, a YMCA camp, in my case private camps that have found it necessary to provide certain weekend opportunities in order to pay insurance, keep the lights on, maintain the buildings, and so in those cases where they may be open during months beyond what would normally be the summer camp period, all wages would be exempt from this or just the wages that would be paid during that summer camp period?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

I want to point out the statute has not changed in this regard, so if a camp was exempt because it operated for fewer than six months in a year, that exemption stays. If there is a discrimination that that camp doesn't meet the exemption because it's operating beyond the six months, this bill doesn't change that.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

And, so in as much as the statute as it's proposed here, this bill, doesn't change the underlying

language with regard to camps, the concern being expressed in my district is that A) They don't want to follow the law and B) This new schedule is going to cause them hardship to the extent that they aren't going to be able to run these programs, and if they're forced to close those weekend opportunities, which put them outside the six months in total, that's not going to allow them to stay in business. And, so historically, I think the way most camps have interpreted the current statute if the employee lives at the camp, eats with the campers, sleeps on the campus, swims with campers, shoots bows and arrows, plays miniature golf, whatever they do, then they have not historically been subject to the minimum wage standard and that there has always been an understanding that those wages because of all those other things would be less. A camp counselor for instance would not be compensated at a fair minimum wage rate for every hour they were on campus at the camp. Is that going to change through this bill?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

This bill does not change the underlying definitions in the statutes, which call for an exemption of camps, and so if they were exempt previously in the circumstances you described, those exemptions would continue.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

And, is it fair to say if they have been historical interpretations that have gone unchallenged, if they are now challenged, the outcome of that challenge may be entirely different than the circumstances under which they've operated perhaps for the last 50 years?

Through you.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

I don't believe this bill changes anything with regard to determinations that for the way the DOL would make determinations as to the way they would handle historic circumstances. I think they would make the decisions in the same way as they do now as they did before.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President, and I thank the gentle lady for her answers. Madam President, we've -- I think we sat the day of the public hearing in the Labor Committee probably 12 or 14 hours and listened to testimony from individuals that felt the time had come for a wage rate increase, sometimes they were advocates on behalf of a certain class of people. We heard testimony from people that had loved ones that were special needs, young adults that were very concerned that this new wage rate was going to

affect their employability, was going to affect the number of hours that their loved one might be provided, that socialization opportunity, and that was one of the issues that stuck with me, and it does sound to me as though those individuals certainly would be eligible for the higher wage rate. I guess based on the responses if there was no older person that would not benefit from a discounted rate then, you know, there would be no issue there, but at least for purposes of that population, I don't think there would be any penalty for an employer reducing the number of available hours for that population based solely on the fact that certain tasks get paid certain amounts of money.

Madam President, we heard from a gentleman that runs a large amusement park, and he was concerned that once again this was going to be a problem for him in that in many cases they are -- they are the first job that young people get, and he urged us not to establish a schedule that was too fast, one that didn't increase too quickly because he as well said that given the economy people only have so much expendable wages to enjoy his amusement park, and therefore, he thought that increasing the rates was going to decrease the number of individuals that came and that that would be, unfortunately, a scenario where they wouldn't be able to hire the people that they do currently.

Madam President, we heard also from a gentleman that runs a grocery store. There was, I think, a very good dialogue between Chairman Kushner and my constituent, and they were talking about the effects of an increased wage rate, and his ability to price that into the products in his stores, and that more

often than not that increased cost of labor was going to become a basis for an increased cost of goods and the effect that would have not only on this population but everybody else including seniors that more often than not have a fixed income, and don't really have another opportunity to make up for the additional cost.

So, I think based on my communication about this bill as it came out of the House, for those that had voiced concerns, I've not heard anybody say to me they thought the mitigation by starting it some four months earlier necessarily accomplished the goal, and that to go to about four years didn't necessarily accomplish the goal either given the wage rate increases in the last minimum wage discussion that we had and at the time minimum wages were increased. It's still too far, too fast.

Madam President, we had people come to testify and in fact, they had testified as nonprofits that in the past legislation they testified in support. They could price it into whatever it was that they were doing, but they were concerned in this case that they would have no ability to price it in. In fact, if you look at the fiscal note that accompanies this bill, there are very specific circumstances where we as the payer for these services don't even appropriate the money to pay this increased rate of pay, and so while the language of the bill is clear about what an employer will have to pay the employee, it still is very much a question as to whether or not the employer will have sufficient resources because they're providing a service that we have a contract with them for to make those payments. The squeeze is just too much.

Madam President, we heard from Park and Recreation personnel who probably deal with as many, if not, more than any other camp scenario, and in most cases, they are an opportunity for parents to leave children during the summer months with qualified individuals and have in many cases a very limited income. They can only afford to pay what they can afford to pay, and yet, with these increases, the increased cost of day camp, they predict will be sufficient that they are going to have to stop offering certain opportunities.

So, this isn't me calling somebody and asking them to come up to Hartford and testify. These are people that are paying attention to what we're doing, and they're saying, look we get it. We get the fact that people would like to make more money, and we get that there are individuals that believe as they do that they are entitled to more money, but there are certain circumstances where there isn't enough of a cushion. Municipalities for instance don't have enough of a cushion. They're not a for-profit corporation. They're not even a real not-for-profit corporation that has the luxury of paying in some cases salaries that municipalities can't pay and won't pay.

Madam President, the language seems to have done well by the restaurant industry, and I don't run a restaurant, so I don't know what the net effects of this bill will be on the restaurant industry, but I think at least my read of it is that there was an attempt to try and mitigate to some degree what happens with the restaurant industry, and I think that was another group of individuals that we heard from, and so I'm happy that there has been some change in that regard. I'm trying to remember all

the others that testified. Certainly, there were people that testified before the Labor Committee -- single moms, single dads, people that claim that they were working 60 hours a week, and this would provide them an opportunity to work a regular full-time job instead of a job and a half, and certainly, as we listen to them, it is believable, so it's not a matter that we don't -- or I don't understand that additional money would be helpful. It would provide opportunity to people. The question is, is government doing it the right way to have it happen? I've said time and time again I don't think we should be establishing an upside limit on anyone's wage, that the market should determine someone's upside wage, but what this is going to do is this is going to determine that the value of someone who has to change inventory in a hardware store is the same value as someone who may check me out of a fast food restaurant. Those are both jobs, they both require you to show up, they both require you to be pleasant. I'm not sure they should pay the same, but in many cases for at least young employees, those are starting jobs and everyone's going to get paid the same rate and then everyone above that is going to get paid an increased rate when this changes. No one here should think that this is going to be limited to only the people that earn minimum wage. Small business across the state of Connecticut is going to be affected by this bill, and it may cause them to reduce hours. We heard that a lot. I think people are going to be far more careful about who they put on the schedule and when they put them on the schedule, and let's not forget there's probably another four or five bills that have to do with labor that are percolating their way

through the system that are going to put even more pressure on business.

So, Madam President, I will sit and listen to the other questions and comments this evening. I did not support the bill in committee. I did not support the bill in the Appropriations Committee. I still think it has the same problems that it had in both of those committees with regard to appropriations. We don't appropriate enough money to pay these wages, and I think the effect on business is still the same as it was when I read the bill and heard the public hearing in the Labor Committee, so I will listen some more, but I doubt very much that I'm going to be able to support this this evening, Madam President.

THE CHAIR:

Thank you, Senator Miner. Will you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Great to see you there this evening. I have a couple of questions, but they may get answered later on, so I'm just going to make a statement, and I certainly don't want to go on for a long period of time, but you're all probably very tired of hearing that I grew up in the town of Windsor, first English settlement in the State of Connecticut. There will not be a quiz at the end of session, but my first job was at 14, and back in those days, Windsor and the surrounding towns were famous for their tobacco farms. In fact, in the concourse between the LOB and here, one of those big pictures on the wall is a picture of a tobacco field and tobacco shed, and it

says Windsor. I think it says like 1965, but it really wasn't the same in the 70s when I did that. I would get up at 5 in the morning. My mother would have to wake me up or my dad to get ready to wait for a truck at 6, so that I could be in a muddy row more often than not at 7 in the morning ready to work, and then picking tobacco, the first thing you do is you sucker, which is to take the little things between the stem and the leaves, and then as the plant grows you begin with picking the leaves at a certain order. My first wage was \$1.10 an hour. Now, granted at 14, I don't need a living wage. I'm not supporting a family -- God willing. But I will always remember getting that first paycheck. It just felt incredibly great because this if the first time I didn't have to go to my parents if I saw a toy or an album or baseball hat or whatever kids want. I got that check. The other thing I learned at 14 is I went to my dad and I said, what's this other stuff? Why they taking money out? What's this FICA thing? He just laughed and he goes, oh, you're going to be doing that for the rest of your life. It's good that you're learning it now, and even at 14, the self-esteem that I felt from having a job was a good thing. It's a hard job. Agriculture work is hard work. It's dirty work. I mean we would be in those rows for a couple of hours, and then they'd bring the water barrel. The water barrel, they'd open the spicket, you could get some to drink, but they also created like this puddle with the mud because the tobacco tar made your hands so sticky you would need to like clean them in that mud if you were gonna like have a snack or something like that, and then do it again when it was lunchtime. Unfortunately, those jobs are gone because of the march of time, and I feel bad for

young people because unless you're a paperboy or girl or paper person, there's not the opportunity to experience that kind of difficult first job, and so I've been able to sort of peg every job in my life to that job, but as hard as it was getting up at 5, truck at 6, field at 7, and if it's a hot day or if you just pretty much get done 3-ish -- 3:30 -- it feels really good. Work is good. Having money in your pocket is a good thing. Feeling that you accomplished something is a good thing. Sixteen or 17 maintenance worker, corporation, painting machines, things like that, moving stuff, cabinets, whatever they needed that day. It was interesting in that every day was different, but some days you had just really grunt work. Other days might be something less onerous, maybe painting something, but maintenance, summer job, slightly better wage, and then for six summers I was really lucky to work in a summer camp. I started off as a counselor, then unit director, and then program director, not paid hourly. It's an overnight camp. I don't know how this would fit in. Maybe later on if I don't get an answer, I'll ask that question, because it was basically you get "X" a week. I'm happy that it doesn't apply to camps that are open less than six months. The one that I worked in was not open more than six months, but again, what it was is you're gonna basically work from when you get out of that year of college until when you have to go back to college, so it ended up being pretty close to three months, and it was like you're gonna get "X" amount of dollars per week, but also room and board because you're living in a cabin with the kids or you get a special unit director's cabin, and you get the three meals a day, and one day off at the camp that I worked in was like noon like on whatever day you

wanted to noon the next day, so I mean I don't know how the hourly wage fits into that or if it's exempt. I'm guessing if you had to put it all together like the employer would get credit for whatever the cost of the room and board is as well.

I guess what I'm saying is that one of the areas that we have to be very mindful of is racing forward with an increase in the minimum wage so much so fast that we eliminate opportunities for our young people, and I know that there's some exceptions in this proposal that would address that based on age, but I'm not so sure it really does everything that it has to do, so that's a concern that I have, and I think that more and more it just seems like there's less opportunities for our youth, and if you can't get your foot in the door and get that experience, it's -- it's not good for us as a society.

Now, in the wintertime, there's a thing in Davos, Switzerland where thought leaders and billionaires and movers and shakers, and I believe at least one year former governor Malloy went, and they sort of like talk about what's the future of the world, and I enjoy reading articles on what they are talking about, trying to figure it out, and I may disagree or might agree, but for the last few years, they're talking about mechanizations. We've seen the story before with the industrial revolution where we transform from an agrarian society to an industrialized society, and it caused a lot of people -- just large batches of people lost the jobs that they were used to, the lifestyle that they were used to, and became part of the mechanization, and those are brutal jobs, and you have people called luddites that would go and sabotage the machines. Well, lately in Davos, they're talking about the

next wave of mechanization with robotics and things like that and actually predicting that displacement of human workers from the jobs that they're used to in the next decade or so, so that's already -- that's already going on, and I know I read somewhere that McDonald's is going to be hiring a bunch of people, but you can't go into McDonald's now without seeing that sort of order-it-yourself kiosk, and I was sort of like the old school and they still have people that will take your orders, but my youngest son, Tristan, it's completely natural to him, and it's like, dad, you just go [mimicking noise], and it's just like, dad, where's your credit card? Okay, we got our food, and he's completely used to that, and so we're just beginning to see the transformation because I don't think we'll be surprised that in 10 years they'll be a lot more of that mechanization in there and less of the human beings in there. There's a restaurant chain, I believe, in California, where they even have mechanized the flipping of the burgers and things like that, and you know, the folks that work for the larger chains they have the wherewithal to hire business folks and economists, and maybe even actuaries, and you get to a point where you go the numbers work so that it's more profitable for us or it's a better business decision in the long run to mechanize certain aspects as opposed to sticking with human workers, and so to the extent, we raise up that minimum wage, which has a domino effect, because if you keep pushing up the bottom, other people up that chain have to be raised as well because it's not fair just to raise the bottom up. You know, if you've got a good employ who's been there ten years, well, you want to treat them fairly as well, right? So -- so that all happens. So,

that's one negative consequence that we could be stumbling into inadvertently. I certainly don't doubt the motives of people that are really pushing this bill. They want to help people make more money, and that the minimum wage as it stands now they don't feel is appropriate. I don't feel the minimum wage necessarily was always supposed to be a living wage. I think it was an entry wage and this notion that you can sort of like live on a minimum wage with a four-person family or something -- we're never gonna get there, but we don't want to foreclose the opportunities for people to get into the workforce. I hope I'm wrong. I hope I am wrong that this particular bill, which I believe goes too far way too fast, will have that deleterious negative repercussion.

The other negative aspect I think that is even more likely than mechanization and robotics is that employers are just going to say, all right, I have "X" amount of employees, cost me "X", and now I have to play X plus Y. I can either try to squeeze more work out of the employees that I have or I may just have to lay off somebody and everybody else is going to have to pick up the slack. I've bumped into people in my neck of the woods, Northcentral Connecticut, where I have been told that's coming down the road if this bill passes. Someone in early childhood education -- there's not a huge margin for those individuals working with three and four-year-olds. There's so many folks in there for so many children, and if this pushes the cost up, there's only so much you can add on to the cost of the service before families will not opt to have their children go to paid early childhood, so you don't want to raise your rate so much that you diminish the amount of people that want to come to your

service; thereby, undermining your service and maybe putting yourself out of business. So, if you have seven folks working with "X" amount of children, now you may say I can only afford six or five, and then you regroup with the ones that are remaining and say you're gonna have to do it this way now and cover more kids and stuff like that, and there's a lot of businesses out there. I'm not saying they're necessary hand-to-mouth. I'm saying there are really tight margins for staying in business, and I really fear for them.

I mean I know that folks are not going to have great sympathy for the subways of the world, but the folks that are working there and other kinds of chains like that, they're not making oodles of tips. Some restaurants -- I talked to a restaurant owner a couple of weeks ago, his wait staff are making \$35 or \$40 bucks an hour. It's a great restaurant, but he's concerned about all the other folks, not the wait staff, and that's taking a greater share of the contributions is not a great thing, but he's worried about everybody in the kitchen and the bus people and the cooks and all of them because it just has ramifications all the way there. When we eventually tack onto the automatic uptick, I don't know why we use like this high-end tri-city New York, metropolitan index. Look into like just the consumer price index -- not even close. If you were going to use an index, use that. What's happening in metro New York, tri-state area is no reflection in my neck of the woods, Northcentral Connecticut. It's just two different worlds. It's really not a one-size-fits-all state. Just the cost -- just the cost of living in Fairfield County is so disproportionate to, you know, north of Hartford.

And, so I'm not here to fillabuster. I'm not here to rant and rave, but I have distinct concerns that the goodwill behind this bill while well intended there just is the possibility of some very negative ramifications, unintended consequences. The jumps are far greater in this bill than we have seen in past minimum wage bills, and the timeframe not even 12 months. It's like 11 months, 11 months, 11 months, 11 months. You can't even -- I mean my understanding businesses have at least one-year plans, if not two and five-year plans, and here it is like ratcheting up not in the in face of a year, but 11 months, 11 months, 11 months, and these are giant jumps. So, I hope I'm wrong. If this bill passes and I'm under no illusions that it will not get out of this Chamber and be signed into law by Governor Lamont, but I'm hoping that we're not here next February -- God willing we're all healthy and back here -- and people are already screaming saying, Oh, my God, because now this doesn't even take effect January 1, 2020, this is going to take effect in October. We're going to start knowing how this is going to work out real fast, and I don't want to hear from my constituents in Northcentral Connecticut that, oh, we're losing our jobs because better to have a wage that's going up less dramatically over a longer period of time and have a job than this dramatic fast-paced increase and lose a job, and I'm not down on Connecticut, but to say that you know if we have two quarters where we have negative growth -- well, that's probably not gonna happen, but we are truly anemic when it comes to growth, and if we're just trotting along at like 0.5 percent and surrounding states are moving much quicker than us, not to mention the rest of the country, that's not a success story, but that

wouldn't be enough to trip the mechanism to slow this whole thing down.

So, I think there are flaws in this. I really wish it would have been negotiated so that it would be less dramatic increases over a longer period of time, but I actually even if that were the case I don't think our state at this point in time can afford this. Right now, these businesses are talking to me saying, we're barely making it. Please do whatever you can to try to stop this, but we could talk to 3 in the morning, 6 tomorrow morning, and when it's all over, the votes will be cast, and it's gonna get through. But I really would hope that the proponents of the bill, if you see that this was a mistake when we come into session next February, please don't hesitate to modify it and correct those errors. If I'm wrong, I'm wrong, but I've been around here long enough to say that sometimes bills with the best of intentions have unintended negative consequences, and sometimes we spend as much time fixing a bill that we just passed in the next session as we did in trying to run up to get the bill passed in the first place.

And, so please consider these things as we continue this discussion and conversation and debate here in the circle, but again, having a job is much better than not having a job.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kissel. Will you remark?
Senator Winfield.

SENATOR WINFIELD (10TH):

Good evening, Madam President.

THE CHAIR:

Good evening.

SENATOR WINFIELD (10TH):

So, I'm supportive of increasing the minimum wage and this bill. The last time that we actually increased the minimum wage in the state, I was the Chair of the Labor Committee, and right around that time, I remember standing with people talking about a \$15-dollar wage. That was 2014, so I recognize that there are people who are concerned with the speed with which we are moving to minimum wage of \$15 dollars in several years from now, but when we're done with this, we will be nearly a decade after I was having that conversation as the Chair of the Labor Committee. I wanted to be eloquent, but I'm tired both physically and mentally, so I'm just gonna tell a story because when we have the minimum wage debate, they're often stories told in this Chamber about people's first jobs. None of us are extremely young, so usually, those are stories from a time a little bit ago, including myself at this point, but I want to talk about the concept of a living wage as it relates to the minimum wage. So, my mother had a really good job that paid her a living wage, but she found herself in a situation where that living wage was -- didn't work out the way that it should given all the other things that had happened to her, and we were surrounded by a lot of people who were struggling to make it, and because of the situation she found herself in when my father had left us and had debts and whole bunch of other stuff, we struggled. So, I know what it is to try to make it, and I want to tell you what it

can mean in a person's life, so we have a lot of conversations around this circle about the impact that the bills we put forward have on people's lives. We have a lot of conversations about a variety of topics, one of which is education that has been a passion of mine since I got here, and in my life, the fact that my mother had the struggle which she had, which of course then is my struggle, it meant that when I went to school I didn't go to school in the community I lived in because that community given how much money we made, where we were able to live, was not a community that I would ever stand here today if I went to the school in that community, and so we pretended to go somewhere else -- we pretended to live somewhere else so that we could go to school there, and when I came home -- because of the way that the community worked -- I would find myself on the ground floor going to do my homework, and this talks about the opportunities that people have. And, when I'm on the ground floor going to do my homework in my apartment, I have to make it there of course, and so the only two ways to get there are through the elevator and the stairs, and this has to do with how much money people make and the conditions they live in. The elevator is, as you know, it's an elevator. It's a regular elevator, except this elevator almost always is without light, and this elevator usually has urine in it, and much of the time it has somebody riding on top of the elevator because they're looking for somebody that they can make a little money from, not in a way you and I make money at our jobs, and experience is a very similar condition. And, so, yes, because my mother doesn't have enough money to live well, and I'm not talking luxuriously, I'm just talking live well. Because she doesn't have that

money, the experience I have as a five, six, seven-year-old kid is the experience of having these things that I have to do in order to open the door to my home to do my homework.

When we talk about the minimum wage, and we should be talking about a living wage at the very least, when we talk about it, these are the things that we don't talk about in the circle -- the experiences people have. That expediency with which some of us think we should be moving is because of that, and I hear people often times say, well, the minimum wage should be considered to be a living wage because it was never meant to be that. Franklin Delano Roosevelt, FDR, actually said something different than that. I'm going to quote him. He says, "No business which depends for existence on paying less than living wages" as he's talking about the minimum wage "to it's workers has any right to continue in this country." And, then they went and passed the law that created a minimum wage. It's clear in historical record that the intent would be that people would be able to live well. We're here talking about a sub-living wage. That's what this fight is for. This fight accurately is for a sub-living wage because in the State of Connecticut right now the living wage is larger than when we get to the minimum wage of \$15 dollars. What we are fighting for is for people to be able to exist in conditions [Crying] like the conditions that I had to grow up in and hoping that we can get there.

What we are saying to people is we had experiences where we learned the value of work, we learned and had pride in that work that we did. That's good. That's nice. Let me tell you the experiences of the young people I talk to right now. They get that

first check and they want to have all the pride and the value that we had. They look at that check that they sit down and they don't have a little cash in their pocket because the point of getting a check for them wasn't to do what we did. The point of getting a check for them was to help with the house, and when they look at that check and they see what's in that check, they haven't done much to help in that house, and that sense they have is not a sense of pride, it's a continued and further sense of desperation. But we are fighting to make sure that it stays that way, that they understand that they are going to continue to be locked into a system that does not allow them to help out in that house in a way they had hoped they could, and I said I was tired, but I'm not as tired as that mother who has to work all those jobs. We keep acting like it's teenagers that we're talking about. That's not what we're talking about. And, if we're gonna have a conversation, then we might as well just say what it is. We are talking about people who are trying to live, and what we are saying is it's okay for you to have a substandard wage, a less than living wage. We are saying that the wage we talked about five years ago is not good enough today and maybe to some of us not good enough in years from now -- four to four and a half years from now. It's unacceptable. It's absolutely unacceptable. You know, the situation that I described to you is about five minutes of my day as a child. I won't bother to explain to you what the rest of the day was like, but when I've explained my day thoroughly to people who are adults right now, many of them tell me they couldn't make it through that day, and as a legislature, we are saying to people it's difficult. There are all these things you have to consider.

Mechanization has been coming since we had work. Mechanization is coming whether or not we have a minimum wage increase or not. It's a part of what happens. This technology advance has never not been the case. It's also not a reason not to increase the minimum wage.

You know, I've talked about my mother quite a bit here. My mother passed partially because of the way she lived. You know, we talk about what -- what we should be doing and how we should do it, and my mother was one of those people who recognized that as a parent she had a responsibility, and I'm not just talking about the responsibility to raise me up and send me out into the world but a responsibility to be present while she was working that job. I was thinking about it as I was thinking about this. My mother never took a single vacation in the whole time that I knew her so that she could make it work for us. So, when my mother died, she died because she literally worked herself to death.

And, I don't know about the rest of you, but I could not possibly stand here and look at the people of this state and say that's okay for any of them. It's not okay for not one single person, but people are going to do that because they're going to do what's necessary for them and their children, and what I hope we do as a body is what is necessary for them and their children and that is to increase the minimum wage.

Thank you.

THE CHAIR:

Thank you, Senator Winfield. Will you remark?
Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. The other day we were having a conversation in here on another subject, and I mentioned what our core responsibilities are as state legislators, and they include upholding our constitutions both state and federal, representing our constituents, and above all making good public policy. This vote for me will be a very easy one since I know that this is not good public policy, and that the overwhelming response that I have received from my constituents has been in opposition. The House of Representatives spent 14 hours debating this issue, so I imagine there is not a whole lot that has been left unsaid, but one thing I noticed when listening is I was astounded to hear that even among the proponents of what could be only be described as a radical increase in the minimum wage, there seemed to be a task at understanding that it will indeed hurt some people. That actually gives me hope that they can see and understand the basic functions of economics at work. The current state of our state's economy is an unfortunate but perfect example, especially when you compare it with other states. The states that are around us are recovering and rebounding at a much, much faster rate than we are in Connecticut, and thank heavens. In fact, I believe it is the national economy that is keeping Connecticut afloat at this time. It's no secret that Connecticut has a reputation as an anti-business state and that we are struggling. People are leaving our state. Businesses are leaving our state, and people that I talk to in my district feel like they are being forced out, and they're not rich people or poor people or middle-class people. They're people of all walks of life.

Of course, now this year the threat of more damage to our economy is before us. We talk about tolls, a budget that will certainly contain maybe a billion dollars more in taxes on our constituents, a forced payroll deduction in the form of family medical leave, and the bill before us -- a huge steep increase in the minimum wage that's not found in science or research. Simply, a campaign slogan masquerading as public policy. The whole idea of a minimum wage is a debatable issue by itself, but even among people that see value in having a minimum wage, if they are being honest, I think at this time Connecticut in 2019 with a shrinking population that's looking to escape as a lack of jobs and opportunities, as a good place to make such a change, a radicle change, 50 percent increase in the minimum wage in less than five years, and I have not heard from the proponents of this legislation exactly how this is supposed to play out. Surely, they know that not everyone who is working for \$10.10 an hour currently is going to end up better off as a result of this.

I want to make a point about economics. A couple of rhetorical questions for instance. First, is there anyone in this room or anyone listening that would pay \$30,000 dollars for a \$20,000-dollar car? You wouldn't. Would you pay \$150 dollars for \$100-dollars-worth of groceries? No, you wouldn't. Would you pay \$150,000 dollars for a home that's only worth \$100,000? You wouldn't. So, why does anyone think that an employer will pay someone \$15-dollars an hour for a job that is only worth \$10-dollars per hour. I just want to make a point that I mentioned job. I didn't say a person worth \$10-dollars-an-hour. I don't put people in categories like that, but businesses when they are figuring out

their finances determine how much a job is worth to them. That's how business works. Business owners are constantly making calculations to determine the best way to run their company. That is their job, and when they hire someone, they are calculating the value of the work that they need their workers to accomplish versus the production that they are going to produce and all of their other expenses, and they create the jobs that are out there in our world based on that criteria. When we get together as a government and increase the minimum wage, it's really important that we understand what the result of that is, and it is not that people who make less than the minimum wage are automatically going to get a pay raise. Experience tells us that that's not what happens, and it will not happen in this case. So, what will? Every job that exists right now that pays below what the minimum wage will be if this law is enacted will be immediately eliminated at least in the legal marketplace, which is a whole other topic of conversation that maybe I'll touch on again since the discussion of an underground economy as a result of a high minimum wage is a real subject we're talking about.

And, I'm not saying that everyone who works for \$10.10 right now is going to lose their job. That's not what I said. I said that every job that is worth \$10.10 an hour, that it currently pays \$10.10 an hour will be eliminated, and essentially, that's because of the law we're passing that makes it illegal to have a job for \$10.10 an hour. So, not everyone that works for \$10.10 will lose their job, but they will lose the job they had because that job is gone. It doesn't exist anymore. So, what will happen? Businesses will be forced to adapt, and this will mean that since they can no longer create

jobs for less than the minimum wage and therefore, no more \$10.10 jobs, they will have to restructure their business in a way to make new jobs that pay at least the minimum wage. And, the end result is that while some people might benefit by getting one of those new jobs, and their job might change from being a \$10.10 an hour job to a \$15-dollar-an-hour job, many more people will simply lose the job that they had. And, this is my issue with this bill is that increasing the minimum wage essentially eliminates choice and freedom, and that's for both employers and employees because a job is a voluntary relationship between citizens that is our duty to represent. There will -- whether this passes or not -- be people who are willing to work for less than whatever the minimum wage is, and there will be employers willing to employ them, and we are essentially making that relationship that would be voluntary and by willing adults illegal, and the result of that will be a negative impact on our economy, and the loss of those low-paying jobs will result in more people fleeing our state. It will also result in more people out of work who are going to look to the state for more benefits, furthering the vicious cycle we are in now where we have an expanding population of people that are receiving benefits through Social Services rather than working. It also creates an incentive as I mentioned a moment ago for people to create under-the-table jobs. Those that are seeking a great book to read to understand basic economics and how the minimum wage really interacts in a state or government economy, ought to read *The Wealth of Nations* by Adam Smith. It was written in 1776, a great year, and I just took one quote out of his book, and I hope you will bear with me while I read

it. It says, "When an independent workman such as a weaver or shoemaker has got more stock than what is sufficient to purchase the materials of his own work and to maintain himself he can dispose of it, he naturally employs one or more journeyman with a surplus in order to make a profit by the work, increase the surplus, and he will naturally increase the number of his journeyman." And, I know we are talking about weavers and journeymen, but I think it's clear. He goes on to say that "An increase in production leads to an increase in profits, which then allows for an increase in the demand for workers. This is the natural way jobs are created and demand for higher wages can come about. The demand for those who live by wages; therefore, necessarily increases with the increase of the revenue and stock of every country, and cannot possibly increase without it. The increase of revenue and stock is the increase of the national wealth. The demand for those who live by wages; therefore, naturally increases with the increase of the national wealth, and cannot possibly increase without it." It's clear that imposing an artificial limitation will only stifle a percentage of the overall production of wealth; and therefore, stifle economic growth.

Of course, Adam Smith was talking about nations, but that applies to every business itself and also to the State of Connecticut. When you have less production, you will therefore have less wealth and less opportunities.

I want to take a second just to correct a bunch of fallacies that I've heard while discussing some of our state's economic policies and this subject of the minimum wage. Like the concept of wealth --

what is wealth? Some wealth exists in a natural form like resources -- oil in the ground, precious metals, and so forth, but most wealth is created and that means created by work. Turning trees into houses for instance, and that requires work and production. Some people would have us believe that there is a finite amount of wealth in the world, and they want us to believe that if some person has a significant amount of wealth that that means that they are taking it from someone else, and that's just simply not true. We are so fortunate to live in the greatest country on this earth, and compared to the first 100 years of the United States of America, there is absolutely no comparison in our entire human history of a period to have a greater period of prosperity and economic growth.

If you think about the European countries that immediately proceeded our revolution -- England, France, Spain, so forth, they were agricultural societies more or less, and they did trades but not on a great extent. America, on the other hand, when we began is a place that had free market capitalism and unfettered opportunity for the brave and courageous people that settled here, and that's why we thrived. We thrived based on that freedom and innovation. Some of the greatest inventions in the history of mankind were created during that first 100 years of America -- the discovery of electricity, the electric lightbulb, the telephone, the radio, the TV, indoor plumbing, the automobile, the tire that goes on the automobile. You could go on all day about things we have -- indoor plumbing. These things all came into reality during that period of time. It led to the amazing quality of life that we all enjoy in 2019, and we benefit from the existence of these things that we have because

of those great pioneers that took the freedom that they had to make great wealth, and yes, I mean great wealth. There are some folks that became unbelievably wealthy that we couldn't even categorize today. You think of Rockefeller or Carnegie or Howard Hughes. Yes. There was significant income inequality, which is a term I hear all the time, but their extreme income inequality also employed thousands and thousands of people, and we should realize that when you're discussing economic terms and you're saying things like inequality, it does not happen in a vacuum. Everything is connected to everything else, and when I hear that income inequality is a bad thing, I say to myself but that is the thing that drives economies. If people were all in the same exact financial situation, why would anyone go through the trouble to try and improve their situation? Why would they go out and create the next best thing? Why would they work so hard to achieve another goal?

What's bad is not income inequality, what's bad is poverty, and those are two entirely different things. And, you know what fixes poverty? Not an artificial minimum wage. That will not work because business owners are not going to pay people more than the job is worth. It's not social programs that are created by taxing one group of people to give the money to another. You know what fixes poverty? Economic opportunity. A thriving economy. Freedom is what fixes poverty, not the artificial rules that stifle economic growth, and that's really the basis for the difference in our political parties I think more than anything. I really appreciated the comments that I heard from Senator Winfield, and I am certainly sympathetic to his experiences growing up, but I would submit that a

higher minimum wage would not have changed that situation. The best thing that could have happened would have been freedom and opportunity, reaching all levels in all places in our society, and that is what I come here for -- to make public policy that creates freedom and opportunity for everything, that is colorblind, that creates opportunities for education and jobs no matter who you are or where you come from, and that's my main issue with this \$15-dollar minimum wage bill. It prevents free people from exercising their freedom to associate and make a voluntary business arrangement with someone else. Aside from being nothing more than a campaign slogan or a bumper sticker. There is a difference between what is good campaign rhetoric and what is workable public policy.

You know, Senator Winfield also talked about FDR and the origins of the minimum wage policy, but I would also encourage people to look up something called the Davis Bacon Act of 1931, and this is where we get our prevailing wage laws that exist today, but it's also the basis for how the minimum wage work, but if you read about the Davis Bacon Act, which you understand is why it was created was not to advance a certain group of people by giving them an artificially high wage for the job they're doing, it was designed to prevent other people from getting jobs because they were willing to work for less. It was designed to protect a certain group of people from others who would come and take their jobs and opportunities because they were willing to work for less. Minimum wage laws adversely affect the underprivileged parts of our society. You heard me say that. research it. understand the Davis Bacon Act, and you will see that very clearly. That's the exact opposite of what I'm hearing why we're doing

this. How is it exactly helping our state and improving the quality of life of our residents? It's not, and the people in my community can see that. I have received countless emails and calls expressing a great distress over the fallout of this policy if it's enacted. I have a stack of them here. I'm just going to read a couple of the highlights.

Thomas Shaw who owns Tri Valley Equipment and Prospect in my district, "If we have to bring in entry-level young employees at \$15 dollars per hour, that will leave less room to grant raises to my skilled labor. Freezing their wages will drive them out of the state and make it harder for me to compete with out-of-state employers." That's a real thing happening to a real business in this state in my district. The reduction in labor costs would be achieved through reduced jobs, reduced hours, or reduced benefits, impacting the very people these proposals are trying to help.

Brendan Caine -- he owns three Burger Kind franchises including one on Queen Street -- "I would be left with no other options than cutting labor hours in half by laying off and not hiring."

Bill from Cromwell. I don't know how he got into my email. That's not my district but nonetheless, stop trying to fix this state on the backs of the small businessmen by creating more tax revenue through us. Don't forget that along with the wage increase that I'll have to pay, my Work Comp will go up, my taxes will go up, my costs will go up from my gas, my 12 cars at my local store to the guy that plows my driveway at my office. Who is paying for all of this? My customers" he says, "and what are they

going to do when I re-raise my rates? Some will leave, some are going to stop calling me. Please think about that" he says, "before voting on this bill."

There are a lot of these. I'm not going to read them all, but they're from people that work in nursing homes, people that own all kinds of small businesses. Steve Briotti, he's a realtor in town - - "My business relies on a lower minimum wage; otherwise, I'd have to cut my staff hours." I don't want to read all of these. "They will kill local businesses and hurt our economy" says Vivian from Prospect. I highlighted a couple. I just want to get there. Here's somebody who works at YMCA Camp Sloper in Southington -- "Our camp serves 3200 kids each summer, and we employ 190 staff to serve these campers. If we were to increase the minimum wage for all our staff to \$15 dollars by 2022, that would equate to an increase in staff wages of \$260 some odd thousand dollars. If we pass this cost onto our families, many of them will not be able to pay for their kids to go to camp any longer."

And, there's one other thing I want to mention that came out in today's news actually in my district. There's a headline that says Waterbury company will be forced out of Connecticut with \$15 dollar minimum wage, and I have actually been emailing back and forth with -- I don't know if he's one of the owners, but his name is Mark Polinski, and the business is called Forum Plastics, LLC out of Waterbury. Forum employs 145 people, many of whom are paid minimum wage to manufacture plastics for medical device companies. He sent me an email he got from Dayton, Texas -- "As Interim Executive Director of the Dayton Community Development

Corporation, I would like to request a conference call to discuss the advantages of moving to Dayton, Texas." Here's a business -- this guy announced today he's going to move his business -- 145 employs in Waterbury, somewhere else. That's a real thing. That's not just some rhetoric. That's not just me up here saying, oh, it's gonna hurt businesses. This is a guy who runs a business. I know that my colleagues will do a really great job speaking on the direct results and impacts of this policy, and I'm sure they're going to talk about the effect on entry-level workers, the impact on summer camps, amusement parks, how it's going to affect the cost of everything that we purchase and how it's going to impact people on fixed incomes. I am hopeful that their compelling testimony is enough to cause those in this room voting in favor of this bill to reconsider. The bill has already passed the House, and I presume that the governor will sign it, so that means that it's only us, the people in this room that have the power to stop this dangerous policy that will impact our state for years to come and stop it from hurting our constituents. This is not the answer. Connecticut is at a tipping point. It's about whether people are going to decide to stay or leave. It's about whether businesses are deciding to stay or leave. We all see it happening. I have argued day in and day out that we need a new and different path than the one that we are on. Every policy that we discuss in this room should be measured against whether or not it makes our state a more attractive place to live, to work, to start or relocate a business, or to retire. If the answer is no, then you vote no. On the bill before us, Madam President, the answer is no. And, I'll make just one final comment and remind everyone here that the

best way to give everyone in our state a raise is to reduce the size of government spending and to cut taxes. That would be a plan I could get behind.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Will you remark further? Senator Flexer.

SENATOR FLEXER (29TH):

Good evening, Madam President.

THE CHAIR:

Good evening, Senator Flexer.

SENATOR FLEXER (29TH):

Madam President, I rise in support of the bill before us. Madam President, I've been thinking a great deal about this debate, having watched a good amount of the debate with our colleagues in the House last week. I spent a lot of time talking with my family about this over the weekend, which I'm going to share with the Chamber. I wanted -- just before I forget -- to thank the leadership of Senator Looney who has been a leader on these sorts of issues and fighting for working people in our state for a long time. I want to thank Representative Porter for her tremendous leadership in the House in getting us to this point, and Senator Kushner for her great leadership and her lifelong history of fighting for working people, and I'm so grateful that she's here and our colleagues today.

I want to associate myself with the remarks a few moments ago of Senator Winfield and his incredibly impelling story that he told about his mother and his family's experience, and what this really means to -- to working people. But before I do that, I do just need to say that in this debate this evening we heard about an unprecedented period of time in our country -- I believe it was the description of 100 years of economic growth that had never been seen before in any part of the world, the first 100 years of this country. I think it needs to be pointed out for the record that during the first 100 years of this country, we had 84 years of slavery -- 84 years of this horrible maltreatment of people who were forced to do the work that allowed that economic growth in this country to happen, and so we cannot have a conversation about the first 100 years of this country as if it was some wonderful period of time without marking the black mark that is in our nation's history, and also think about the impact that that still has on us today and how so many families are still dealing with discrimination and the long-term impacts of the racial history of this country that requires them to be in situations where they need to work minimum wage jobs, and I think it would be really remiss if we did not reflect on that in this conversation this evening.

Madam President, this bill before us is a matter of equity and fairness. This is a bill that will lift up people in our state. It's a bill that's been debated for quite sometime in this Chamber and in the House, and we've heard the stories of real workers who have come forward and talked about how they are constantly trying to just cobble things together to make ends meet, to keep a roof over their head, to keep food on their kids' table, to

keep the heat on and the lights on, and they're working multiple jobs, and many of the wages that they earn in these jobs just aren't enough. It is not a living wage -- the minimum wage, and it should be, and it is designed to be. People who work full time ought to be able to meet their basic needs and their family's basic needs. I know this because when I was a little girl my parents worked minimum wage jobs. My mother -- we talked about this a great deal this weekend on Mother's Day. My mom said, "What should we talk about?" I said, "Let's talk about the minimum wage, mom." And, so we did. When -- when I was a kid my parents struggled a great deal, as I've shared in my service here in the General Assembly from time-to-time. My mother, when I was 6, worked at a company called Idle Wild Farms, which was in Pomfret, Connecticut, where they manufactured frozen meals, and she worked the third shift. While my sister and my father and I were sleeping, my mother would go there and pick apart frozen chicken and make meals so that she and my father could save up to afford our first apartment here in Connecticut. During that period of time when my mother was working that minimum wage job and saving that money, we lived in a camper. And, because of that money and the long nights that my mother worked, we were able to finally afford an apartment, and later, my dad also worked a minimum wage job, and they struggled. They struggled a great deal. We were able to get various forms of assistance including what was then called food stamps and other things that helped my parents make ends meet, but it's hard. It's hard to make ends meet, and I share this with you not because I really knew it was hard. My sister and I we were kind of oblivious to that. We had a nice little life in

Danielson, Connecticut, and my parents did a really good job of making sure that the reality that they dealt with every day and trying to figure out a way to stretch those dollars didn't impact my sister and I, but you know, the last time my sister and I worked for minimum wage, we were in college. We didn't have to do that because of the hard work that my parents did for so many years, and -- and to Senator Winfield's point earlier, never had a vacation, never really went anywhere. My parents sacrificed a lot, but people need to understand that there are so many people in our state who are currently having experiences just like the ones that I described from my mom and dad and our little family. There are so many people who this raise that we're considering here this evening is going to make all the difference in the world, but frankly, it's also not enough. It's not enough -- \$31,200 dollars a year is going to be the total annual income for someone who works full time -- when this full \$15-dollar minimum wage goes into effect in almost 4-1/2 years. that's a long time from now. Thirty-one thousand two hundred dollars is just about what we make here as state legislatures give or take for some of us. That's pretty much our base salary, and I'm pretty confident that there aren't too many of us who live just on that salary. I'd like everyone in this circle to think long and hard on whether or not you could live on just that paycheck and what that reality is really like 'cause that's what we're talking about here today. That's what we're talking about, and sometimes -- and Representative Porter said this incredibly eloquently in the House debate -- "Sometimes I get concerned that there just aren't enough people who have the privilege to serve here in the Senate and

the House who truly understand what that reality is like, who really understand what it's like to have \$5 dollars left, who really understand what it's like to have to choose between paying the electric bill or the heat bill", and I ask everyone in this circle to reflect upon that because those are the people that we're fighting here this evening. We're trying to make their lives a little bit better, trying to make sure that a hard day's work is actually respected, and that they get a wage that's in accordance with that.

So, Madam President, I -- I hope that -- that my colleagues will support this measure this evening, and I truly want to thank very deeply the great colleagues here in the circle who have worked so hard on this legislation, and I want to thank the workers who so powerfully told their stories and advocated for this, and I'm hopeful that we're going to reward their advocacy with a strong vote here this evening.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further?
Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President, and good evening.

THE CHAIR:

Good evening.

SENATOR HWANG (28TH):

We've had a lot of time and may I say years contemplating this issue. It has always been on the forefront of the conversation, and in fact, I believe a number of years ago, we did address the issue of raising the minimum wage, and we did it in a way that we have seen to this day -- in my opinion -- still has affected our job growth in the state of Connecticut, and in my opinion, this bill continues to be a job killer, and it may very much affect the same people that it's looking to empower. And, for me, this is also a debate that will get caught up in the technical data and the legalese, but what I want to be able to share with this circle are real people and real businesses in which lives are impacted, and I'll share with you businesses in my district, and I'll share with you stories.

We have a small pizza shop that just started three years ago called Pronto Pizza in my town. I've talked to the owners quite often. They struggle to keep their business alive. They built a nice niche business. They've hired and trained young people, retrained people, people that are undocumented in training. Bottom line, they have provided a business, and in fact, let me take that moment back. They do not -- absolutely, they do not hire undocumented individuals. They verify. They're a great business. I don't want to get them in trouble. [Laughing]. Just let me clarify that. But the bottom line they say quite clearly is this -- you raise the minimum wage, they will hire less people. They will train less people. They will not give high school and college students an opportunity. They will not expand their business. In fact, they said if you raise this we may indeed sell or just simply close up. Again, this is a potential job and business killer to one business

that I know. A second business I know is a great little deli, family owned, great partners in the community, quite clearly they say, "We won't expand. Our cost will increase. Our product will increase. We're not looking to expand anymore. We're just looking to survive. You raise the minimum wage, you will affect our ability to build our business in Connecticut, and we make take early retirement. We may move on." The bottom line you have disincentivized them to continue to want to grow in the State of Connecticut. We also have a mid-sized business, Bigelow Tea Company, beloved tea company in our town that have over 70 years of relationship with the community. Just got a letter from the CEO, Cindi Bigelow, who is part of the Commission on Fiscal Stability and Economic Growth, invited by Governor Lamont to participate in providing solution -- Governor Malloy. I apologize -- to find solutions on how we can move the state forward. She just wrote a letter to Governor Lamont saying raising this minimum wage will dramatically impact their ability to do business in this state. In fact, in her letter, she cited the fact that their current cost to produce a teabag in Connecticut is nearly 30 percent more expensive than their facility in Kentucky and Idaho, but they do it because they love this state, they love their community, and they are loyal to this state. But we continue to put pressure on them. We continue to put pressure on their ability to do business in the state, and raising minimum wage will be another example to increase their cost to delivering quality product and competing at a disadvantage versus other states.

We talked a lot about businesses and the job killing prospects of it, and the examples that I just shared with you, but we also impact our municipalities. We

have, in fact, by doing this created an unfunded mandate to our towns. One such example is in the town of Fairfield the Parks and Recreation has a very robust summer program for students to be able to participate in activities, trips, and crafts, and it hires college students to be able to provide those kind of services to be able to be team advisers, team leaders. In fact, my son was one of those employees, but one estimate came from our town Parks and Rec leader in Fairfield, literally said that raising of the minimum wage will cost nearly \$400,000 dollars more. It will increase cost to the program, limit options, and ultimately be a property tax increase in our communities, an unfunded mandate on our municipalities in which we give them no option.

We also talked quite a bit in regards to nonprofits and our hospitals. Our nonprofits are great partners in this community, but as we saw just in the past years when we raised their salaries of employees to a special lack to \$14.75, we created an unexpected wage compression that created tremendous havoc and tremendous cost burden to those nonprofits, one that they are very much right now dealing with. Who is to compensate them when we look at a state budget that continues to underfund and under appreciate their value in the service they deliver to our social safety net.

Ultimately, it's a job killer because it will increase cost in goods in our community. We talked about businesses. We talked about cost. And, I'm going to follow and compliment the eloquence of Senator Winfield when he talked about the experience. Let me take a moment to share, as I briefly have done so in the past, of my family

experience. My parents escaped communist China, immigrated to this country, both parents not having the opportunity to even finish a high school education. We spent the first formative years in a housing project. My parents did not understand the language. They worked an hourly wage. My mom worked and was indeed actually a member of the Service Employees in a national union in a facility of staff working hourly. My dad worked and built a restaurant. My mom, after working a full day, would go to the restaurant and help out as a family business, and myself and my siblings after school and our activities and our work would go to the restaurant and help out. There was no minimum wage working in a family restaurant. But you know what I learned from that experience? I learned a commitment to quality work ethics. I learned the commitment to making sacrifices. I made a commitment to the American dream that is isn't about getting a salary, but creating a future and the foundation of that was not to get more money or to raise my salary, because a negotiations wasn't ever going to work with my parents. With that being said, the only thing they emphasized was an education, to pursue an education. And, I think that's where the debate that we have right now about raising the minimum wage, about being able to create a living wage is misplaced. Creating a minimum wage is an artificial comfort. Fifteen dollars in Connecticut is not a livable wage, but if you don't have the opportunities to pursue skills, education, and a work ethic to succeed, you will never get out of that cycle of poverty. We in the General Assembly have worked very hard this year to create apprenticeship programs to allow individuals to acquire skills that are valued, skills that are

well-compensated, skills that will always be in need despite whatever high-level sophisticated automation and mechanization that may occur.

I was always drilled into my head that when you have an education, when you pursue skills and knowledge that can be applied to creating a better living, you will never ever be poor. What we're doing with this minimum wage, we can increase, but when mechanization comes in, when automation comes in -- as I said in the second part of my statement -- raising this minimum wage will disincentivize job hiring. It will disincentivize business growth in our state, and will dramatically impact the very people we're trying to affect because instead of having a job at \$15 dollars an hour, they will have no job because they will be replaced by a machine, by automation, by a self-check out line, and we misplace our priorities. We should focus on empowering people to pursue education, pursue skill sets. I was very disappointed last year when we pushed out a bill that gave tax credits to businesses that were going to give apprenticeship opportunities. We should revisit that bill. We should instead of increasing cost burdens to our businesses ask them if they would provide educational credits, educational funding for their employees to pursue the acquisition of more education and more skills.

Instead, we as a government create this artificial rise in dollars that is not in the market forces because you want to make everybody whole. Life is not easy, but in the work ethic that I was taught despite the humbling background that I have, despite the incredible journey that my parents took, despite the epidemic difficulties of language where English

is my second language I was imbedded and driven with a reminder that in this country you are allowed to do anything you would like in pursuing your dream, and it all began with getting an education, not \$15 dollars an hour minimum wage. The trouble is we are not giving the proper motivation and the proper reality to the marketplace. Let's empower everyone. One such example, the tremendous successes we've had in this state is the advanced manufacturing, associate's degree that we populated within our community colleges. I can cite one example in Housatonic Community College. Upon that implementation, we've had graduates coming out of that program with a hundred percent employment at a starting salary no less than \$20 dollars an hour and in dramatic and high demand, we are expanding that program. The difference -- they have a skill. They have an education. They have opportunities. Raising it to \$15 dollars an hour is a great idea, but it's unsustainable. It's not truly a reflection of an individual's ability to continue to build their future.

So, I rise in opposition to the underlying bill. I appreciate the advocates and their passion in raising this issue. I applaud them for their passion, but for me, the difference is I have grown up along that path of the stories that they describe, but to me, the difference wasn't getting \$15 dollars an hour. It was an opportunity to pursue and experience a job -- a job well done and an opportunity to pursue skills and education that would allow me to be in control of my own destiny.

Through you, one quick question to the proponent of the bill, ma'am?

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Senate

May 16, 2019

THE CHAIR:

Thank you, Senator Hwang. Senator Kushner, prepare yourself.

SENATOR HWANG (28TH):

Thank you, Madam President. One quick question. I mean one part of this bill, through you Madam President, is the ECI indexing and we recognize that should the index increase over a period of time we would increase the minimum wage. My question, through you Madam President, is should the index drop and we suffer economic challenges unforeseen and un hoped for in our state, would we ever lower the minimum wage set?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you. I'm just going to that section of the bill, and I'm pretty -- I'm pretty sure I know the answer to this question. I just want to make sure I get it right. So, my reading of the bill is that the minimum wage can be adjusted by the ECI and that report will become -- will come out, but it would not lower the minimum wage. It would increase the minimum wage.

THE CHAIR:

Thank you, Senator Kushner. Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. So, it is as I understand it. It can only go up and as I said, should we encounter the job loss and business losses and the challenges that the state already encounters and the index reflects of decline, we don't have a recourse to adjust to the market realities, and we can only go up. That's a challenge I have, and in fact, I can only hope that during this debate and during this question, we can change people's minds and votes in this circle, but unfortunately, I'm quite afraid that this no vote will be negated by passage of this bill, and I'm quite afraid that if we have a compounding negative effect to our fragile state as I mentioned, and I hope we don't, but should we do that, I would encourage this circle in this General Assembly to also have the courage -- as New Hampshire has done -- to come back and revisit and possibly correct the possible impact that we made to our state. We have to create a state that is sustainable and that is predictable going into the future. We cannot artificially set the marketplace. The marketplace is far bigger than any of us, and I'm quite afraid the raising of the minimum wage will dramatically and adversely impact our jobs and our businesses in our state.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Senator Anwar.

SENATOR ANWAR (3RD):

Good evening, Madam President.

THE CHAIR:

Good evening.

SENATOR ANWAR (3RD):

Thank you for this opportunity. So, I've been listening to my colleagues for a little while, and I wanted to start by thanking Senator Kushner for her leadership in bringing this bill out and the hard work that you have done, and also Representative Porter has done, along with many of our colleagues. We have heard about a couple of things earlier in the conversation when one of my colleagues talked about choice and freedom -- choice and freedom. You keep in mind the person who is actually on minimum wage right now has no choice and no freedom, and I'm going to try to explain this a little bit more because this -- this alternate reality was that look -- these individuals who are working 90+ hours a work should be educating themselves, and if they educate themselves they are going to suddenly become rich and well off. That is the -- the concept that was suggested earlier by one of my colleagues as well. Here's the reality -- about a few years ago, I was the founder of the South Windsor Hunger Action Team, and then what we realized was that a lot of people in all of our communities whether a town is considered an affluent town or not so affluent town, there are people in our communities who are going hungry, and when we actually collaborated with our faith community to have food banks, we realized that the people who are using the food banks were fully employed. The people who are using the food banks in our communities are employed, except they cannot afford the food anymore because they are given so little wage, and now, some -- if they can't feed themselves and they cannot feed their children, suddenly they are supposed to automatically go to higher education and go to vocational education. It's a great concept. It needs to be pursued, but

feeding the people and having the shelter is the most basic thing.

At the current time with what we have at the current time with what we have as the current minimum wage, according to the average, an individual on current minimum wage would have to work 99 hours a week to be able to afford to rent a two-bedroom house -- apartment. Sorry. I'll repeat this and let that sink in so you understand what we are talking about. An individual on current minimum wage will have to work 99 hours a week to afford to rent a two-bedroom apartment. We are talking about sustainability. The people in our society are not able to sustain their lives.

Now, just because somebody 40 years ago or 30 years ago had a good experience, it is all about the probability and economists have shown that what was possible 30 years ago in the American dream is no longer possible in the current times. We are not talking about the American dream anymore. We are talking about survival of people. Survival of people to have shelter and food with working full time. It's not a lack of their ability to work. It's not a lack of their willingness to work. They are doing what they are doing, but despite that they are unable to get the most basic thing that they would expect, so another data that you need to know is there are towns in our state, there are shelters in the towns of our state where the residents -- almost all the residents of the shelters are fully employed. Let that sink in. You're fully employed, working, and you can't even have a house? You're living in a shelter and you're dependent on somebody other -- in a faith community to be able to feed you. This is the ground reality we are dealing

with. And, then the perception that individuals have is not the ground reality for the people who are experiencing this. We have to start to step outside our comfort zone and go and work and live something with the people who are suffering in a different challenge. Then, we would have something that I feel we need to have infusion. In my future life, I would like to have a medicine which would actually cause people to have empathy for each other. Empathy means experiencing from somebody else's experience, not looking at it from your own experience. You had a good experience so that means everybody else has a good experience. That's not empathy. Empathy is to understand where somebody else is and what their reality is and then having respect for that. I wish we could infuse that in our society, in our community, in the circle, in our hearts, me, myself, or that matter. Because without empathy, we will be talking about the alternate reality that oh don't worry about food, don't worry about shelter, go to a vocational training, and then you can suddenly be able to get well. Well, you have to have the basic things, and this is what the expectation is. Can we get closer to the basic things?

Some other datapoints that you need to recognize. We have talked about the teenagers, the majority of the people, almost 89 percent of the people are our teenagers who are on minimum wage. So, while we will spend a majority of our conversation on some of the teenagers, we actually need to realize the individuals we are trying to impact are not teenagers, overwhelming majority of them. About 65 percent of them are women, about one-third of them have children. This is the reality that we are seeing in the lives of individuals. I think it's

important if we cannot understand what some people are experiencing. We have to try to live in those experiences. About a year or so ago, I started to live on minimum wage with respect to just eating \$4.34 because that's what the SNAP program has. You cannot survive, and the federal government is saying they're going to cut that by 30 percent. People are going to die, which we used to read about in other parts of the world, what was happening in other parts of the world. You do realize that we are, through the policy makers who live in the alternate reality, would be impacted.

Let's look at other data. Economists have looked at what does -- what is the impact of minimum wage on the jobs and the economy of the state of a community? Overall, does not have any negative impact. People spend more when they have more because people are not out partying or anything. They're actually getting the basic things -- food for the children, the economy starts to get stimulated. This is a very, very basic thing. Very basic thing that when you have the resources you are going to stimulate the economy by buying because they become consumers. Right now, we don't have enough consumers because they don't have enough resources to be able to consume. We need to build this up and be able to improve it to the level where it becomes reasonable, appropriate for individuals to be able to have some sense of life -- some sense of life.

Today, we have a moral argument in front of us. People will look at it from a financial end. People will look at from all different ends, and -- and data would suggest that those are sound. The question is a moral question and the definition of

who we are as a society, who we are and what do we see as our present and our future. Somebody felt that the past was beautiful. I doubt it. From various perspective and that's another conversation. What is our present and what is our future? And, it's a moral question as a society -- where do we see ourselves? So, empathy, thinking about the reality, recognizing that if you are fortunate does not make ever single human being in the planet as fortunate as you are. And, especially in our own community, this is our responsibility and then take care of the few people who are actually in need and then the ones who are not afraid to work hard, and to value -- or to devalue people and say this individual who is working for 80 hours a week is not worth the money? I don't even know how to begin to talk about that. I thought our value was that we valued everybody who worked hard no matter what work they did. But I heard my friends, my colleagues say that they would value them less because for whatever reason, which is beyond my comprehension right now.

I could speak for hours, Madam President. I could speak for hours, but -- but that wouldn't be enough, but I just wanted to -- you to know that this is a moral question and -- and I don't know why we even have this question. I don't know why we are having a conversation on this because it's a pretty straightforward thing. Thank you.

THE CHAIR:

Thank you, Senator Anwar. Will you remark further?
Senator Berthel.

SENATOR BERTHEL (32ND):

Good evening, Madam President.

THE CHAIR:

Good evening.

SENATOR BERTHEL (32ND):

Madam President, I do rise in opposition to the legislation before us. I rise today once again deeply concerned about the action we are about to undertake in this Chamber. Every day I hear from the businesses in my district both large and small about how damaging this minimum wage legislation will be to their prospects for the future of their businesses in Connecticut.

The proponents of this bill have argued that Connecticut must provide a better minimum wage for all workers regardless of the cost. I disagree. The proponents of this bill have argued that our businesses in Connecticut can easily afford the increase in wages in large part by reducing the profits they may currently enjoy. I disagree. The proponents of this bill have argued that this legislation will increase the number of jobs in Connecticut and the opportunity for more people to work. I disagree. The proponents of this bill have argued that this increased minimum wage will inject more money into our local economy. I also disagree. The reality of this legislation as it is before us is that our employers both large and small cannot afford to pay a higher wage. Their cost of doing business in Connecticut is some of the highest in the nation. Their margins are some of the smallest in the nation. They pay some of the highest energy costs and some of the highest overall taxes.

We heard -- we have heard some compelling and even heartbreaking stories tonight, and I have another

one. Earlier, Senator Sampson spoke about Forum Plastics in Waterbury, and I would ask you to imagine for a moment being the proud owner of that business -- a business that employs 153 people in Waterbury. The city in Connecticut with the highest unemployment rate in the state and one of the highest in the country, and your business is manufacturing plastic parts for the medical industry. Imagine being this business owner tonight, right now watching this debate, preparing to tell your 153 employees that tomorrow you will be shutting your business down and putting 153 people out of work in the city with the highest unemployment rate in the state of Connecticut because you simply cannot afford to pay a \$15 dollar minimum wage. Imagine being the business owner that will terminate 153 loyal quality employees because you cannot afford to do business in Connecticut. The owners of this company said today, "We want to stay. We don't want to be forced out, but if you do raise the wage to \$15 dollars per hour, we will have no choice but to leave, and it's very sad." They went on to say that the minimum wage increase will drive profit margins for their company of roughly 8 percent to a little over 2 percent, making it nearly impossible to stay in business and remain competitive with other companies. They went on to say many of our law makers don't realize that Forum Plastics competes globally. "We're competing against companies in China and Mexico, and those companies have competitive wages. It's a challenge." And, lastly, they said, -- most compelling and heartbreaking -- "Most of us have been in Connecticut our entire lives, and we'd like to work here for the remainder of our careers."

And, they question, "Is it too late for us to do anything about this?"

First and foremost, we must understand that minimum wage jobs exist for the same reason that a supervisor's job exists or a manager's job exists, or a vice-president's job exists. Different levels of skill, different levels of responsibility, different levels of management are all factors among many others that determine the difference in a wage that someone earns. The reality is as has already been spoken to tonight that some demand -- some jobs demand a higher wage because of their responsibilities, the skills, the number of people being managed among others, and some jobs demand a lower wage for the same reasons, and the reality is that an employer whether nonprofit or for profit, whether publicly owned or privately owned determines all of the factors of their finances when they price the services they provide or the product they produce including the cost of labor, which includes the hourly wage. You know, I'm not an economist, but it's not difficult at all to understand that some jobs simply do not warrant a higher wage, and that being forced to pay a higher wage positions the employer poorly as it tries to compete in the Connecticut marketplace and economy. These employers simply cannot afford the cost of a higher minimum wage. Some argue that our business in Connecticut are rolling in profits, and they have an obligation to share those profits with their employees by supporting an increase in minimum wage. You know, i disagree with that as well. We live in the greatest country in the world, the best example of capitalism and a free market anywhere. The decision to share profits, the decisions as to the wages that are paid in a capitalistic free-market

economy are made by the leaders of these businesses with limited government interference by definition.

Our wonderful businesses in Connecticut, some local to my neck of the woods as we like to say, businesses like Fascia's Chocolates, Quassy Amusement Park, and Connecticut Basement Systems -- just three examples have all explained to me the impact an increase in minimum wage will have on them as employers. This includes increased prices for their products, increased Worker's Compensation insurance cost, increased unemployment taxes, increased payroll tax expense. When these businesses create their revenue through the sale of their products and services, they only have a few options to cover these increased costs, and I think I understand this. The options are pretty simple. They either increase the cost of their product or they decrease the expense of doing business, so let's talk about the prospect of increasing the cost of a product in Connecticut.

We're already threatening this session to add tolls to our highways, which will increase the cost of everything as essentially everything we create and consume in Connecticut travels on a highway to get where it's going that will likely have a toll booth on it. our businesses will need to increase the cost of their products to address the cost of tolls. We're already threatening this session to add an expanded FMLA coverage, which will also add to the cost of business, requiring our businesses to increase, again, the cost of their products and services. But, at last, this bill is about increasing the minimum wage -- not tolls, not FMLA, so let's talk real numbers about the impact about the increase in minimum wage on an iconic

Connecticut employer -- Quassy Amusement Park in Middlebury. Quassy is in its 111th year of operation continuous in Connecticut with three generations of the same family running the business. George Francis, co-owner of Quassy, testified before the Labor Committee on March 7, and stated that an increase of 25 cents increases his seasonal payroll by \$26,000 dollars, so let's do some simple math. Under the provisions of this bill, next May 2020, when Quassy opens for the season, George Francis and his partners will have an increase in their seasonal payroll of \$104,000 dollars. Now, I have no idea what it cost Mr. Francis to run his amusement park, to keep all the rides operating safely, to keep all those brightly colored lights shining that thrill children and -- and adults alike as they walk through the park, and how to keep all the various concessions stocked and ready to serve, but I also have no idea after a lot of conversations with Mr. Francis about how he will automatically cover \$104,000 dollar increase in his payroll. I can only assume as the reasonable person -- any reasonable person would that Quassy generates its revenue from admission fees and the concessions it sells, and that cost of a day at Quassy Park will go up, along with the cost of a hotdog, fries, cotton candy, and a cold beverage all because we say so tonight via the legislative process. That is not capitalism and that is not the free market. You know, maybe Quassy can absorb all of that \$104,000 dollars and just reduce the amount of profits they earn. As I see it, it's a tough balance between keeping the price of admission to something reasonable that most people can afford versus raising the price and making the park unaffordable for some, and I assure you that that's not something

-- knowing Mr. Francis -- that he would prefer to do. I can only guess that Mr. Francis may have to consider eliminating some jobs, and mind you, Quassy is a first employer for many local young people in the region. What a terrible conundrum we create for 111-year-old company, three-generation business that is one of the largest employers and taxpayers in the town of Middlebury.

Another employer, Bob LaBonne, Jr., co-owner of LaBonne's markets, a chain of supermarkets in Connecticut, has expressed some more concerns. While Quassy is a choice of entertainment and some consider a luxury item, the products that LaBonne sells -- groceries, food, the basic necessities of everyday life are not luxuries. Mr. LaBonne is also a large first-time employer of young people and very proudly states that he is a training ground for entry-level youths, teaching them responsibility, job skills, and behaviors. Mr. LaBonne has indicated that in order to address an increase in minimum wage, the cost of products he sells will need to go up, again, creating the conundrum now of not whether or not you can go on a rollercoaster ride and eat cotton candy, but creating the conundrum of a consumer needing to make a choice between something they truly need versus something they can actually afford. Another area that will suffer are the donations that LaBonne's markets makes to local charities like food banks. They're a supermarket chain after all, and those food banks critically rely upon the support of LaBonne's.

Both leaders of Quassy and LaBonne's have also spoken to automation within their business. Every one of us in this room have seen this play out in large chain stores like Walmart, Stop and Shop, and

McDonald's where self-service kiosks, self-check out registers, and other machines have replaced people in these stores. Businesses like Quassy and LaBonne's are no different -- being forced to explore and evaluate automation and machines over people, and I wonder how many people earning minimum wage today with hopes of increases under the provisions of this bill would support these increases if they knew their jobs were going to be eliminated and replaced by a machine -- so much for \$15 dollars an hour.

During a Starbucks -- during a visit to Starbucks this morning prior to my arrival here, I had three different employees -- I freely admit I like Starbucks. I drink it every day. So, I see these people every day when I go in and get my ice coffee. Three different employees pulled me aside, they came around the counter -- "Senator Berthel, I need to speak to you about something." And, they didn't want anyone else to hear it, and they said, "Please, do not support \$15 dollar minimum wage." And, I looked at them and I said, "Really?" I said, "How much do you make? Can you tell me? Do you care? I won't -- I won't identify you personally. I won't say, hey you" you know, and they knew -- "I make \$10.20 an hour. I make 10 cents over minimum wage." Each one of these three employees understood beyond any reasonable doubt by looking what has happened to Starbucks stores in other states in the country where the minimum wage has already gone up. They know beyond any reasonable doubt that they can be replaced by a machine. There are Starbucks machines that exist where you and I can go up and place our own order, and the machine will drop the cup and fulfil the order the same way that the person does behind the counter. The only thing it doesn't do is

hand it to you and doesn't say thank you and have a nice day, and they're very concerned.

The reality is that increasing the minimum wage would force businesses to lay off employees and raise unemployment levels. The Congressional Budget Office projected that a minimum wage increase a few years ago from \$7.25 to \$10.10 would result in the loss of 500,000 jobs, and a recent survey of 1200 businesses and human resource professionals, 38 percent of employers who currently pay minimum wage said they would lay off some employees if the minimum wage was raised to \$10.10, 54 percent said they would decrease hiring levels. San Francisco's Office of Economic Analysis said that an increase to \$15 dollars would reduce the city's employment by about 15,270 private sector jobs. The reality is that a minimum wage increase would hurt businesses and force companies to close. Sixty percent of small business owners say that raising the minimum wage will hurt most small business owners according to a 2013 gallup poll. An executive at the fast food chain White Castle said the company would be forced to close almost half of its stores nationwide and let the thousands of workers if the federal minimum wage were raised to \$15 dollars.

Forbes reported that an increase in the minimum wage has led to the closure of several Walmart stores and the cancelation of promised stores yet to open. The argument is also frequently made that an increased minimum wage increases the amount of dollars spent in the community. That seems logical -- higher wages, more money to spend, but when balanced against the reality of the impact increased minimum wage will have on jobs and the cost of products and

services, the argument is illogical, especially here in Connecticut.

And, again, as I spoke to a moment ago, add to this consideration for what else is coming at us before the end of this session with tolls and FMLA, and the minimum wage earner may find themselves in an even more difficult condition with regard to affording the cost of living in Connecticut. I am deeply concerned. I fear for the future of our great state. I hear every day from people and businesses regarding how Hartford continues to raise taxes to take more money out of our pockets to make living in Connecticut even less affordable. I hear from constituents every week who say to me, I'm saying goodbye to Connecticut, and our insatiable appetite for government spending. I hear from seniors who cannot make ends meet and have to make decisions between groceries and heat because of the cost of living in Connecticut. Small businesses cannot afford the provisions of this legislation. Small businesses make up more than 75 percent of the economic engine in Connecticut, and if we continue to toxify the environment in which these businesses must produce, sell, and provide their services, their threats to leave for friendlier ground will no longer be threats but a reality. We heard and received hours and pages of testimony against a \$15-dollar minimum wage. We again find ourselves on the edge of a dangerous decision, one which I cannot and will not support. This legislation only adds to the economic crisis and disaster that is upon us in Connecticut. We should be focused as a legislative body on making our business climate more friendly in Connecticut. We should be focused on making living in Connecticut more affordable. We should be focused on reducing government spending in

Connecticut; thereby, reducing the taxes we collect and the biannual onslaught of new ways to tax and generate revenue. Once we have addressed those issues, once we are providing the best opportunity for people and businesses to be successful, only then should we consider the type of legislation that is before us right now.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Berthel. Will you remark further? Senator Slap.

SENATOR SLAP (5TH):

Thank you, Madam President. And, I want to thank, Representative Porter first and foremost for her very admirable work and stamina in the House just a few days ago, and her multiple hours on the floor shepherding this bill through. I am enthralled that the first time my experiencing standing here in the circle in the Senate speaking in favor of a bill is -- is this one, and I think it's really speaks to what kind of economy we want to have in Connecticut and what kind of economy we do have, and I read a statistic recently that some of you may have seen, and the average income of the top 1 percent in Connecticut is 43 times what the bottom 99 percent take home. That is tops in the nation with one exception. Only New York State has a bigger income divide and more inequality than we do. And, so when I hear that we can't raise the minimum wage, what I hear is there is no room for more fairness in our economy. Forty-three times what the bottom 99 percent take home, but there's no room for the people who make the very lowest amounts to do any

better. Right? We can't afford it, and inequality I know is something many of us have been fighting for or rather equality for -- for a long time, and I want to touch on another form of inequality, not just income inequality in terms of income bans, but also the gender wage gap, and we had a lot of conversations about that over the last few years, and I should say that 60 percent of minimum wage workers are women, and we know that when we increase the minimum wage and we have a strong minimum wage that disproportionately women and families are helped.

And, going back to my comment about inequality, we know that in the State of Connecticut right now that women are on average about 80 cents on the dollar for the same job as a man, and on average, that cost women and their families more than \$10,000 dollars every single year. So, that's really money. So, what can we do about that? We can do nothing and we can let just free market capitalism take its course, and I would say that actually over the past 20 or 30 years in this country at the federal level, certainly, we've done that, and we've seen that unions have grown weaker, the minimum wage has not kept up, and we see rampant inequality, and it's not good for our economy, and it's not good for I would say democracy, so what can we do to push back because it hasn't always been like this, and it doesn't always need to be like this.

As you may recall, last year this General Assembly passed a pay equity bill, which is one piece of the puzzle I would suggest, and it passed in a very -- gratified to say this -- that it passed overwhelming bipartisan support in both Chambers, and as you recall, that pay equity bill eliminated the pay

history question, so it got rid of that salary anchor that disproportionately women carry from one job to the next to the next, and we are one of only a handful of states now in the entire country where that has been implemented. It just took effect January 1.

So, I would submit to you that we have and can make progress, but there is much more to do. It's one small piece. This is another big step forward. It will lift children out of poverty. It will lift families -- hardworking families out of poverty. It will reward hard work, and I've heard some of my good colleagues, lament the prospect of another bill that I hope will be calling in this circle very soon, and that's the paid family leave bill, and I would suggest to you that is another important piece of the puzzle to, again, help close the gender wage gap, to help make our economy fairer, and to help ensure that we all have equal opportunity.

The last thing I want to touch on. I know a lot of us have been talking about our families and our upbringing, and I see my colleagues on the other side of the aisle have acknowledged that raising the minimum wage will raise other wages, right? So, it's not just about those who make minimum wage but that old axiom about, you know, the rising tide, right, lifts -- lifts all boats, and I think that that is true. As a child, I benefitted from that -- single mother, nurse, floor nurse, hadn't got -- finished her degree when my folks were divorced, and we were really struggling. We were close, you know, to being in trouble. We -- we were -- managed to get by, but I know that we benefitted from having a strong minimum wage. This was in the state of Massachusetts, and it wasn't easy, and I saw how

hard she worked, and I think that people that work that hard and are that dedicated deserve a fair wage, and this is, again, a good step in the right direction.

So, I'm going to conclude my remarks and thank my colleagues who have worked so hard on this. I stand with you. I'm excited to vote for this, and hopefully, in the not too distant future.

Thank you very much, Madam Chair.

THE CHAIR:

Thank you, Senator Slap. Will you remark further?
Senator Formica.

SENATOR FORMICA (20TH):

Good evening, Madam President.

THE CHAIR:

Good evening.

SENATOR FORMICA (20TH):

I rise for a few comments regarding the legislation at hand. I've listened as we all have to the stories and the conversation around this legislation and the reasons for and the reasons against, and I listened to Senator Flexer who said that more of us around the circle should know what that feels like, and I have great respect for all the Senators around the circle, and I have great respect for the work that we do, so I thought perhaps I'll share my story and talk a little bit about how I got here, and how I ended up perhaps beyond the opposite side of the conversation that some of my Senators are talking about. And, we're talking about how we got here.

We all know my work history and my business. I talked a little bit the other day about my background, my grandfather from Sicily, and I think the longer you stand here and talk about these things it becomes deeply personal. So, my story started on July 9, 1964. I was 10, the oldest of five boys, when we got the news that my father had been killed, and it was left to my mother to raise those five boys. And, of course, that's a life changer, and I had to go to work. I had to figure that out. She had to figure that out. We had to figure that out, and life's not fair, but we figured it out as a family, and the work that I did at the IGA around the corner at age 15, and the work I did at the plumbing shop sorting copper at age 15 was not for the kids that most people had money for to go buy candy. It was to help us to eat, so I know what it's about to struggle, and I struggled for many years personally after that, and I worked my whole life, and when I decided to get into business for myself, I decided to fight for working people, so no one, neither side, not one party has the right to say that they work for working people because everybody does. We all do in different ways and in different parts, so I made that my life's work.

I've work for myself most of my adult life. I'm an employer since 1983. I've created hundreds, if not, thousands of jobs. When we started that business, it was me and my wife, and over the years, we hired high school students, we hired single moms, and in each case, we helped raise the quality of their life. I'm in the hospitality business, the service business, so this bill touches me on both sides of it, and I'm pleased to see there was recognition after the Committee on Appropriations passed this out to reflect that the right thing to do on the tip

credit because tipped employees make multiples of the numbers that we're talking about today.

But, the other side of this bill will affect me in the back of the house -- dishwashers, prep cooks, cooks, and yes, rising tide, compression. [Sigh]. But I want to talk about my business a little bit and how this will affect, and I want to talk a little bit about this legislation because if we look at this legislation and the minimum wage raises that have occurred over time, I believe they are 2006, 2007, 2009, 2014. Those wages went up an average of 45 cents each occurrence. This bill contemplates in 3-1/2 or 4 short years \$1.90, \$1.50, and \$1.50, and I submit that that might be a little aggressive. I submit that that might not be the incremental increases that will be good both for the people that are receiving that wage and for the people that are paying that wage. So, I think that that should be altered in this bill, and I'm not, again, naïve enough to think that this bill is not going to pass tonight. But again, I talked about my fight for working people, people that work hard in my restaurant and earn every penny that they make whether they are back in the kitchen or out front, and that compression is a true event, and it's not that it's a bad thing people get a raise. It's not a bad thing at all. Nobody wants to have people work for money that they can't afford to live on, but businesses are a lifeblood of our economy. Small business creates 80 percent of the jobs in this country -- 80 percent, not Sikorski's, not EB, not Pratt and Whitney, not Pfizer -- small business. That's where the job creation is coming from.

And, the pressures that this Assembly is putting on small business is making it difficult for small

business to make the profits necessary so that they can continue to pay taxes, so they continue to employ people, so they continue to invest in capital infrastructure, which raises the opportunity for property taxes, which raises the opportunity for community involvement, because that's what it's about. Everything's connected. You know, I often talk about government and business and community being like a blueberry pie. You take one slice out, the blueberries inch toward each other again, and everything's connected, and that's what's happening around here. We're talking about earned income, working for a living, and artificially setting or arbitrarily setting a rate for that income I don't believe is the correct answer.

I talked in Appropriations the other day about prime costs. That's what I look for in my business to see if we're going to be profitable. Prime cost is simply the product cost and the labor cost added together, and I look at that prime cost. Certainly, I am aware of the other overhead costs, but I look at that prime cost, and if it hits a number, then I start to become not profitable, and this bill will put pressures on that prime cost.

When you talk about tolls, that's gonna put pressure on the prime cost because it's gonna raise the cost of goods that are coming into the restaurant or any business because somebody's gonna have to absorb those extra costs. When you talk about adding specific taxes just for the privilege of being in a certain industry -- a 1 percent extra sales tax or 1.5 percent tax on a soda, that's gonna put pressure on my prime cost 'cause while a 20 cent tax on a Coca-Cola may not be all that expensive, I'm just wondering how many people are going to switch to

water. My servers are still going to have to deliver that water, so it's not gonna save me any money.

All of the other stuff that we're talking about. There's been a lot of talk about women in the workforce tonight. I employ a lot of single moms. My business is predominantly women run, and six out of the top eight people that are paid in my restaurant, the highest earners are women, and I will tell you that all six of those women started as servers, most of them over 20 years ago. [Technical difficulties]. All right. It's better than the -- better than the hook that had on that show one time, right? [Laughter]. But these women, these single moms, these great people that work for me each and every day, they help each other. That culture that we have there of those single moms helping each other, getting through the day and raising the quality of their life, they've been able to buy cars. They've been able to buy homes. They've been able to send their kids to college because they started at a low-paying job, and they worked their way up, and they earned, and what they gave to the business allowed us to prosper.

High school kids from the high school that's right behind us, we hired a lot of those folks. We gave them chances, gave them their first jobs, and you know when you're training a new student or you're training a new employee, in this case, they'll get minimum wage -- training wages -- it takes two people. Somebody's got to take that person around the first two weeks, three weeks, or four weeks and show them how to do their job, so at \$15 dollars an hour, that would be not times one, that'd be times two that I'd be paying until that training. That's

why there's provision for a training wage. That's why I disagree with the change to 90 days -- not measured 90 days -- just an arbitrary block in time 90 days. You could work four days during that period of time. I could hire a high school kid the week before Christmas to peel all the -- help peel all the shrimp we need, and they wouldn't work again until perhaps April too much. They might work two, three, or four shifts in the winter, get ready for summer, but buy that time, according to this bill, the 90-day clock would be up.

I'm gonna tell you a story about Lucia. Lucia has worked for me for 22 years. She used to work at Howard Johnsons. I don't know if many of you are old enough in here to remember Howard Johnsons -- that was down the street from us -- but her driver used to bring her to Howard Johnsons every day, and the driver would come over and sit and have a cup of chowder and drop Lucia off, and then go pick her up a few hours later, and she came in one day, and she was crying -- the driver. And, I said, "What's up?" And, she said, you know she goes in there and those cooks they push her down, they slap her in the back of the head, they make fun of her, they don't let her eat. So, I said, "Well, this is what I'd like you to do. Tomorrow, don't bring Lucia there, bring Lucia here, and Lucia can work here every day." And, we created a job for Lucia, and she did, and she's been there 22 years, and she's special. She's special in every way. She brings more joy to our business, more joy to our staff, but we're able to have Lucia there. I don't know what's gonna happen with Lucia. She can't make that much money or else she loses benefits. Lucia's parents are both deceased. I don't know what's gonna happen with Lucia, but I would be greatly upset of this bill

forced her not to be able to come three or four days a week to come see us.

That's what's so important about a free market approach. We can take our passion. We can -- we can work our business. We can give back. We can fight for workers in the way that we fight for workers -- by providing a quality of life, by providing them an opportunity, the same opportunity that I did when I first started starting from nothing and working hard for much less than minimum wage -- I can tell you that in those days -- taking a chance, growing our business, investing in that, working in the community, and those employees that I'm fighting for and who work awful hard for me and fore the community and the people they serve, they get health insurance for which I pay 50 percent. I offer them an opportunity to get pension, 401 simple, which I match a portion of their pay. They get sick days. Their quality of life is first. They work a five-day week, they can work six if they want, and if they have a little league game or a band concert or a parent/teacher conference, they get to go to that first. That's how I'm fighting for people.

So, no one has -- no one has the right to say that they fight for people and that this dollar amount is evidence of that. It's different than that. Businesses fight for people every day. We are the lifeblood of the economy here. The pressures that are being put on the business, both small and large, are real, and they're difficult -- working harder longer for less. And, again, I'm not unique. I'm one of thousands -- one of thousands in this state that do that, and we cannot keep putting pressure on those businesses or else what's gonna happen is

those thousand businesses out there that perhaps are like mine, maybe will lose two or three people, four people, five people. How many people is that -- a thousand times four or five? And, are we prepared to suffer that job loss?

Automation -- there's been some talk about automation. Technology -- we all walk around with these things in our pocket that do more things than probably that first spaceship that sent to the moon. Automation is here. We all see it in McDonald's. We all see it in all of the places that we go -- kiosks for banking. I know somebody in the fulfillment business, and the fulfillment business is somebody that prepares orders for other people like Publisher's Clearing House, etc., and this fulfillment company sends out 15 to 20-million packages each year. They're very successful, and they hire a lot of people to put those packages together, and I was talking to them the other day, and they said, "You know, it didn't pay for us to automate when minimum wage was \$10 dollars or \$12 dollars an hour, but it's gonna pay for us to automate when minimum wage gets to \$13.50 or \$15 dollars an hour, and so all those labels on those 20-million boxes are probably going to come out of a machine pretty soon, and we have to watch for that unintended consequence.

Senator Sampson read off a few letters. Bigelow Tea, 70 years in Connecticut -- "30 percent hire our cost to do business in Connecticut, but I love it here, but then our facilities in Kentucky and Idaho. Unfortunately, this increase in minimum wage will significant impact our opportunity to do business." This woman says, "My small business began in Wethersfield in 2014, another in 2015, a food truck

in 2016, more expansion in 2018, and I employ over 40 people ranging in age from 17 to 50. I pay them well and provide an excellent respectful work environment. They make limited tips but are not considered servers. My net profit was 10 percent. With this minimum raise, I will be out of business in October 2019. Forget about '20, '21, and beyond." This next one, "I work for 30 days to provide for my family as a single mom, and I'm vehemently against this idea. This increase will put me out of business." And, then this one from a homecare agency. They like the minimum wage idea. They think it's a good idea, but in the next sentence, they say, we have to -- we have to as a state budget in order for them to absorb this minimum wage and to take care of the people they take care of, we got to give them more money 'cause their business is not sustainable. Their business model is not sustainable without the support from the State of Connecticut.

So, Madam President, I hate that this is turning into a party tough conversation. This is a people conversation, and we need to have people conversations here because we all have stories like Senator Winfield and Senator Flexer and me, and probably many in all of you. But we have to find a way to work together, to talk together, to sit down in a way that bills like this come out so that they benefit everybody. It's win/win, not an arbitrary number that says this job is not worth this, which means the guy that's making \$12 dollars now has to make \$14 dollars, the guy that's making \$14 dollars now has to make \$16 dollars. Everything bumps up. It's conversation, it's collaboration, it's communication, and it's common sense. That's what we need to do. One side shouldn't just be able to

throw this out, and I would argue at 9 o'clock at night no less. But that's where we are, so I lend my small voice and my little story about why I think this perhaps is not the best way, why I think that perhaps it may cost more jobs than create more jobs. Why I think that small businesses smaller than mine -- I'm lucky enough to have a few employees, but small businesses with one or two or three or four may not be able to absorb that. And, then what happens? And, what happens to the community that we serve?

So, Madam President, I just have -- well, no, maybe I won't for the moment. But I'm grateful to be here. I'm grateful to be here to share this story because as I told these high school kids that were here today this is the greatest state and the greatest country in the world, and the message of this building is the history and the culture and the tradition that they see here and feel here each and every day, and that's what this is about, but this legislation is one-sided. We need to figure out a way to make it multiple sided.

So, thank you, Madam President. I appreciate the opportunity to stand here and to share my voice.

THE CHAIR:

Thank you, Senator Formica. Will you remark further? Senator Lesser.

SENATOR LESSER (9TH):

Thank you, Madam President. Madam President, before I get to the heart of my remarks, I do want to correct what I think might have been a misstatement -- the one of our colleagues mentioned earlier

speaking about one company in Connecticut -- Quassy Amusement. I do want to make clear. I looked up after remarks were made about that company, and did discover that on both federal law -- the Federal Fair Labor Standards Act and Connecticut law 31-58e of the Connecticut general statutes amusement parks like Quassy are exempted and aren't covered by this law at all, and I want to state that for the record, but I do want to respond as well to what I believe are really sincere remarks we've heard from members of both parties, and I've listened intently over the last few hours, and I believe that every member of this Chamber is speaking sincerely and to their own experiences while debating this bill, but I also know that as we sit here beneath this golden dome on these leather-backed chairs with this wooden paneling we in this building have a tendency to hear from the people who are in this building and who are those people? Those folks more often than not are lobbyist or people who have business in the state Capitol, but we hear from the people who own the businesses. Often, we don't hear from the people who work in those businesses. We've had a lot of discussion tonight. We've had a lot of discussion tonight about one particular company, about Forum Plastics. We've heard what the owners of that company have had to say, but what we haven't heard from are from the people who work at that company. I want to read what one person who works there -- Miriam Rodriguez, 29 -- and according to the Republican American tonight -- Miriam Rodriguez, 29, is a single mother of three children -- ages 11 months, 3, and 10. She has been working at Forum Plastics for four years, and remains classified as a temporary employee at \$10.10 per hour. That is the minimum wage currently in Connecticut. Rodriguez

works 40 hours a week and receives food stamps. This is what Miriam Rodriguez has to say, "I believe pay increase is a good idea," Rodriguez said. "We would be able to afford what we want and pay bills. We work very hard with what we do, but it still isn't enough. It still isn't enough.

You know, Madam President, I think Connecticut can compete. I think we can compete in this state. I think we can compete because I think we have in Connecticut the most skilled workforce in the world. I think we have a strategic location. I think we out skill, we outwork anybody when it comes to precision manufacturing, when it comes to the sectors of tomorrow. But you know where we can't compete? We can't compete on a race to the bottom. We can't compete when it comes to misery, and we should not be subsidizing employers, Madam President. We should not be subsidizing employers with food stamps, with benefits who fail to pay their workers a living decent wage.

You know, Madam President, I spend a lot of time listening to my constituents. I've held many townhall forums and coffee this year. I've spent a lot of time knocking on doors and listening to people, and when you go out of this building and you listen to people, there's a difference between what they're experiencing and the numbers that we see on the page. Because when you talk to economists, they say that next month this country will be experiencing the longest economic expansion in American history. It started in June 2009, and it continues to the present. That is reality. That's what economists say, but when you talk to ordinary people in Connecticut, they would laugh at you because although that economic growth has been

happening, it hasn't trickled down to ordinary working men and women. The people of Connecticut need a raise. It has been far too long since they have seen that raise. When we look back to periods in the past when the economy has felt like it was growing -- in the 1950s, the average worker made 1/20th that of the CEO. Today -- today, that is now 1360th -- 1/360th. What does that mean? That means that no matter how hard you work, no matter how tight you tie your shoelaces, no matter how early you get up in the morning you can't get ahead. The American dream for too many people -- for too many people in my generation, it's slipping away, and there is one reason for that. It's not because the economy isn't growing. It's because wages haven't caught up with economic growth. This bill makes an important step in the right direction. We have an opportunity to raise wages for our own constituents to allow them to feel the economic growth that we know exists, but we have to do that by voting in support of this bill, and I urge all of my colleagues to do so.

Thank you.

THE CHAIR:

Thank you, Senator Lesser. Will you remark further?
Senator Kelly.

SENATOR KELLY (21ST):

Thank you very much, Madam President, and good evening.

THE CHAIR:

Good evening.

SENATOR KELLY (21ST):

I rise in support of hope. I rise in support of self-worth. I rise in support of opportunity for that American dream that we've heard all too often tonight that doesn't exist in Connecticut anymore. What a sad commentary on Connecticut. We just heard, and I agree that since 2009 our country has experienced the largest expansion in our history, but it didn't trickle down to Connecticut. Connecticut not only lags behind national growth, it lags behind New England growth and in our region. For the last nine years, I've sat here and watched systemically the imposition of Malloy's new economic reality that has visited every household in Connecticut. The stories we hear around this circle are compelling. We all know that. We all know somebody who has been negatively affected by this new economic reality. We ourselves have been affected by this reality because it exists, and Governor Malloy and his economic development or his economic OPM secretary where the ones that talked about this. That the Connecticut economy was never going to be the economy of old that was always full of hope, opportunity, that was gonna grow, and be -- be able to provide. That we had to start to realize that our economic growth was limited, and that we were no longer going to aspire to the best. That's what we're hearing. We're hearing about policies that focus on just trying to keep what you have, not trying to do better and move forward.

At one time, the good Senator that shared Stafford with me, Ed Gomes, used to talk, and we would sit here and talk about what it used to be like in the greater Bridgeport area when you needed a job. You could work in a factory, do your honest eight, and

if you didn't like what was going on in your factory, you could walk down the street to another one and either get a job and often at a higher pay. You're lucky if you have a job in Connecticut today. That's a big difference -- a big difference. Just in the last two years there have been a number of companies that have asked DOL to issue warn notices -- Bridgewater Associates, New England Motor Freight, Aramark, AT&T Call Center, Bristol Myers, McKesson, Dannon, Konica, Harvey Chain. Black and Decker just said that they're gonna create 500 jobs in Texas. Why not Connecticut? Because of the choices that are made under this dome that impact the people we serve.

Yesterday, I ran an amendment that asked if we could somehow, someday come up with a \$12 dollar a month ability to give to seniors. That got shut down and pushed aside. Today, we're going to talk about a \$15 dollar an hour living wage, but yesterday, there was no dignity wage for seniors who had worked their life, who had done their time, who had paid their dues. They survived the depression, they beat the Germans and the Japanese, they put a man on the moon, and yet, the greatest generation doesn't get \$12 dollar a month but abled-bodied individuals are gonna get \$15 dollars an hour. Government choices -- government choices that either will create opportunity or not.

For the last eight years, Governor Malloy and his administration taxed Connecticut's economy to death. It created government interference where we didn't need it, and the result -- we heard it. While the rest of the country, the rest of the region, other states are experiencing economic expansion we've never seen, economic hardship is visiting

Connecticut middle-class families. It visits it on a daily basis, and we all feel it. It is -- it is not a great fact that somebody has to work 99 hours to pay their rent. That's a sad statement, but that's the new economic reality of Dan Malloy's economy. And, when are we going to learn that his economic policies are not going to save Connecticut? They haven't for the last eight years. They aren't going to do it if we double down now, but that's exactly what we're looking at doing because we visited this minimum wage issue before. And, what did it do? Did it bring the opportunity? Did it bring the American dream to Connecticut's families? No. No. The economic expansion passed us by, and we do have a skilled labor force and we do put the economic resources into education to train our children. Unfortunately, we're training them for jobs in Texas, in North Carolina, in the Dakotas -- everywhere but Connecticut because they can't survive here. Quite frankly, because we're looking for more minimum wage jobs. That's the economy that you're trying to create -- minimum wage jobs, not jobs that are gonna actually pay the mortgage, pay for an education, afford a house, and to make our communities stronger and more vibrant.

Basically, a return to what Connecticut was that we remember growing up here in this great state. Choices. Two years ago, we looked at creating a workforce development for the insurance industry, which is one of our flagship industries. Rather than picking on it with a public option, we should be looking at collaborating on it 'cause these are good paying jobs. Better -- way better than minimum wage. It's what the industry asked for. Passed both Chambers, signed by the governor twice, never met -- never met. So much for a better than

minimum wage job. We don't care about that I guess in this place.

There was a bill I put forward that dealt with -- Buy Connecticut. While we have fantastic skilled jobs in the defense industry from EB to Sikorski, to Pratt and Whitney getting government contracts like never before. The Buy Connecticut bill would create incentives so that those companies would use Connecticut supply-line manufacturers to support their products. Do you think that bill could get out of committee? A bill that's gonna do better than minimum wage jobs? No! 'Cause that's not what we want. That's not part of Governor Malloy's new economic reality.

We're also looking at choices. Choices once again. What kind of Connecticut do we want? A Connecticut with tolls, with recreational marijuana, with gambling as if these are great social policies that will be the envy of the nation, that little kids growing up will say that's what I'm going to aspire to? These are the types of initiatives that are going to set us apart and get us right back on that road that's gonna not only be filled with opportunity, but it's gonna be filled with ingenuity and creativity that was the bedrock of Connecticut's economy. That's what always set Connecticut apart, not more government. I get it. Big business is no picnic either. My dad was a brake shoe salesman. He worked for Raybestos, and yes. He was laid off at a time when it was difficult. We all have our stories 'cause they're looking at solely profits, but it's our job to balance between these interests, between the big business interest, the big government interest, and put the people of Connecticut first. The first real full-time job I

had was at Duchess, and if anybody lives down in the greater Bridgeport area, everybody knows that Duchess does it fresh. [Laughter]. I called it the Harold Levitt School of Business because it's many of the same things that I learned there -- the customer's always right, how to balance the -- the registered at the end of the night, the inventory. Those skills I learned then I still use to this day. I never thought I'd stay at Duchess my entire life. That wasn't the end of my career. It was the beginning. It was the beginning. It was the opportunity. The foot in the door. That's what we take away from our youth with initiatives like we're discussing now.

Yesterday, I was driving my son to school -- 16 years old, he looked at me. He's like, "Hey dad, I hear they're gonna talk about increasing the minimum wage." He goes, "What's it gonna go from? Ten bucks to what?" I said, "Fifteen." This is a person who right now I've told, you know, you can't just sit around the house anymore. You got to go out and get a job. Okay, so he's looking. He's thinking, okay, where am I gonna go? And, he says to me, "So, if somebody had two people working and they were going to hire the third, that's 30 bucks an hour right now, but if you pass the minimum wage, then they're not gonna hire me 'cause they're gonna spend the 30 bucks on the two people working." I said, "You got it. You got it."

So, this bill gives more to people who have a job and takes away that opportunity, that experience, that American dream from people that don't have a job. I don't think that's what Connecticut's about. Not the Connecticut I want to live in. The Connecticut I want to live in wants to empower our

people. Let -- let people go to work. Let's let them advance themselves. That's the initiatives we should be looking at, not ones that are going to say the youth aren't going to get the experience. This is going to pass them by. Connecticut can do better. Connecticut must do better. Let's choose a Connecticut that inspires the creativity, inspires the innovation, inspires that hope and opportunity that burns in the heart of everyone who wants a job and can get ahead and to facilitate that, to enable that conduct so that they can move forward and everybody in our state can move forward. Let's make a difference for middle-class families. Let's turn the page on Dan Malloy's new economic reality rather than double down on it. Let's make Connecticut what it can be. This bill doesn't do that. this bill holds us back and keep us in that new economic reality. We have the opportunity this session to move forward and to break those shackles that hold our economy back. We're one of the last ones, if not, the last one to enjoy the economic recovery that every other state has had, and it's no small wonder. It's the policies of that administration. Let's not continue to make the same mistake. Let's move in a different direction. Let's give hope and opportunity to those who want it and deserve it rather than the mediocrity of that new economic reality.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kelly. Will you remark further?
Senator Abrams.

SENATOR DAUGHERTY ABRAMS (13TH):

Thank you, Madam President. Before I begin, I would just like to take a moment to thank the Labor Committee and our colleagues in the House and our leadership for having the great foresight to put two wonderful women, Senator Kushner and Representative Porter, and giving them the herculean task of bringing this legislation forward, and I thank them very much. When I stood here on January 9, and took this oath of office I used a quote from Eleanor Roosevelt. She said, "Use privilege to sow justice." And, that's what I intended to do each and every day that I came to this Capitol, and that has been what I will do today. I have been a very lucky person. I consider myself to have had great privilege, and that does not mean that I have had an easy life, that I don't have a history like many people have spoken about today, but what it does mean is no one's ever asked me to live off \$21,000 dollars a year, to raise my children on \$21,000 dollars a year working 40 hours a week, 8 hour days, 52 days a week for a wage that I cannot support a family on or even myself on. So, for that, I am privileged no matter what my circumstances have been, and anyone else who can say the same must also recognize that they too are privileged. I don't think that this conversation has to be a this or a that, that you have to be on one side or another, but you do have to recognize the fact that we are asking people in our state, our neighbors, our friends, our relatives, maybe people we've never met to live off substandard wages, so to me, the minimum wage is not a minimum. It needs to be a fair wage. It needs to be a wage that someone can say that their work is valued, and that they can live off of the work that they're doing.

I need to reflect on a couple of things that have been said in the circle. First of all, I thank Senator Flexer for reminding us about what our country's history is based on and that we go back there, but also, someone else in the circle talked about the gilded age. I have a very, very different memory or learning about what the gilded age was about. Certainly, there was prosperity, but there was not prosperity for everyone. Many people lived in abject poverty. It was a time of dangerous working conditions and as an educator, I must say that it was also a time of child labor, and we would still be there if it weren't for people like us who sit here and elected to come in and say what is fair, what is right, what kind of country we want to live in. People talked about that time as being industrial slavery, and there was great income inequality, and for me, the best thing about the gilded age was that it burst the Fair Labor Standards Act that gave us the eight-hour workday that made child labor laws, that talked about overtime pay, and really brought on what was then considered the progressive era, so when I think of the gilded age, the best thing about it was that it turned the tide.

I would also like to say that there are people who as someone else in the circle referred to the Fiscal Commission, and I would like to say that they actually recommended raising the minimum wage, so I think it's important to point that out. I one who also talked about the fact that people talked about for one Bigelow Tea Company. When I just looked, the Bigelow Tea Company employs 350 people but made \$90-million dollars, so I think there are companies out there that can absorb paying a higher minimum wage. I think that if you are willing to work hard

like people said, and I think Senator Anwar was speaking of this. It's unrealistic to ask somebody to work for \$21,000 dollars a year, working 40-hour weeks, 52 weeks a year, and still expect them to somehow go to school. I -- I don't think that that can happen for most people, so I think if we really want to give people a fair wage, we can give them fair opportunities as well.

Lastly, I would say that we have right now a historic low in our unemployment rate. It's at 3.8 percent in this state, so there are jobs out there. We can do this. So, again, I would say that I have been very privileged in my life. I -- I am very grateful for that, but I can't move forward and feel as though I'm doing that at the expense of other people, so I think it's my opportunity today to make a vote for those people who maybe have not had the same privileges I've had and to give them a chance in our economy.

Thank you.

THE CHAIR:

Thank you, Senator Abrams. Will you remark further?
Senator Bradley.

SENATOR BRADLEY (23RD):

"He who is greatest among thee shall be your servant." That's what Christ remarked to a woman when she asked the Lord that when -- when he's in his glory would he mind placing this son on his right-hand side and this other son on his left-hand side, and he told the woman -- he said, "He who is greatest among thee, shall be your servant." We talk a lot about raising this minimum wage and we

pin it between employee versus employer, and I can tell you being on both sides of that there's a lot of good bosses out there. There's a lot of people who know how to treat people right, who have an ethos and a mission statement to make sure that they share their wealth, to make sure that their employees are well taken care of, and I don't believe in this myth of the self-made man. I wouldn't be able to be here in this Chamber tonight if it wasn't for the seven girls who I call them, who are old enough to be my mother, who work at my law office and make sure the work gets done on a daily basis. I wouldn't be here if it wasn't for my brother who's an attorney who works at my law office to make sure that the clients are -- are cared to. I wouldn't be able to be here if it wasn't for a community that supported me to stand here at 12 o'clock in the morning. It's about taking care of people. It's about equity. It's about making sure that we look after people, and I don't think that every corporation in Connecticut is malevolent. I don't think every employer in the State of Connecticut doesn't get it, doesn't make sure they pay their employees right.

I think that on both sides of the aisle we get it, so it's not about who holds the vacuum on justice and righteousness and looking after people, but it's about looking at actual policies, and I'm moved by stories. We all have our individual stories, but it's about looking at actual policies of how we're going to preserve this great nation. How we're going to preserve not just the freedoms that we have but the capitalistic system that we all say has created prosperity, and there's different models to that, and we talk like some senators have remarked about times of old and history. People came to this

nation not just looking for religious freedoms but economic freedoms, and we've seen models and monarchs who say I am God walking on earth, and these people who I have dug my knights and my nobles. These are the worthy class who are worthy of owning land and property, and all the rest of us the respect of our talents and abilities were peasants, were unworthy of holding any land and property and title and nobility, and we've seen what that model does. It caused a lot of Europeans to leave from Europe and come to the Americas in the hopes for a prosperous nation, and what do we say here in America? No one's too big. No one's too strong. No one's too mighty. That government will be big brother in shepherding us and making sure that no corporation will hinder our growth, making sure that no business will make great work environments that stop prosperity. We know what it looks like when we give to the top. That's been tried before. Circle down economics. It's been tried before, and we're not talking about the gilded age or the days of monarchs. We're talking about very recent in our history, and it doesn't trickle down. It doesn't get down to the worker. Unfortunately, greed overpowers a lot of people, and there are those bosses and there are those corporations that don't look after their employee. So, it's up to us -- the people in the circle, the people in the state to ensure that every single American irrespective of their skin color, their race, their creed is protected. That they have the ability to have a living wage. I hear a lot of members on the opposite side of the aisle who said who were sick of people who are on -- who on the social programs and get housing and food stamps and all this government assistance and they never get

off of it. Well, the reality is you're making \$10.10 an hour and you go work at a minimum wage place, and you don't get -- you didn't get a quality education, you don't come from a place where people are helping you pull yourself up, and now you're stuck because it's easier to stay on the social program than it is to work in this McDonald's or work in this other corporation, and you can't ever seem to rise above that. This is the type of program that's going to ensure that we don't see that -- people stuck in the same place. These are the type of initiatives that we're going to make sure that people can actually join the middle class. These are the things that protect us, and listen, let's -- let's call a spade a spade. There will always be poor people. There will always be people who now today are making \$15 dollars, and after we pass this, they're gonna say, well, now I should be making \$20 dollars, but I can tell you as an employer, I don't stop working hard because I might have to get more employees. I don't stop trying to acquire more because I have to pay my employees more. It's a -- it's a point of pride to be able to say I pay my employees well, and it's -- it's not just pride and -- when you sign a check to them. It's the way they treat you during Christmas and they put you at the head of the table, and with pride, they say, this is my boss. It's a point of pride when you treat people well and they say, you know what, you're not just my boss but I want you to be the godfather to my child because you treat people right. It's a point of pride for any person who's ever employed anyone but more importantly, it is about saying people we can do more. If capitalism is going to survive, if America is going to survive, we have to do more. Raising the minimum

wage to \$15 dollars, I pray to God in a few years or more we continue with this age or prosperity and this -- and this initiative works -- because it has worked. The minimum wage has worked. Unions and people who fight for working class people. It has worked. So, we -- why are we fighting against things that we know protect every day working people? Why do we want to create a system of the has and the have nots where corporations and big money harbor this money? It doesn't make any sense.

Now, in light of that, I know that there's not going to be a lot of opinions swayed, and this might go down party line, I truly vacillated over whether this makes sense or not, but at the end of the day, I honestly believe that if we care about Nutmeggers, if we care about the State of Connecticut, we have to make sure we give every single person a living wage, and this \$15 dollar minimum wage is a start, and I hope in a few years from now, Senator Kushner, with your leadership, will be increasing even more and corporation will be prospering and Connecticut will be prospering.

Thank you.

THE CHAIR:

Thank you, Senator Bradley. Will you remark further? Senator Logan. Good morning, sir.

SENATOR LOGAN (17TH):

Good morning. Thank you, Madam President. I stand in opposition to this bill. I believe that artificially, forcibly increasing Connecticut's wage requirement will hurt our economy, and I believe it will hurt the very people that this bill was

intended to help. Connecticut's current minimum wage is well above the federal minimum wage, and Connecticut's current minimum wage is already among the highest in the nation. I believe people will lose jobs if we increase the minimum wage to \$15 dollars an hour. Where do I come up with that opinion? How did I develop that opinion? Well, I represent several towns here in Connecticut, and in each of those towns whether it's Ansonia or Derby or Naugatuck, Bethany or Beacon Falls or Woodbridge or Hampton, I have had business owners come up to me and tell me that if we increase the minimum wage to \$15 dollars an hour they will reduce their workforce. They will not hire more people.

One example is in Naugatuck is Al's Hot Dogs. You know, if you go to Naugatuck from the lower part of the valley, up Route 8, you get off at the exit 26 on Route 63, as soon as you get off, Al's Hot Dog Stand is staring you right in the face. As much as I'm trying to keep my weight down, I just can't help his irresistible hot dogs. I go in there. he's got a bunch of folks working there, and once they found out I was a -- I'm a state Senator, Al says, "Senator!" He said, "Don't let them raise that minimum wage to \$15 dollars an hour." He goes, "Look at me here." He goes, "I own a small business. I won't be able to keep all these people employed, and people will lose their jobs."

When you take a look at a company and they're looking at how they're gonna make ends meet in terms of -- of run their business, still try to eke out a profit -- Because regardless of what many folks think -- they think of businesses, they think of large businesses, but most of the companies here in Connecticut that are hiring most of the people that

work here in Connecticut are medium sized, and they're small businesses like Al's Hot Dog Stand that you know maybe has ten people total that work there, and they look at their payroll, and they can only afford a certain payroll, so we can go and increase the minimum wage by a third, but it doesn't mean that Al at Al's Hot Dog Stand can increase his payroll.

When I went to a ribbon cutting in Hamden, the Southern part of Hamden. It was a beautiful ribbon cutting for a business that was -- made modifications, you know, to their restaurant, and it was a wonderful event, you know, and we went inside the restaurant, and I looked over and I say, hey, what's that -- what are those two things over there? Oh, those are -- those are kiosks. I said, kiosks? Oh, yeah, he said, you know, you come in, you can place your order and then just go over there and pick up your -- our order. And, I said, well who -- you know, who mans that? He says, well, we're not -- you know, we installed it as part of our modification, but we're not quite using it yet. I said, well, when are you going to roll -- roll that out? He goes, oh, well, we'll see how things are going, and he goes, and we'll see what kind of policies you have up there in Hartford? I said, well, what do you mean policies? He said, well, minimum wage. He said, well, that's gonna dictate kind of how, you know, we move forward.

Now, I haven't been a politician for very long. I come from the more corporate culture, you know, and businesses, companies -- they create and develop every year financial models, right, of how they're gonna run their company. Some of those financial models and business plans are one-year plans. Some

of those business plans, those financial models are five-year plans and some every ten-year plans, and when they look and see what's going on here in Connecticut, even this very debate, there are businesses that are going to look at the result of this debate and if -- I like to remain hopeful -- in terms of if we aren't able to stave off this legislation, those business plans -- those financial models are going to be adjusted in a way that minimizes Connecticut's impact on those businesses. And, what does that mean for Connecticut? What that means is less job opportunities for Connecticut residents. That is what's at stake.

You know, I want to raise wages for worker's in Connecticut. I want to raise wages for all workers in Connecticut. The difference is that I just want to do that in a different way. I don't believe that artificially increasing the minimum wage is going to do the trick because, again, here in our beloved State of Connecticut we continue to pass bad policies that are encouraging businesses to leave Connecticut, reducing job opportunities for people in Connecticut, encouraging individuals to leave Connecticut -- those that can. Many other folks spend a lot of their free time -- I've knocked on many doors. I go to many events throughout my district, and time and time again, I meet with individuals who are planning on, spend lots of time planning on how they can leave the state. It's really because of the minimum wage. It's because of the cost of living here, right. So, we can on one hand try to artificially increase wages, but then on the other hand, we're raising the cost of living in Connecticut by tax increases. There's a toll proposal out there now that makes it more expensive for people to get to work.

So, I go the opposite route. I say why don't we work to make Connecticut more affordable for people? Why don't we work towards making Connecticut more attractive or businesses to want to expand -- those that are here to want to expand their workforce, add more workers? I'd rather see a company expand and add a third to their workforce than us to increase their payroll by a third because that way we will have more people working. I strive to have more people working in Connecticut. I strive to have more people working in Connecticut, paying taxes in a sustainable kind of way.

When you look at our state in terms of government and running, one of our biggest -- some would argue our biggest problem is the fiscal financial health of our state. It's anemic. Our growth compared to other states is extremely low, and study after study, publication after publication, there's articles upon articles that talks about how Connecticut is so unfriendly to business. And, again, why is that important? Well, because we need businesses, whether, again, it's a small 5-persons job or if it's a 100-person company or a 10,000-person company. We need jobs here in Connecticut. This bill does nothing to help the strength of our economy. It only hurts our economy. I believe it actually hurts the very people that we're trying to help because, again, there will be less job opportunities available. By artificially increasing the minimum wage, we continue to send a signal that we just don't get it. As leaders of state policy, legislation to help make our state better, we need to show vision. We need to have vision, and the current visions that we are sending, that we are projecting is not a good one. I believe we need to stop repeating the same mistakes that we have made

in the past. We need to stop looking at ways to artificially improve things here in Connecticut 'cause it doesn't work. It hasn't been working. Folks thought that raising taxes would help our economy, help us get out of this financial crisis. We instituted income tax -- didn't work. 2011, use tax increase -- that didn't work. Another big tax increase in 2015, and now we're looking at increasing the minimum wage, which is going to have a bad effect to our economy, which is going to result in less opportunities for people.

You know, my -- my parents when they came here in the late 60s, started off in minimum wage jobs. You know, I always look at America as far as the dream and examples. You know, you're talking to an individual who grew up in inner city New Haven. My mother, my aunt when they came here, one of the first jobs that they were able to get, able to obtain was in the great town of Woodbridge. What did my mother do? She cleaned homes in Woodbridge, Connecticut. My aunt, a nanny for folks in Woodbridge. That's in the late 60s and early 70s. To this day, that family where my aunt started off working with, the children that she helped raise -- and I said helped raise in Woodbridge still keep in communication with her to this day. It was said earlier that, you know, a manufacturer was booming much more in the 60s and 70s, and my father often bragged about how he would -- he often held two, sometimes three jobs at a time. He would brag at how he would work a job for a couple of weeks and a month, and if he didn't like it, he would go out and find another job. He did that for a few years until he found a stable job that he liked in North Haven, American Cruise Boat -- no longer exists. My mother started off at very low pay. Education was always

her model. She went to community college, and she worked her way up. That's the kind of vision I want for Connecticut. Opportunities for people. Not looking at ways to keep folks at the lower rung of the workforce in terms of pay. Look at ways to help people get started. Look for ways to help people to advance. Simply artificially increasing the minimum wage does not do that. I think it hurts far more than it helps. I want to increase everyone's wages in this state with a healthy economy spending more time and effort finding ways to improve the lives of everyone living and working here in Connecticut.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Logan. Will you remark further?
Senator Haskell.

SENATOR HASKELL (26TH):

Good evening, Madam President. Good morning, I should say.

THE CHAIR:

Good morning. [Laughing].

SENATOR HASKELL (26TH):

I did not anticipate speaking tonight, and I confess that I was hesitant to support this legislation initially. I want to thank and commend Senator Kushner for her incredible work on this bill and also her willingness to listen and consider my thoughts on how this might impact the business community, and -- and engage in a conversation about how we can space these increases out in a way that

it's -- it's fair and doable for small business owners, but Madam President, I decided to rise because suddenly there have been portions of tonight's debate in which we seem to be considering not how we should address economic inequality but whether or not we should address economic inequality. Whether inequality is something that we ought to be working together across the aisle to eliminate or at least reduce or whether it's something that motivates people and is a tool for economic growth.

Madam President, I want to make sure that the record is absolutely clear. The economic research shows that inequality is bad for Connecticut. Whether you're a minimum wage worker or not, you are harmed by this state's unacceptably low wages. Connecticut is harmed when people -- when working families are held back. In 2014, the organization of economic cooperation and development found that rising inequality in the United States from 1990 to 2010 knocked about five percentage points off cumulative GDP over that period. The data shows that paying people a living wage improves physical and mental health and expands access to opportunities according to the study's authors. In other words, putting more money into people's pockets, lays the groundwork for a 21st century economy where business leaders may not have to come to this legislature, may not have to come and testify before the Higher Education and Employment Advancement Committee. Might not have to pick up and leave Connecticut because they can't find a skilled tech savvy workforce to fill the jobs that they desperately need filled in Connecticut. It's not good for our state that a ten-minute drive on I-95 crosses a \$100,000-dollar difference in median income. It holds us back.

And, it was said tonight, Madam President, that economic inequality can be helpful, and I will concede that in some cases that's true. The World Bank in fact shows that inequality boosts economic growth, but that's only in the case of developing countries where entrepreneurs are short on capital, but advanced economies like our own economic research is rarely unanimous that inequality has a negative impact on economic growth. That's not to say, Madam President, that every single worker ought to earn the same salary. In fact, the International Monetary Fund found in 2017 that inequality could be beneficial to growth at low and moderate levels. I'm sure many of my colleagues are familiar with the GINI index, which helps to measure inequality. A zero on that scale means that everybody has the same income and a 100 on that scale means that one person in a society has all of the wealth. Now, inequality spurt growth in countries with GINI index values below 27. Unfortunately, for us, our national GINI index is somewhere around 41, and in Connecticut, it rises to almost 50. That's well into the territory where inequality is no longer helpful but is in fact harmful. A study in the Journal of Science and Medicine concluded that economic inequality affects population health and well-being including domestic violence. A rise in inequality leads to more violence, more social costs, less education. It cannot be more clear that inequality is bad for our economy, not just morally but from the point of view of economic research and from the goal that I think we all share of lifting every household income of sparing consumers and revitalizing Connecticut's job market.

The National Bureau of Economic Research tells us that wealth inequality has increased dramatically

since the 1980s with the top 1 percent share around 40 percent in 2016, versus only 25 percent to 30 percent in the 1980s. And, according to the Economic Policy Institute, Madam President, the minimum wage plays a key role in that story of the concentration of wealth among the top earners. I wish we didn't have to go to \$15 dollars over just 4-1/2 years. I wish we'd kept phase with steady increases over time, but our failure to adequately increase the minimum wage accounts for 48 percent of the increase in inequality between women at the middle and bottom wage distribution since 1979. The last report I'll mention tonight is from the Federal Reserve Bank of Chicago, which shows that a \$1 dollar increase in minimum wage will boost consumer spending per households with minimum wage workers by \$2080 dollars per household. Connecticut needs those consumers. I'll be voting yea tonight, not just to help put food on the table and gas in the car, not just to help parents afford pre-K and students afford college credits. I'll be voting yea because our economy needs more consumers who are empowered by an economic freedom that benefits us all. Our economy needs educated skilled workers, and we can all benefit, Madam President, from an increase in the minimum wage because when that wage is increased, inequality goes down and economic growth goes up.

Thank you very much, Madam President.

THE CHAIR:

Thank you, Senator Haskell. Will you remark further? Senator Champagne. Good morning.

SENATOR CHAMPAGNE (35TH):

Good morning, Madam President. Thank you. It's funny -- when I listened to some of the last speakers and we talk about low earner, low economics. When in this Chamber this week, we took some of the poorest people in Connecticut that live in nursing homes that had to give up all of their money to stay in that nursing home, who make \$60 dollars -- \$60 dollars a month, and those same people who keep shining the light over here this side of the aisle voted down a \$12 dollar a month increase. That's quite funny listening to this tonight, but you know, when we look at the minimum wage increase, there's three factors that we must consider -- the size of the increase, the length of time that we implement that increase, and third -- and I think the most important -- the economic conditions and the location of the proposed increase. The economic conditions and the location of the proposed increase. That location is the State of Connecticut.

Let's take a look at Connecticut. We all sit around this circle. Everything I'm gonna tell ya is the same thing we all know about the economic condition of Connecticut. Right after I put my glasses on. Over the last couple of years, we keep having policies that affect everything around us in the State of Connecticut. Can we afford an increase in the minimum wage? Connecticut hasn't recovered from the recession. Job losses in the first quarter of this year were more than 3400. We're going in the wrong direction. All indications point that we're going to have a very large tax increase over the next two years. Why? Because we haven't fixed the problem. We continue to add more and more tax increases, and at the end of these two years if the problem isn't fixed, we're gonna end up in the same

place with another tax increase. No legislation came out of Committee that will change those never-ending tax increases. Fixed costs continue to rise at alarming rates, and both continue to come out of the legislature adding to the fixed costs in the form of never-ending lavish raises. The cost of living in Connecticut is very high. It's above other -- other states right now. In fact, when we look around the country, the rest of the country is flourishing well above what we are doing here in Connecticut.

What about the business climate in Connecticut? Currently, Connecticut continues to raise taxes and fees on businesses and some of those taxes and fees are the highest in the nation. Connecticut has some of the most burdensome regulations on our businesses making it more difficult to even operate. In some cases, more costly than the state next door. That's why we continue to lose businesses.

Let's look at the municipalities. Municipalities continue to see unfunded mandates handed down to them from the state. State funds to the municipalities are being reduced. The teachers' pension, which has been mishandled by the state is being passed off to the municipalities, and reductions in the UCS funding.

This minimum wage on municipalities is going to cost hundreds of thousands of dollars. In my town alone by the end of this increase, it's gonna be over half a million dollars. In the town next door to me, over \$300,000 dollars. They're dealing with crumbling foundations. The large reductions in UCS. It's a serious problem, but this points to what's going on in Connecticut. With our businesses in

trouble, our municipalities struggling, do I think Connecticut is in a good position to raise the minimum wage? No. I don't think we are. I think in fact listening to the businesses that I've heard from and very surprisingly, I haven't heard -- I know all the republicans have heard from many, many businesses, and I'm very surprised I haven't heard that nobody else has, which is very surprising. So, I've heard from small businesses in Vernon, Ellington, Ashford, Stafford, Woodstock, and two outside of my district, Manchester and South Windsor, and it's the same thing. The cost will result in the loss of jobs. The biggest expense right now for any business is labor, and every time you increase labor, you're increasing the biggest part of the cost.

One owner of multiple small businesses stated, "My employees do not want the increase because the last time the minimum wage went up each store lost an employee, and they fear they could lose their jobs." That's an interesting point. I wouldn't want to be standing in a location and fearing for my job, especially when you can order things online much easier. We're watching as our big stores are closing across Connecticut, and every time that happens jobs go away. Is it going to be cheaper to raise the minimum wage to a point where it passes the tipping point and it's going to be cheaper for the business to close and do things online?

Another business owner said, "The profit margin for my stores is very low, and I cannot operate my business and make a profit starting with the first increase scheduled in 2019." And, I know this was sent out to multiple people, but she talked about her profit margin was 10 percent. She has a child

in college. She has a roof that leaks, and other problems within the house. She's not a rich business owner that keeps being portrayed here. She's a struggling small business owner.

One of the manufacturing companies in my district took the offer from New Hampshire, and they're moving. In fact, I saw two other medium-sized companies close since the election. I guess one of the questions is can the State of Connecticut afford to lose many more businesses? Just in the Hartford Courant, we just heard about another company from -- who's headquartered in Connecticut, who's opening another manufacturing plant in Texas, not in Connecticut. Connecticut cannot afford to lose these businesses. We can't lose the tax money for both the state and the municipality. Now is definitely not the time to raise the minimum wage. Do I think we need to look at this and make sure we're not hurting people? Yeah.

I was going to end it right about there, but as I was typing this, I received a forwarded post that originated from a Representative from across the aisle who's in my district. The post states borrowing for economic development, low-SEP, and federal funding are in grave danger because of other borrowing that's going to take place. It says the governor, Ed Lamont, put the state on a debt diet, but I do not believe this will cost -- this will cause the loss of federal funding, and I believe low-SEP and economic development are priorities for both sides of the aisle. I'm hoping that this was no more than a stretch of the truth or a political ploy, rather than something that is not being communicated about these programs to my side of the aisle. The federal funds are in danger because of

the state borrowing. I believe our federal delegation we quickly notify state officials printing false information about the loss of federal funds, which would drastically affect our state budget is wrong, and it can affect the trust in this building. I brought that up because if that was true all the budget talks we've been doing would have to stop. Yet, what did we do? We sent this out telling people you're going to lose federal funding. How do you lose federal funding from borrowing state money? I don't understand that. but if we are -- if we are losing money, this would be another reason not to put more burden on the State of Connecticut or our businesses. Do I think everything should have a livable wage? Well, I call livable wage -- I don't think this gets us to it -- but a wage increase? Yeah. But it shouldn't -- we keep calling it a fair wage. There's different jobs, and people get paid for different jobs. Sitting around this circle, we have some very wealthy people. Should they make the same as somebody not wealthy that's doing a different job? No. You should get paid a fair wage for the job that you do, and there's always an opportunity for people to move -- move up, and that's what we should be doing more than anything -- helping them. Helping them go to school. Helping them find a way to better themselves. I think that's the better thing to do here.

I'm going to end it here. It's getting early in the morning, but if we do this, I have a feeling that we will be back to fix things because I have a feeling that we are going to have to correct it because we're going to be looking at businesses leaving Connecticut.

Thank you.

THE CHAIR:

Thank you, Senator Champagne. Will you remark further? Senator Maroney.

SENATOR MARONEY (14TH):

Good morning, Madam President.

THE CHAIR:

Good morning.

SENATOR MARONEY (14TH):

I rise in support of this bill. I want to thank my colleagues for the discussion tonight and sharing, you know, both the positives and some of their concerns about this bill, and I must admit that initially I did share some of those concerns. Like some of my other colleagues, I own a small business. Many of my friends own small businesses or work in small businesses, and one of the things that we've heard tonight and I've heard from other friends is that I believe this will cost us jobs. I believe we may lose jobs, but it's important for me not to just believe but to look at research, especially since we heard earlier tonight someone ask was there any science base used to determine this -- this wage? And, since I was not involved directly in crafting this legislation, I can't speak to whether or not science was used to arrive at the \$15 dollar an hour figure, so I wanted to look myself at the research to see what would research support and what would research bear? Many countries set their minimum wage at 50 percent of the median income. In fact, the United States has the third lowest minimum wage

of any of the developed countries. Across the United States, the national minimum wage is 38 percent of the median income. Our high point was in 1968 when we hit 55 percent of the median income. Research shows that the median wage should be somewhere in-between 50 and 60 percent of the median income for the area. In the state of Connecticut, the median income is at \$22.60 an hour, and it should be noted that was our median income as of May 2018. We don't know what it is now, but we can anticipate since the cost of living is 2.7 percent, it is higher than that. Data or research by -- and I apologize. I'll probably say his wrong name, but Aaron Degidubic [phonetic] PhD from the University of Massachusetts -- he has said that above that 60 percent threshold there is a concern that if you raise the minimum wage above 60 percent it could cost jobs or it could cost the loss of jobs, so at 60 percent of the median income in Connecticut right now, that would be \$13.56. If we look at raising the minimum wage, the median wage were to raise by the cost of living or at least what the cost of living has been determined for Social Security, which is 2.7 percent, in four years, it would be at \$15.08. So, we will not exceed that -- that number where we're at risk of causing jobs.

And, it should be noted that our median wage is actually higher than that because we don't know what it is as of this year. That was as of last year. So, in the 4-1/2 years, when we get to \$15 dollars an hour, the median income in our state will be much higher, will be able to support that.

Another thing that's important in looking at research is what are the other affects? What are the other impacts of raising the minimum wage?

Research has shown and what many of us would seem to make sense that it will lift people out of poverty, but it's not just when you raise the minimum wage. Their wages accelerate after that, and so they will continue to grow their incomes, spend more, and our economy will grow. Some other things that you may not expect from research are that raising the minimum wage leads to a reduction in smoking and other increases in public health, which again will help reduce costs to the state, help reduce our healthcare costs for the state. Research at Rutgers has shown that a higher minimum wage will reduce recidivism and reduce property crimes, again, saving the state money. This policy has been shown to produce broad social, positive social outcomes, but one of the things that's important to remember when we talk about raising the minimum wage is that it's not about facts, and it's not about figures, it's about people.

And, this was really brought home to me last Thursday when I had my coffee and conversation and I went into a diner that I've been going to only since I started campaigning. It's in a different town than where I live, and I went in and I saw Gloria, and I said, "Hey, good morning, Gloria. How are you doing?" And, I said, "Well, I'm going to be honest, I'm much better than the people in the House are doing. They're still in there debating minimum wage right now." And, she said, "Oh, well, I'm not getting a raise. You know, everyone else is getting a raise, but I'm not getting a raise. I've been working here for 30 years, and this won't -- this won't help me." And, that really hit home that there are people who are looking at this as I will get a raise. This will help me to provide for my

family. This will help me to provide a better education and a better future for my children.

And, that's why while I, you know, share some people's reservations initially, I am in support of this measure, and I thank Senator Kushner for her work on this and for her flexibility in moving this out, and so that we are now within what data will support.

So, thank you.

THE CHAIR:

Thank you, Senator Maroney. Will you remark further? Senator Martin. Good morning, sir.

SENATOR MARTIN (31ST):

Good morning, Madam President. Madam President, there is two baseball players -- professional baseball players sitting on the bench, and they're wondering is there baseball in heaven? So, this debate went on and on and on, and they decided eventually that whoever passed away first would come back and tell the other person if there was baseball in heaven. So, they finished their baseball careers, both of them actually ended up in the hall of fame, and the first one passes away, and as promised, comes back and tells his friend whether or not there was baseball in heaven, and he says to him, I have some good news and I have some bad news. The good news is there is baseball in heaven and the bad news, you're scheduled to pitch next Thursday. No? [Laughing]. It is quarter to one in the morning. I thought I'd change it up a little bit. [Laughing]. Thank you, Julie, for laughing. [Laughter]. All right. I thought I'd like to

change it up a little bit anyway. I could have stood up and said I was gonna support this bill. that could have gotten a laugh perhaps, but nonetheless, listen.

You know, we've heard a lot of statistics tonight, and I'm just going to share just a few. They do -- what I have here it comes from the U.S. Bureau of Labor Statistics, and -- and it says that less than 5 percent of the labor force are actually earning minimum wage, and half of the minimum wage earners are under the age of 25, and many of those are teenagers and are in entry-level positions, and actually living with their parents. Further two-thirds of the minimum wage earners got a raise between -- within their first year of employment, so I -- that's sort of the point of view that I come from. I know it's a little bit different than others here in the circle who talk about a living wage or a fair wage, and fair enough. You know, it's just a different point of view.

So, like others, I've heard from many in my district -- businesses and constituents. One that I heard from was a Dunkin' Donut franchisee who actually she owns one or two, but the franchise as a whole employs about 10,000 people here in the state of Connecticut. I also heard from the general manager of Lake Compounce in Bristol. I heard from an executive from 99 restaurant who stated that the increase in minimum wage would -- would cost the company \$1.8 million dollars. I heard from a few small restaurant operators, and electrician, constituents, and actually, I also heard from a mother who was concerned about the impact of the daycare and what that might cost her. She says that daycare was already expensive, and she pays between

\$250 to \$350 dollars a week, and with a minimum wage increase that it would make it pretty hard for her, especially being a single working mom.

So, hearing from employers, being an employer, being raised in a construction family, self-employed, you know, I asked how do or how will employees -- or employers offset a wage hike that's being proposed here? And, the employers -- and actually, I read -- this came from the Hartford Business Journal. They did a survey I think through CBIA, and they said that the response was -- was as follows, that they would cut workforce levels, they would cut hours or benefits in order to do what they needed to do, they would increase the use of automation to replace workers, and I don't know about a month ago I happened to be in Glastonbury, I was hungry, I needed something fast, and I hadn't been in McDonald's in four or five years, and I walked into McDonald's, and I saw four kiosks, and that's how I placed my order. I had never saw that before. I just hadn't seen it, you know, but I had seen it in Home Depot, you know, and ShopRite or Price Shopper. And, also, you know -- and I talk about automation now. So, I'm having dinner with a friend who had recently retired. He was a consultant for a pretty large food distributor here in Connecticut, and we are talking about minimum wage, and this was three or four months ago, and he -- he was telling me about the price point, about you know they already know at a certain level that when we get to "X" amount, we are going to be automating our warehouse, and minimum wage just basically increases obviously the level -- entry-level jobs, but also -- also increases those that are above them and sort of presses the numbers -- so to speak -- to make certain decisions. So, my prediction is that with

this bill and with its pretty aggressive, I'll say, rate increases through the next three or four years that we're going to be -- we're gonna see automation probably exponentially advance in robotics along with electronic replacements for an array of jobs such as retail clerks, which we've already seen that, waitstaff perhaps, custodial work. We're seeing some of that and warehousing jobs, and some will probably totally -- totally surprise us. Some of you maybe remember the Jetson's while we were growing up. Another thing that will probably happen is we will see unfunded -- the result of this increase will be sort of a mandate on ourselves as a state. We saw that or read that in the bill in the fiscal note, also on our cities and our towns, and wage compression as I said will put demands by the employees from the rest of the company that work for a company who are earning currently higher wages, but once those wages kick in from minimum wage, they are going to want a rate increase as well.

So, I guess my concern is -- and I come at it from a business perspective -- there are marginal companies out there that just they week-to-week like family households. Some of them are living week-to-week, payroll-to-payroll, and having run a small business. I understand the challenges and the struggles and making that weekly payroll is sometimes difficult, and I just pretty sure, pretty confident that once this minimum wage is implemented that we are going to see some of those marginal companies close their doors and thus having layoffs, but companies do lead the way. They do lead the way for economic -- economic activity in our communities and in our state.

And, I just tell you a little story, I guess. I'm from Bristol, and we have our vacant downtown Bristol 17 acres, and now it's starting to get developed a bit, and there is some -- some growth taking place there, but we had a developer a couple years back that came in, and he wanted to -- he had an option on a whole piece of property, and he wanted to develop it, and so he did a great market research and presented it to the town or to the city, and he wanted to bring in some housing, but he also wanted to bring in some commercial, and it really came down to we all knew that gee does -- businesses were not coming into downtown Bristol, and he was talking about foot traffic and that we needed to have that, but we also needed housing in order to have that.

But the businesses won't come unless the housing, but the housing necessarily wouldn't come either without the businesses, so sort of what came first the chicken or the egg. So, the developer eventually went away, but if you look at the history of Bristol, and I'm sure a lot of the communities and larger cities, you will see it was the jobs or the manufacturers that came into the towns, and then we had housing develop around those jobs, around those -- those companies, and the community flourished because of those companies and those jobs, so I guess that's perhaps why I'm a little bit more sensitive to on the business side because of my upbringing but also having this understanding of it that cities evolve because of the jobs and the products that were produced from those -- those companies. You heard earlier tonight about the -- the importance of creating some policies here in this building, and those policies should be geared to attracting companies.

The -- I talked a bit about the mindset tonight. You know, about -- you know, I see it. I see the minimum wage as an entry-level job, and some here believe that it is a -- a living or a fair wage job. We also heard a little bit about a dignity wage as well regarding something that we felt last night that should have been passed but didn't get passed.

But I'll say this -- what I see here tonight is a i -- I felt that we were doing a little soul sharing with one another. We heard some great stories, some wonderful stories, real life stories. You know, we shared our thoughts and beliefs, and I thought it was pretty healthy actually. I felt that we are -- there was a start perhaps of a little bit of a connection with each other. My hope is that maybe that we can, you know, maybe -- maybe we can find some common ground. You know, maybe the minimum wage is not \$10.10 like it is now. Maybe it is \$11 dollars, maybe it is \$12 dollars, I don't know. Maybe we should have passed that \$12 dollars for a month for the elderly last night, but the point is I -- what I'm sort of trying to get across here is I thought this was very extremely healthy tonight, and I think that I'm going to leave you on this note that Senator Formica said something that I thought was appropriate here, that you know let's find a way really to start talking to one another, and maybe out of that, we will find the solution that we all desperately are looking for, and that is to make this a better state that we all live in here.

So, thank you, Madam President.

THE CHAIR:

Thank you so much, Senator Martin. Will you remark further? Senator Bergstein. Good morning.

SENATOR BERGSTEIN (36TH):

[Chuckle] Good morning. Thank you, Madam President. I will keep my remarks brief. And, while I appreciate the many anecdotes that have been shared tonight, I prefer to make public policy based on evidence rather than anecdotes. And, I rise in support of this bill because I am deeply concerned about the impact on women. We're living in a strange and dangerous time when we see an assault on women's rights almost daily happening in other states, but we are not immune, and minimum wage is a question of women's rights because this is one more barrier for women to achieve economic security and independence. One more barrier that's no so different from the barriers we see other states enacting, laws that push women backward rendering them powerless and poor. So, I'd like to share with you a few more datapoints. We know already that women are disproportionately harmed by the lack of a minimum wage. If we pass this law, 50 percent of women in Connecticut living in poverty will rise out of poverty. That would be an amazing achievement, and as my good colleague, Senator Anwar, eloquently stated, this is a moral question and a question of women's rights. The economic benefits are also clear because when women earn a living wage, they spend their excess money on the right things. They spend it on more nutritious food for their families, better education for their children, better healthcare. They invest in their communities, and everyone benefits. They lead healthier more productive lives. Their kids do better in school our economy grows because lifting women and their children out of poverty saves taxpayer dollars by preventing the social costs that stem from poverty. This is not speculation. This is evidenced-based

policy, and you can look at the research, which bears it out.

McKenzie has done extensive research and proven over and over again that gender-equal policies grow the economy. They've even quantified that growth. If we had gender-equal policies, our economy, our GDP would grow by \$2.1 trillion dollars in under ten years. That would be astounding, and it's absolutely achievable. A livable minimum wage is key to achieving both economic independence for women and economic growth for our state and country.

So, I stand in support of this bill because I believe every person who works full time deserves dignity and security. They deserve decent food and housing, not living in homeless shelters or relying on government assistance like Miriam Rodriguez who was cited earlier and so many others. I support this bill because I am particularly concerned about the harm to women, and I want to eliminate every barrier for women. I know that a livable wage is not only the right thing to do but also smart economic policy, and it is one step forward to achieving gender equality.

Thank you, Madam Chair.

THE CHAIR:

Thank you so much, Senator Bergstein. Will you remark further? Senator Bizzarro. Good morning, sir.

SENATOR BIZZARRO (6TH):

Good morning, and happy Friday, Madam President. Madam President, life is all about perspective. I am very found of saying that. I am fascinated by

how the human brain perceives things. Different people might look at the same thing, and yet, perceive that same exact thing in different ways. Madam President, I didn't prepare a speech tonight. I think people are probably happy to hear that. this is not one of these bills that has a bunch of different sections that fit together somehow like a puzzle. I have an analytical mind. I'm good at looking at things like that and talking about it. It comes with ease. No. This is a different kind of bill here, so I'm just going to talk a little bit about perspective. We're all looking at the same thing as a group of us that think that this legislation is going to help a certain class of people, and there's another group of us that thinks that the opposite is true, that in fact this is going to harm the very people that it reports to help -- perspective, Madam President.

Several hours ago I sat here and I listened intently to the distinguished Senator from the 10th District as he delivered what were incredibly compelling and passionate remarks about his childhood, and as he spoke, I could smell that elevator, I could see those bodies that you'd have to step over, climb over to get into your apartment, I could hear the voices of the drug dealers on the fire escape a couple of feet away from little children sleeping in their beds at night, I could feel the bone chilling cold in the apartment in the wintertime and the stifling heat of that studio apartment in the Bronx where four people slept on a twin bed and a pullout couch for 15 -- 12 years. Madam President, my parents saved their whole life to buy their first home and move my family from the Bronx to the great city of New Britain. They did that because -- well,

again, life is all about perspective and New Britain might as well have been Beverly Hills.

Unfortunately, my father not having any particular skillset, struggling with the language, no education to speak of couldn't find a job, so for 15 years, he got up every morning -- every Monday morning at 4 a.m., commuted down to the Bronx where he worked as a laborer, had a good union job, worked all week, was away from his family, drove home every Friday night, repeated that process for 15 years, put a tremendous amount of strain on my family. And, I prayed. I remember being a kid and praying every night, Madam President, but I didn't pray that my father would get a raise or -- what I prayed for was that somehow he would find a job in New Britain so that he could be with us.

Now, I heard the good Senator from the 29th a few hours ago quoting one of our colleagues in the House, saying that one of the problems we have in this building is that there aren't enough people here who know what it's like to be on their last few dollars. No, Madam President, I don't think that's the case at all. I've spent hours now listening to all of my colleagues and friends around this circle. I think there are plenty of people here in this building who understand what it means to struggle. I would respectfully submit that the problem is that there aren't enough people in this building who understand what it means to have to make payroll. That's the problem, Madam President. This is going to be very difficult for some people to hear, and some people are not going to want to understand this, but regrettably, there is only one perspective that matters in this debate. It is the perspective of the business community in this state. The

businesses of the State of Connecticut are screaming at us at the top of their lungs, and we are not listening. We are not hearing them. And, I know it hurts to believe that that's true, but that's the only perspective that matters. Why? Well, because unless we have another piece of legislation that's coming before us that is going to begin to mandate that employers hire and retain employees, then we have no control over this. What are we going to do when we have wage compression and the employer who might otherwise give an employee a raise or might have a manager who is eligible for a promotion, says I can't afford this?

We talk about living wage. Yes. I agree it's impossible to live in this state on \$10.10 an hour. It's equally impossible to live on \$15 dollars an hour. It's all about jobs, Madam President. We have to figure out a way to create more jobs, to incentivize businesses to create good paying jobs. We're not doing that with this legislation. Is the state going to expand hiring? Are we going to hire all of the people who are going to be looking for a job because the opportunities aren't going to be there? I mean I'm a -- I'm an employer. I have a very small business. I employ several individuals. This summer I'm so proud to say that I'm going to have an intern through the local -- my local OIC Summer Youth Employment Program. I'm excited about it, and I had already committed to another intern for the summer. I've got to pay both of them. I want to be able to do these things, but I just can't afford to do it. I don't know where we're going, Madam President, but I don't like the direction.

We've heard from several of my colleagues about the impact that this is going to have on municipalities.

We want to help employees. We want to help people to be able to pay their bills. Well, what are we doing? We're going to give them a wage increase, and then we're gonna turn around and we're gonna make sure that there's a tax increase so if they -- their family owns a property in a municipality, their property taxes are going to go up, and if they're renting their rent is going to go up because the property owner's taxes are going up. I mean in New Britain -- in my city of New Britain, Parks and Rec Department alone believes that this bill is going to cost \$400,000 dollars a year in increased costs -- \$400,000 dollars a year passed on to the taxpayers of a cash-strapped municipality. What are we doing, Madam President? We are not paying attention. We're not listening to the business community in this state. We are ignoring the municipalities as they beg and plead for help. It's all about perspective, Madam President. I hope I'm wrong, but at the end of the day, as I said, unless we're willing to mandate that employers begin to hire and retain people, and I don't know -- the way things are going maybe some day in the near future that won't sound as far-fetched as it does tonight.

I oppose this legislation for all of these reasons, Madam President. Thank you very much.

THE CHAIR:

Thank you, Senator Bizzarro. Will you remark further? Will you remark further? If not, -- ah, Senator Moore. Good morning.

SENATOR MOORE (22ND):

Good morning, Madam President. First of all, Madam President, I want to say thank you to Senator

Kushner for the work she's done on this bill and the fabulous job of Robyn Porter -- Representative Porter. You know, I was having a déjà vu moment a while ago, and it wasn't really a pleasant one. In my first year, I stood here and fought for \$15-dollar wage. It was a fight for \$15 dollars, looking at companies like Walmart who makes billions of dollars profit on the back of the working poor, and we pay for it, and nobody talks about that. that we subsidize childcare living through Section 8. We pay for their healthcare. We give them SNAP benefits while they continue to make billions of dollars, and nobody talks about that.

You know, I've heard the stories of people struggling and what it took for them to get to where they area. I heard someone refer to 400 years ago. It seemed that it was a good time for them, but for a lot of us, it wasn't. I heard someone mention 1954. Whether you know it or not, that's the floor of the Civil Rights Act that took place, and the opportunities that those people had, other people did not have. So, when you talk about putting things into perspective, let's put it all into perspective of where we are and where we've come from and how some other people have struggled more than others.

When I ran the first time for my seat, I pledged to people who are low-income workers that I would fight for them. I'm keeping my word by voting for this bill tonight. I also took a job at Target because I was the Chair of Human Services, and people would come before me and tell these horrible stories of how they were working more than two jobs and they had children at home, and my thought was who's taking care of the children? There's an African

proverb that says, "How are the children?" That is the question that you ask, and if you say, the children are well. The community is well. Well, when I think about the number of people who are working two jobs, making less than \$10 dollars an hour when I got here, and I at that time there was an argument over the \$10.10 minimum wage, and I said, "Well, when is it ever gonna take place?" You know, I've been fortunate enough to come up through the telephone company and make good wages, and I always thought that everybody else was making those same type of wages until I got into a human service position to hear what people were going through, and I really didn't believe it. I just couldn't imagine how someone could go to work to two jobs and be paid under \$9 dollars an hour. And, so when I took that job at Target I talked to some of the people who were working there also, and I told them I was trying to fight for \$15 dollars as a wage, and you know, nobody believed it. They didn't think it could happen, and you know what? It's been five years. I've always believed it could happen. And, you know, I just want to put this in perspective also when people start to talk about what it is going to cost an employer. We're not talking about jumping to the \$15 dollars over night. It's over the four years, so it's \$1 dollar. One dollar when you're working 40 hours a week, when you come home is \$30 dollars. You know what \$30 dollars buys these days? Five gallons of milk and five loaves of bread, and when you're low income, that money's not making it to the bank. You're gonna buy food. I heard Representative Bergstein talk about health. We pay for it in the long run. When we have people working long hours, they become ill. The children are not being taken care of. No one's managing the

children. No one's mentoring the children. There's long-term results -- negative results when we don't treat people the way they should be treated.

You know, I could say -- there's a book by Bebe Campbell Moore, *Your Blues is not Like My Blues*, and I could play that card in here and talk about what it's like for me to stand here and be fighting for this \$15 dollars, but I don't need to tell you my story. There's people sitting up here in the gallery that live it every single day. It's not a story. It's their lives. It's their lives, and they want to work. They want to go to work every day. They want to be paid just like everybody else. They want a living wage, and they deserve it, and so when people argue that you know these businesses gonna leave. I say what would you do if these people leave Connecticut and go someplace else where they're gonna get a better wage? Let's split the script and find out what it would be like if they weren't here to do these jobs. So, you know, I thought about Walmart and how much money they're making, and when I looked at their 1.5 million employees in the United States, and they have an operating income of \$21 billion dollars, why am I paying, why am I subsidizing for this -- for the people who work there? Why? They should be paying it themselves, and they should be paying their workers a decent wage. I'm not talking about people at Walmart who are making \$15 dollars an hour. There are still people there making \$10.10, and if they weren't making that \$10.10 because of what Governor Malloy did, they would still be making under \$10 dollars an hour. It seems like the more people -- the more money people have they just want to have more. They're not thinking about investing

back into people, and that's how they get to have billions of dollars.

So, you know, I think about -- people have talked about automation. So, I was in Walmart -- not Walmart -- I was in Target. I never go inside Walmart. I was in Target, and there was one person ringing people out and everything else had the one that you swipe through. I refuse to use that. I go through one where people are working, and I heard people in the line complaining about how many people were in line, and there might have been 10 to 12 people waiting with one cashier, and the people refused to go through the line. Yeah, automation is coming no matter what we do, and I don't think we should be blaming it on \$15 dollars or the wage increase. It is just the way of the world and the world is changing, but just as we're going to be automated, other jobs are going to come. The world is not going to be the world that we know now. The world that I know right now for many reasons in the way of business is not the world that I lived in when I was young. My father was born in 1889. He fought in World War I. He made his way from Oklahoma to Connecticut, and I imagine what that traveling was like, and when I listen to the stories of people who tell me how hard it was for them when they came here from another country and I think of -- about my father as a black man who ended up owning three properties because he worked hard, but he also had people who worked for him, and he always paid them a fair wage, and he always said as long as we have enough to eat and we can pay our bills, there is no need for us not to pay the people who work for us any less.

I just want to remind you that we have people that we're talking about. That people elected us, and we are here to represent the people whether they are a business or whether they are a small business, large business, or whether the people that go to work that service every single day. It's about the people, and when we start talking about profit all over people and we keep saying it's not the time, I do want to ask you when is the right time? It's five years later. I think I could be arguing that \$10.10 right now. I've not heard anybody talk about the difference that that could make in someone's life every single day and why we must do this today. Because you know what? It's the right thing to do. I've heard people give really great statistics, but I've always come to a place of people. I am -- I do not have a PhD in economics, but I do know what it cost to go to the grocery store, and I have nobody to feed in my house except for me, and when I walk by that meat counter, I wonder how do families feed their families? How do they give them anything nutritious? We talk about health. We invest in health, but you know what, if they can't afford to buy the food because food is so high -- I was with the dairy people today, and they talked about the terrorist in China and what it's gonna do to their exports when they send their -- their goods overseas and the large percentage that goes overseas. Is anybody thinking about what it's gonna cost for people to buy milk and dairy here in the U.S. and how are those people gonna afford it?

It's time. The time is right now, and I, again, want to thank you. I appreciate the comments that people have said. I -- I understand people have passion and they have their own beliefs, but sometimes, people should think through some of the

things they're saying and put it in perspective that some people have not had the same opportunities as others.

Thank you.

THE CHAIR:

Thank you, Senator. Will you remark further?
Senator Somers. Good morning.

SENATOR SOMERS (18TH):

Good morning. I hope you're feeling as refreshed as most of us are. Thank you for your stamina up there. It's been a long week for you. Well, I rise this morning with some thoughts on this bill that I would like to share, and one of the first things that I would like to say is I wish that we were talking about a maximum wage, not a minimum wage here in the state of Connecticut. The minimum wage for me in my perspective has always been the entrée into the market. It has not ever meant to be supporting a family. That would be a living wage. That is not what is in this bill. It says minimum wage, and if we want to have that conversation, that's a conversation I think we should have at another time. When we talk about the maximum wage and rising people up so they can be earning more money and having a better life here in the state of Connecticut, I think we need to talk about how we can help those and educate them and give them the skills they need so they don't stay at a minimum wage job, which is what it was never intended for.

So, if we look back, Connecticut's economy -- it's stagnant right now, and I know that all my colleagues in the Chamber from listening to the

debate tonight we all have the idea of trying to help those who are in a position of being perhaps an unskilled laborer or someone who is entering the market or working at a minimum wage job. I think we all want to help people be able to better themselves and get out of that particular wage group and rise up. I think everyone in here has that in mind, but I think we have different methods to get there. I think that we need to work on changing the landscape that we have here in Connecticut and ignite our economy, which has become a place that is not positive. When you look at how other states are doing compared to Connecticut, it's quite -- quite scary. We rank amongst the worst economy in the United States for the past six years. While the rest of the economy is booming, Connecticut's economy shrunk. We shrunk. That is not a good sign for Connecticut, so we need to change that, and that -- by changing that, that provides opportunities for those who are entering into the market for those to become more skilled and for wages to increase. It also shows me that we have had a legislature for years that has not understood the private sector and how the private sector works. We are not a state or a nation that tells corporations what their CEOs can make, what their CEOs can't make, and what they have to pay their people. That's just not who we are as a nation. I don't think what's right -- if the good Senator Moore is accurate in her depiction of what Walmart executives are making and not paying their people, I think that's wrong personally, but I can't make them change who they are. What I can do is provide opportunity so people don't have to choose to work there. That's the way I look at it.

There's been many things said about businesses here tonight, about employers, about what they can do,

what they can't do, what they can absorb, what they can afford, and rest assured I've been a business owner. I've started my own company. I've had a manufacturing company here in Connecticut for over 25 years, and when you look at somebody's fails like what I've heard tonight -- oh, this company makes \$90 million dollars in sales. That does not mean that company is profitable. It means that what their sales are. There are many large companies that are not profitable, and there's many small companies that have low sales but they're very profitable. So, don't let the sales number fool you.

So, I want to give you a little bit of background. I am a woman who has earned minimum wage. My first job was working as a Chambermaid in Mystic, going up and down four flights of fire escape stairways, changing linens and beds, and then at the end of the day doing laundry in the basement. That job taught me three things. Number one, I don't want to stay in a job that pays minimum wage. Number two, I'm gonna do whatever I can to get an education so I don't have to stay in that job, and number three, I've got to save half my paycheck. Those are the things that taught me. I went on. I worked for a large defense contractor. I worked in the medical world developing products, and then I started my own biotech company. When we started our own biotech company, small businesses -- it was myself and two partners. We didn't have a lot of money. We struggled, but we needed employees, so we hired people and at that time 25 years ago, I would bet -- I can't remember -- but we probably started people at minimum wage, but we hired women, and we hired women that had been left in halfway houses that came out of prison with ankle braces because we believed

in second chances. As a small business, you don't have normally a lot of disposable income to be spending on lavish salaries, so you struggled. There were times for years I worked a second job as a waitress and a bartender, so I actually had income coming in because I was paying my employees, but myself and my partners were not drawing a salary, and we did that for years. And, when we grew, we were able to pay our employees more, and I'm proud to say that company is still here in Connecticut, and we still have the same employees that we had on day one because we were a small company and as we grew, our workforce grew. We were able to expand and provide opportunities for women that had no opportunities, and there are hundreds of companies like the one that I'm describing. Not every business is a bad guy. Businesses -- small businesses are the ones that are going to be affected most intimately by this legislative change. They do not have the big corporate structure to be able to absorb this kind of an increase this quickly. They just don't.

I truly believe that this speed of the implementation of this increase will hurt the very people that we're trying to help. Because what happens when a business like a small business gets this kind of increase -- we're looking at a 48 percent increase -- so quickly, they have opportunities -- their opportunities -- excuse me. Sorry. It's late -- are really dried up, so they have to respond. Not every one of them can just raise their price on their product to cover the cost of the raised minimum wage. What they have to do is constrict and when they do that, that means part time, no opportunities for new jobs, and it also means in time layoffs.

So, I want to share with you a few companies that I've spoken to. I've talked to many, but these are just a few I think will highlight it, and again, these are not the Walmarts of the world. These are not the Targets of the world. These are small businesses here in Connecticut that are struggling to stay here because of years of regulations, taxation making it very difficult to stay here, and now we're gonna put this on top of it in a very compressed timeframe.

Two of them are companies in my district. They're independent small grocery stores. They're not the big Stop and Shops, and they have told me that the increase in the minimum wage will be more than they make in profit for the year, so their options are to lay people off, which they don't want to do because it's almost like a family situation. They will push people to part time. They will have -- they're not even in a position to automate like Stop and Shop has that guy that goes up and down that cleans up the spills, which is kind of creepy, but they don't have enough money to do that, but then their last -- their full-time employees going to part-time, and when you calculate the difference, they will lose \$100 dollars a week by the change. That's not what we want. We want to rise people up. We don't want to compress their salaries, but they will have no alternative because they're small, because they're independent they do not have the ability to just raise their grocery prices. They're competing with these big companies like Stop and Shop who have these massive buying powers, which they don't, so they have to keep their prices competitive with their big Stop and Shop, right. That means they have to take the cost somewhere else.

Another company in Mystic. They will be on the cover of Yankee magazine this summer for the best of New England -- their big summer issue. Mystic Knotwork. This is a super unique company. He hires only women. They make handmade knotted items -- doormats, coasters. They're made out of hemp. They're awesome. He lets people take the pieces home and they do them at home so they don't have to pay for daycare. He has a fantastic model. He cannot absorb this. He lives on a boat because he can't afford a house. He will move his business. Somebody who is on the cover of Yankee magazine. He has sent me email after email to implore us that if we're gonna do this do not do it at this rate. Spread it out so they can absorb the change.

What are we going to do about our nonprofits? Has anybody talked about that? Our nursing homes. I'm sure you have all heard from them 'cause I have. Our nursing homes have not had a Medicaid increase in ten years to care for patients. They are compressed with all these regulations on what they have to do, who they have to post, who's on call, and yet, we're gonna now require that they're hourly people are shifted up to \$15 dollars, but we're not gonna give them an increase. How do you do that? They're not gonna be able to take the patients. Then what do we do? Are they gonna be staying here? I mean we have not thought about the long-term effects and not our nonprofits. You know, they're scared to speak up because they know they rely on our funding but how do you not compensate -- look at what we went through last time. This big huge bill so we could raise people up to \$14.75. That was a massive thing. They hadn't had an increase in years, and now we're pushing it up to \$15 dollars,

so think about what that's gonna do for the nonprofits.

When I did my research -- and it's not anecdotal -- I looked at another state, and I used this argument in Appropriations, and I looked at Seattle because Seattle had a thriving economy, unlike Connecticut, and they raised their minimum wage to \$15 dollars an hour. And, here's what they experienced, job loss, people went to part time. It was absolutely disproportionately affected for the low-skilled worker, the entry-level, the person without skills. That's who got hurt the most. Between the ages of 16 and 22, the impact was significant. What they also found was if an employer was going to be paying \$15 dollars an hour, he demanded or she demanded a different kind of worker. They didn't want somebody who was not skilled. They want somebody who came with qualifications and skills because they were paying more for them. They also demanded more out of that person at \$15 dollars an hour.

I do have a degree in economics, and when you look at the American Economic Review, it shows clearly that raising the minimum wage decreases opportunities for those who need it the most. It decreases jobs, and your economy is only going to grow when you start adding jobs to it. We need Connecticut's economy to start going and to start growing, so adding jobs or losing jobs, growing the economy or compressing an already distressed economy? In fact, if you look at the clear data, it shows that a one percent -- a one percent increase in wages equates to a one percent decrease in employment. So, think about what a 48 percent increase is going to do to our economy here in Connecticut.

I want to leave you with this. The Society of American Labor Economists have shown 73 percent of them believe that the minimum wage disproportionately affects those low skilled workers. It hurts those who need it the most the most, and 94 percent of them -- these are American Labor Economists -- 94 percent of them have stated that raising the minimum wage is not an efficient way to try to raise people out of poverty. It actually has the opposite effect.

So, I ask you in this Chamber, which I would assume probably everybody's minds are made up, but you think about what we want to do and how we get there, and I truly believe that everybody here wants to help women. We want to help those that are disadvantaged. We want to help those who are lower in the skillset. But is this the way to do it when the data clearly shows by raising the minimum wage, especially this quickly, the effects are not what we want. They are negative, and our economy is already lagging here in the State of Connecticut. So, I ask you, I invite you to please not support the bill as written.

Thank you.

THE CHAIR:

Thank you, Senator Somers. Will you remark further? Senator Berthel for the second time.

SENATOR BERTHEL (32ND):

Thank you, Madam President for the second time, and good morning.

THE CHAIR:

Good morning.

SENATOR BERTHEL (32ND):

Madam President, I have a couple of questions for the proponent of the bill. If I may, please?

THE CHAIR:

Please proceed.

SENATOR BERTHEL (32ND):

Thank you, Madam President. Through you to the proponent. We heard a conversation in the circle earlier this morning or late last night that amusement parks are exempt from our minimum wage, and my question to the proponent is are amusement parks exempt from the minimum wage law in Connecticut?

Through you, Madam President.

THE CHAIR:

Thank you. Senator Kushner.

SENATOR KUSHNER (24TH):

When I was referencing exemptions from the minimum wage, I think I specifically mentioned that they are camps and resorts that operate for less than six months of the year, and those are stated in the Connecticut statute -- the current statute as being exempt. I'm aware that there are also federal exemptions that one can get, and it -- I'm not convinced that it's all amusement parks, but I think there could be some amusement parks that qualify for federal exemptions.

THE CHAIR:

Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Madam President. I thank the Chair for the answers. So, can we take a look -- can we reference the statutes? I believe they are section 31-58, section e, that actually prescribe what the exemptions are, and in that exemption, there is very specific language about what defines a resort and a camp. So, I guess I would ask again where in the statutes are amusement parks like the example I stated with Quassy park in Middlebury exempted from our state's minimum wage law?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Berthel. Senator Kushner.

SENATOR KUSHNER (24TH):

As I stated, camps and resorts are exempted from under our statute as you mentioned, and I think you correctly referenced the right section of the current statute, and if amusement parks are exempted, they would get their exemption from some federal statute that I don't have before me.

THE CHAIR:

Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Madam President. And, I thank the Senator again for the answers. We have -- I've been in contact with OLR, and the -- apparently, the Department of Labor agrees that there are no

exemptions for amusement parks, in fact, for -- for Connecticut, but we can actually take care of that now. Madam President, the clerk is in possession of LCO 8914. I ask the clerk to please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8914, Senate Schedule A.

THE CHAIR:

Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Madam President. I move adoption of the amendment, waive the reading, and seek leave to summarize.

THE CHAIR:

Please proceed.

SENATOR BERTHEL (32ND):

Thank you, Madam President. This is a very simple amendment. This will at line 55 of the bill as amended will exempt from the minimum fair wage requirement an employer and employees who work on a seasonal basis and seasonal basis means for a period of not more than 120 calendar days in any calendar year. That is the summarization of the amendment, and I urge support.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Berthel. Senator Kushner.

SENATOR KUSHNER (24TH):

Yes. This Amendment LCO No. 8914 would exempt seasonal workers -- all seasonal workers from the fair minimum wage, and I urge rejection of this. I ask my colleagues to vote no on this amendment, and I would hope that we would have a roll call vote.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Mr. President. Mr. President, I rise to support the Amendment and for one of the major reasons is what we heard in this discussion is some conversations that amusement parks were excluded; and therefore, this bill would not harm those reasonable amusement parks. When in fact, that is not accurate, and a representation was made to entice those to vote for this, that minimum wage would not be paid in those scenarios, and what this bill does is clarify that without this amendment going forward that minimum wage would be required resulting in some payroll increase of \$104,000 dollars.

Now, there's only two things that are gonna happen with that. Either the facility is going to close or it's going to raise its prices. Anything that a business like that can absorb, particularly seasonal, so if the intent was and I think it was to exclude these types of businesses, this clearly --

this amendment clearly makes that happen and makes this bill a much better bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Fasano. Would you remark further on the amendment? Senator Kushner.

SENATOR KUSHNER (24TH):

I would just like to make sure that our colleagues know that it was not the intent to exclude all seasonal workers or to exclude amusement parts, and I think the intent of our bill is very clear, and therefore, I would urge that our colleagues vote no on this amendment.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment? Will you remark further? If not, the clerk will take a roll call vote on the amendment.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on LCO 8914.

THE CHAIR:

Thank you. Has everyone voted? Members will please check if their vote is properly cast, and the clerk will announce.

CLERK:

HB No. 5004, Senate Amendment A LCO No. 8914.

aa

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Senate

May 16, 2019

Total number Voting	35
Total voting Yea	15
Total voting Nay	20
Absent not Voting	1

THE CHAIR:

The amendment fails. Will you remark further on the bill? Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. The clerk is in possession of LCO No. 8873. May I ask the clerk call -- please call the amendment?

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8873, Senate Schedule B.

THE CHAIR:

Thank you, Mr. Clerk. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. I move adoption of the amendment, waive the reading, and seek leave to summarize.

THE CHAIR:

Please proceed, sir.

SENATOR CHAMPAGNE (35TH):

Thank you. Basically, what this amendment does is it -- it exempts municipalities from this minimum wage. The reason for that is most municipalities run an afterschool program, before school program, and they also run a summer camp. Those are mainly run by our high school kids and during the summer, college kids. Those programs are self-sustaining. Many of them contain youth that are -- it's getting early -- many of the youth that go to these camps do not come from money, and what will end up happening because this is self-containing this will pay for itself. At \$15 dollars an hour, we are going to have to limit the amount of people going in, and it's going to be more expensive for these families that cannot afford it. Again, this is a self -- many of these are self-sustaining, and that is why I'm asking for this amendment. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Champagne. Will you remark further on the amendment? Senator Kushner. Senator Kushner, do you --

SENATOR KUSHNER (24TH):

I was going to defer to my colleague, Senator Hwang.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Good morning, Mr. President, and thank you for the yield, ma'am. Through you proponent to the -- question to the proponent of the amendment.

Through you, Mr. President.

THE CHAIR:

Please proceed, sir.

SENATOR HWANG (28TH):

I think this exemption for a municipality is absolutely essential. I think I mentioned in my initial testimony in the underlying bill is the fact that we are proposing an unfunded mandate on our municipalities through this, and I know just yesterday we had cost -- our small town executives come in, share the cost for them having a very difficult budget. This will translate to property tax increases, which you don't say.

Through you, Mr. President.

SENATOR CHAMPAGNE (35TH):

Yes. This is a direct increase. Actually, this is a self-sustained program, so this will not. For other positions within the community that would fall under this, which are less than the amount of camp counselors, it will be a direct increase to the property tax.

THE CHAIR:

Senator Hwang, you have the floor.

SENATOR HWANG (28TH):

Thank you, Mr. President. I know that the morning is long, but I want to thank the proponent for raising this, and I urge support of this because our municipalities struggle enough as it is. This is, again, an unfunded mandate that would have

devastating impact on our municipalities to manage their budget, so I urge support of this amendment.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment? Will you remark further on Senate Amendment Schedule B? Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Mr. President. I -- I actually am very familiar with the good Senator from Vernon's town because my kids and my grandkids live there, and -- and I can say -- I can assure you that all of them support this increase I the minimum wage, as well as their friends and a lot of their neighbors, and so I would urge that my colleagues vote no on this amendment because it would exclude municipalities from the bill. I would like to ask for a roll call vote.

THE CHAIR:

Thank you. Senator Kushner has requested a roll call vote on Senate Amendment Schedule B. Is there additional comments? Will you remark? Will you remark further? If not, Mr. Clerk, if you announce the pendency of a roll call vote on Senate Amendment Schedule B?

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. LCO No. 8873 Senate Amendment B.

aa

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Senate

May 16, 2019

Immediate roll call vote has been ordered in the Senate. Senate Amendment B LCO No. 8873.

THE CHAIR:

Thank you. We remind those in the gallery that under our rules there is no videotaping here. Thank you. I also would ask the members to please stay close to the Chamber because we believe roll call votes will come in fairly rapid succession. Have all the members voted? Have all the members voted? Please check the machine to make sure your vote is properly cast. So, Mr. Clerk, if you would announce the tally?

CLERK:

Senate Amendment B LCO No. 8873.

Total number Voting	35
Total voting Yea	14
Total voting Nay	21
Absent not Voting	1

THE CHAIR:

The amendment fails. Will you remark? Will you remark further on the bill? Senator Somers.

SENATOR SOMERS (18TH):

Yes. Good morning, Mr. President.

THE CHAIR:

Good morning, Senator.

SENATOR SOMERS (18TH):

And, I believe that the clerk is in possession of LCO No. 8866, and I ask the clerk to please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8866 Senate Schedule C.

SENATOR SOMERS (18TH):

Thank you, Mr. President. I move adoption of the amendment, and I waive the reading and seek leave to summarize.

THE CHAIR:

Please proceed, Senator.

SENATOR SOMERS (18TH):

Thank you, Mr. President. This amendment that you have in front of you is to exempt employers for nonprofit entities, not-for-profit hospitals, nursing homes, and institutions of higher education.

THE CHAIR:

Thank you, Senator. Will you remark further on Senate Amendment Schedule C?

SENATOR SOMERS (18TH):

Yes. Thank you very much, Mr. President. The reason for this amendment is because these entities that I just listed are dependent on the state of Connecticut for funding. We have done nothing that I can see, that the Senate can see that has

increased the amount of money that they will be getting, so therefore, we are not certain how, number one, they will be able to absorb this increase in the minimum wage, and secondly, we have heard overwhelmingly from nursing homes, from non-profit hospitals, and from nonprofits themselves that they will be absolutely effected in a most negative way by the increase in the minimum wage, so we ask that they are exempted from this quick increase in the minimum wage going up to \$15 dollars an hour in the next few years as it will have a negative effect on the care that we provide for our citizens of the state of Connecticut, those who are employment in these areas, and therefore, I request that the Senate Chamber take serious consideration and please accept this amendment and vote in support.

Thank you.

THE CHAIR:

Thank you, Senator. Would you remark on Senate Amendment Schedule C? Senator Hwang.

SENATOR HWANG (28TH):

There you go. Thank you, Mr. President. And, I'll be quick again. I rise in support of this amendment, but I'm cautious because at the same time the underlying bill is -- is a grave concern to me as I shared earlier, but as I look at the issue of our nonprofits -- our hospitals and our education institutions -- these are institutions that have been facing tremendous budgetary pressures that we as a state impose on them, so through this amendment, I urge support to give relief and to ensure that we do not put this, again, on their

burden of -- of the rising minimum wage on them. I urge support.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Would you remark further on Senate Amendment Schedule C? Senator Moore.

SENATOR MOORE (22ND):

Thank you, Mr. President. Mr. President, I would ask you not to -- my colleagues not to accept this. I have run a nonprofit for 18 years. I've never paid anybody less than \$15 dollars an hour starting in the year 2002. I also want to say that, you know, there are state caregivers that are being paid \$15 dollars an hour because of their contract. I think they do some very important work taking care of the elderly, taking care of the sick, and taking care of our children, and they deserve the \$15-dollar wage also.

Thank you.

THE CHAIR:

Thank you, Senator Moore. Would you remark further on Senate Amendment Schedule C? Senator Somers.

SENATOR SOMERS (18TH):

Yes. Thank you, Mr. President. I would just like to remind the circle that our nursing homes have not had a Medicaid increase for the care of those that they are caring for -- those are Medicaid patients here in the state of Connecticut -- in over a decade, and our hospitals are non-for-profit hospitals, are looking at \$900,000-million dollar

loss should the budget that we've seen go through. How are they going to absorb these increase in costs?

Thank you.

THE CHAIR:

Thank you, Senator Somers. Will you remark further on Senate Amendment Schedule C? Senator Champagne.

SENATOR CHAMPAGNE (35TH):

I rise in support of this because of the nursing homes. We already heard that some of our care for elderly they're going to go on strike because they are looking for a raise; yet, now we are going to go ahead and -- and take money away from our nursing homes, and again, this is going after -- if they pay more to the workers, how are they going to take care of the patients?

Thank you.

THE CHAIR:

Thank you, Senator. Will you remark further? Will you remark further on Senate Amendment Schedule C? Senator Kushner.

SENATOR KUSHNER (24TH):

I would urge my colleagues to vote against this amendment and vote no on this amendment, and I would like to ask for a roll call vote.

THE CHAIR:

Thank you, Senator. Roll call vote has been requested, and will be ordered at the appropriate time. Is there additional comment? Will you remark

further on Senate Amendment Schedule C? If not, Mr. Clerk, if you would announce the pendency of a roll call vote on Senate Amendment Schedule C?

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Senate Amendment C LCO No. 8866. Immediate roll call vote in the Senate. LCO 8866 Senate Amendment C.

THE CHAIR:

Have all the members voted? Have all the members voted? Please check the machine to make sure that your vote is properly cast. And, Mr. Clerk, if you would announce the tally?

CLERK:

On Senate Amendment C, LCO 8866.

Total number Voting	35
Total voting Yea	14
Total voting Nay	21
Absent not Voting	1

THE CHAIR:

The amendment fails. Would you remark further on the bill? Senator Witkos.

SENATOR WITKOS (8TH):

Good morning, Mr. President.

THE CHAIR:

Good morning, Senator.

SENATOR WITKOS (8TH):

The clerk has in his possession LCO No. 8893. I ask the clerk to read the amendment.

THE CHAIR:

Thank you. Mr. Clerk, if you would read the amendment, which will be designated Senate Amendment Schedule D?

CLERK:

LCO No. 8893, Senate Schedule D.

THE CHAIR:

The Senate may stand at ease for a moment.

SENATOR WITKOS (8TH):

Mr. President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

If I may, I'll just summarize the amendment?

THE CHAIR:

Okay. Thank you very much. Senator, if you would please proceed.

SENATOR WITKOS (8TH):

Thank you, Mr. President. Simply put, this amendment is, in my opinion, a clarification of the debate that transpired here in this Chamber as compared to the debate that transpired in the lower

Chamber a couple days ago last week. I was very interested in this topic, so I watched a lot of the -- not all -- but a lot of the debate that took place in the House, and one question in particular that the House Chair answered was that the number of days that somebody would be on a training wage would be working days -- the actual days worked versus the number of calendars. Because of somebody took a week's vacation off in-between there, the purpose of the 90 days is to make sure that they're fully trained to receive the higher-end wage, and then I heard in this Chamber that the 90 days is actually 90 calendar days, and this amendment moves to -- I think -- capture the spirit of the law -- spirit of the proposed law. It captures the spirit of what the House Chair of the Labor Committee had answered in debate, and I'd ask the Chamber's adoption of the amendment.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Witkos. The amendment has been moved. Will you remark further? Will you remark on Senate Amendment Schedule D? Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Mr. President. I think the bill is very clear and our discussion has been very clear. I urge all my colleagues to vote no on this amendment, and I would like to ask for a roll call vote.

THE CHAIR:

Thank you, Senator Kushner. A roll call vote has been requested and will be ordered at the appropriate time. Would you remark further? Will

you remark further on Senate Amendment Schedule D?
If not, Mr. Clerk, if you would announce the
pendency of a roll call vote in the Senate on Senate
Amendment Schedule D?

CLERK:

Immediate roll call vote has been ordered in the
Senate. Immediate roll call vote has been ordered
in the Senate on Senate Amendment D, LCO No. 8893.
Immediate roll call vote has been ordered in the
Senate. Senate Amendment D, LCO 8893.

THE CHAIR:

Have all the members voted? Have all the members
voted? Please check the machine to make sure that
your vote is properly cast. And, Mr. Clerk, if you
would announce the tally on Senate Amendment
Schedule D?

CLERK:

Senate Amendment Schedule D, LCO No. 8893.

Total number Voting	35
Total voting Yea	14
Total voting Nay	21
Absent not Voting	1

THE CHAIR:

The amendment fails. Will you remark further on the
bill? Would you remark further on the bill? [Off
mic conversing]. Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Mr. President. I know it's been a long night, and I don't have a long speech. I don't have a lot of prepared remarks, but there are a few things I do want to comment on. I said at the very beginning of this evening that I was honored to bring out this bill, and I've heard a number of people comment on how hard I'd worked on this bill, but I'm well aware that there are many, many people who have worked harder than I have. This has been something that's been before our legislature in the past, and I am so excited that this is the year that we're going to pass the new minimum wage, but that really -- the credit really goes to the members of this caucus, particularly the leadership -- Senator Duff and Senator Looney. I know this has been something that you have worked hard on and cared deeply about, but there is also a whole lot of other people who have worked incredibly hard on this, and you know, I come from Danbury, and that's right on the border, and when I would go out and talk to people about this issue, I found that they were very much aware of the conditions in Danbury compared to the other states right across the border from us. And, one of the reasons that became so sharp recently is because of a study that was done and announced called ALICE, and I'm not gonna talk a lot about it. I think you all not about this. This is the Asset Limited Income Constrained Employed people.

Now, in Danbury, they reported there are 29,426 households and nearly 15,000 of those households are living under poor circumstances. That's a lot of people in my community. There's a lot of statistics that have been stated tonight. I'm not one to state, you know, study and prepare statistics, but I know this bill that we are going to pass tonight is

going to help those 15,000 families. It's going to make a huge difference, and so I am extremely proud to do this. When I say there's a lot of people that have worked hard, you know my good Senator Marilyn Moore she spoke about the people that are sitting up here tonight, and I've been thinking about them all night. When I first jointed the Fight for 15, I was a union representative, and I went to Burger Kinds and Wendy's and Walmarts, and I joined in those demonstrations. I was excited to be there with these workers who were fighting for 15. I didn't really imagine at that time that I would be here in this Senate Chamber bringing out the Fight for 15 Bill that would make the fight for 15 a reality. It never crossed my mind, but standing here tonight, I have to say this is like one of the most important moments of my life to actually be able to pass a law that will make a difference for so many people. I know there is something that we often said at the end of every one of those demonstrations and it was in Spanish, which was appropriate, and it was [Speaking Spanish]. And, tonight we have realized that -- [Speaking Spanish].

Thank you.

THE CHAIR:

Thank you very much, Senator Kushner. Would you remark further on the bill? Mr. Majority Leader.

SENATOR DUFF (25TH):

Thank you, Mr. President, and thank you for this debate tonight and everyone in the circle for this, and thank you to Senator Kushner for all that she has done to bring us to this point. She is very great with her praise of everyone, and she deserves

a lot of the praise as well along with Representative Porter who has worked very, very hard on this legislation, and it has been a long time coming. This is not a piece of legislation that just started in January when the session started. Many of us have spoken about raising the minimum wage over the last two years. We have spoken about it passionately. We spoke about it last Fall. We talked to our neighbors, to workers, to a number of different folks, and have really been very, very passionate about helping working people here in the State of Connecticut.

But, we have in that process of listening to people we have listened to business owners, business leaders. As a matter of fact, even the commission on fiscal stability said raise the minimum raise but do it over four years. We're doing it over 4-1/2 years. We've listened to the Restaurant Association. We have listened to a number of different groups and taken all of that into consideration. I've seen Senator Kushner and Representative Porter and others who have diligently worked and listened and spoken to various interest so that we can raise our minimum wage but do it in a way that makes sense for the State of Connecticut.

When we think about what I've heard tonight, and -- and so many different passion statements is about whether the minimum wage is good or bad for our state, and -- and certainly, I fall on the side that it is good for our state and that it will help our state, it will help our workers because we know that many people are struggling not only in the State of Connecticut, but they're struggling around this country, and it would be great of Congress would actually raise the minimum wage to \$15 dollars as

well, but in the absence of what they're doing, we are forced to act. I was very, very proud many years ago when President Obama came to Central Connecticut State University and gave a speech, and we raised the minimum wage to \$10.10, but since then, we have fallen behind, and all one has to do is to look at workers who are struggling because they can't afford to live on \$10.10 anymore. It's not a real wage for them.

And, so we have to as a legislature we have to come in and we have to make a statement. We have to vote to give them a raise as well. We think about --

THE CHAIR:

Thank you, Senator Duff. I'm just going to pause for one moment and ask our guests in the gallery to please follow the Senate rules, which prohibits filming. So, please respect our rules. We welcome you here, but we ask you to follow them. Please proceed, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. And, so it's not just what I think and what we think and as passionate as we feel about raising the minimum wage. There is data as Senator Bergstein had mentioned about the minimum wage and how that impacts our economy. The U.S. Census Bureau, which I all think we could agree would be -- would play it straight down the middle has said that although the details of the estimates differ, we consistently find that raising the minimum wage increases incomes at the bottom of the distribution and that this increase persists for several years, so 20 years of government data says

raising minimum wage is good for workers, businesses, and the economy. It works. It works.

And, if we can go back in history and look back in the 1950s when things were a little fairer, when CEO pay was only 20 times higher than the average worker, which at that point is still a lot, but now in 2017, CEO pay was 361 times higher than the average worker, but surely they have gotten a raise, surely our workers can get a raise as well. And, back in 2017, the average CEOs raise was six percent. Our workers did not get a six percent raise in 2016 or '17, so this is why we're here tonight. The folks who are making minimum wage don't have a voice, and we have to give them that voice. We have to stand here and give them that voice this evening, to say we're going to help you over the next 4-1/2 years to have a better wage, to be able to put food on the table. They will have better financial security to be able to afford various things for your kids whether it's clothes or sneakers or school supplies, or maybe to pay for the field trip that they need to send their kids on, so this is real world. This I important. These are the things that impact people's lives each and every day.

Connecticut is not a race to the bottom. We're a race to the top. We want to make sure that people have a good quality of life here as they can raise their families here. They can live in safe affordable housing. That they don't have to make bad choices between food and paying the rent or paying the mortgage, and so this is why we are here at 2:20 in the morning because we all feel so passionately about this issue, and we want to ensure that workers have a raise, that they're able to

afford the things that many of us can afford as well.

So, Madam President, I urge my colleagues to support this bill to give our workers a raise, to raise their quality of life, and what I -- what I feel is to do the right thing.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Duff. Will you remark further?
Senator Fasano.

SENATOR FASANO (34TH):

Good morning, Madam President.

THE CHAIR:

Good morning.

SENATOR FASANO (34TH):

Thank you very much. Madam President, because the hour is late or the morning is early -- however you look at it -- I will go reasonably quick and make it a summary. I'm not going to go back through many of the arguments that my colleagues around the circle talked about and businesses and the impact. I want to take a little different approach. The reason why we say it's struggling in Connecticut is just because it's too expensive to live in Connecticut. That's the problem. It just cost too much to be in Connecticut, so the answer is, apparently, let's raise the minimum wage, but while we're putting more money by raising the minimum wage in one pocket, from the other pocket, we're gonna see a bill I assume next week, which is paid family leave, and

we're gonna take that out of your other pocket because we know better, you need that insurance, we're gonna take it out of that other pocket. Budget's gonna come out. There will be new taxes and fees. That's gonna come out of the other pocket, and then there's the ever present toll issue, which will again take money out of your pocket. So, why are we raising the minimum wage? Are we really raising it to make the person better or are we raising it so we can take more out of the other pocket? As someone said in the circle, the best way to help people is to lower taxes and lower the cost of living in the state of Connecticut, and by that definition, you're giving them more disposable income, but the answer here is no. Let's raise the minimum wage.

Now, some of the justification I've heard around this circle tonight has been big business. If anybody thinks that somehow raising the minimum wage in Connecticut is going to somehow hurt the profits at Target or Walmart or any of those other companies, their sadly mistaken. Who's gonna get hurt are the ma and pa stores, the small restaurants, the places in your community that's trying to survive. That's where it's gonna be felt. That's where there's not room to absorb or perhaps even pass on the cost. That's where it's gonna come in. So, while we are sitting here talking about raising the minimum wage so people can survive in Connecticut, we have passed contract after contract with 3.5 percent increase that I keep talking about every time we do it. We passed \$50 million-dollars-worth of increased payroll over two years, which means someone's gonna pay for it, so maybe that's why we're raising the minimum raise. It's so we can take that money out of the that other pocket and pay

for these expenses. The budget keeps going up, fixed costs keep going up. That's what's hurting the person from staying in the state. That's what's stopping our state from moving forward.

And, let's talk about that for a moment. Look, I voted for minimum wage in 2008. I think it was 2008, maybe it was 2005, but I voted for minimum wage when the economy was good, when we were moving forward. We had a surplus. Businesses were growing. Connecticut was on the forefront of economic expansion, and I agree we could talk about it. We haven't recovered from the jobs -- I guess it was 2006 now that I think about it -- we haven't recovered from the recession of 2008. We still haven't put back into Connecticut all the jobs we lost in 2008. We're the second state in the country not to recover from the 2008 recession. In Northeast, we're the least of the GDP. Everybody's saying a year from now we will be in a nationwide recession. Maybe so, maybe no, I don't know. Connecticut never got out of the first. If you don't think this is going to slow our economy down, you're gonna have to wait and see because a year from now when we look and our numbers are down and our expenses are up, we're gonna see how much trouble this state is in. And, the recession is not because of the minimum wage increase. It was because of other factors, but it's the minimum wage increase that's gonna add onto this. When we talked about minimum wage sort of Republican and Democrat, we said at least put in a breaker that if the economy is going up, great, but if it starts to go down, let's freeze the minimum wage for a year or two until we see what the economy does, and the answer was no, we reject that offer.

Madam President, as they said, the hour's late, so I'll just wrap it up by saying this. I think there are times we need to increase the minimum wage. I think there's a time that the economy can absorb it and we can go forward. This is just not the time that we can do it, and if we are going to have tax increases, which I believe we must because our budget has grown and the appropriation that came out certainly increased that budget, and the only way you're gonna pay for it is some increase some place or some huge cut to Social Services. If that's where we're going, why are we gonna double down on that problem by raising the minimum wage and hurting others who are going to close their doors, move on, not hire, and not expand?

Madam President, therefore, because of those reasons, at this time, I cannot support this bill. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further?
Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President, and good morning.

THE CHAIR:

Good morning.

SENATOR LOONEY (11TH):

Madam President, I rise in support of the bill. First of all, I want to begin by thanking Senator Kushner for her work on this issue, not during the session but during her entire career. The

extraordinary work that she has done in negotiation this bill behind the scenes with the House, with the administration, bringing to bear all of the skills that she had demonstrated so significantly during her long and distinguished career as a labor leader in the State of Connecticut, bringing us to the point this evening. And, I also certainly want to thank my colleague in the New Haven delegation, Representative Porter for the great stamina and endurance of carrying the debate for 14 hours in the House of Representatives last week. I want to thank all of the members of the Chamber this evening and this morning for what I think has been a -- a wonderful, respectful, and insightful debate on both sides, which I think does this Chamber proud in its best traditions.

And, Madam President, I -- I believe that we need to move forward with this because we have had a great deal of discussion about the minimum wage versus the living wage, and we all know that we are talking here about the minimum wage, and it still does fall short of a true living wage in Connecticut even when it reaches the point of \$15 dollars an hour in June 2023. Currently, our \$10.10 minimum wage represents barely half of what a true living wage would be in Connecticut, which would be approaching \$20 dollars an hour. When we reach \$15 dollars as a minimum wage under the bill, and again, it will take five increments. There were many people who were concerned that none of the increments be greater than a dollar, and they are not, so it's one 90 cent increment and then four \$1 increments beginning in October of this year and ending in June 2023. When it does reach \$15 dollars an hour, it will then represent close to two-thirds of what a living wage is projected to be by that time, which would

probably be in the area of \$22 or \$23 dollars an hour. That is real progress, and that does provide genuine progress and genuine hope. I think that Senator Anwar made a critical point in his debate when people said, well, the minimum wage is supposed to be a starter wage and no one is supposed to be in it very long and move onto something else and improve themselves while they are there, but the reality is that the minimum wage is really so low that people sometimes have to work 40 or 50 hours a week at two or three minimum wage jobs, and that doesn't give you any time to prepare yourself to get out of that category, to get out of that rut, and to get into something higher or better. It's like being -- it's like running as fast as you can on a treadmill and being told that you should get off that treadmill and get onto something else. There is no time. There is no room. There is no discretion, so that's not a realistic thing.

In fact, in the -- in the House debate, it was pointed out by Representative Christine Palm that the -- the image of minimum wage jobs is increased to the workforce and springboards to advancement are really largely a myth, and that only five percent advance to a higher wage in the course of a year. That really is a grim reality here. And, research by the Economic Policy Institute indicates that 57 percent of minimum wage workers overall are full-time employees, 37 percent are 40 years of age or older, and 28 percent have children. We are talking about adults trying to manage this. These are not students just looking to get some pocket money to -- to be a mild addition to the family's middle-class lifestyle. These are people in often -- often desperate circumstances.

Madam President, also, Senator Flexer I think made a key point in the debate about the effect -- the effect on families. She said she was fortunate enough to be -- to be shielded by her parents from some extent from the knowledge of the family situation as they were growing up. That was my situation also. I had very loving parents who were immigrants from Ireland who shielded me from the anxiety of how precarious our situation was for many years when I was a child. Also, Senator Flexer's point about the misplaced nostalgia for a prior era -- era earlier in this country's history -- I think it's important that anyone who romanticizes that era is really putting blinders on, ignoring the fact of slavery existing from colonial times all the way through 1865, the end of the Civil War, 84 years after the end of the American Revolution, and then a brief period of reconstruction in the late 60s and 1870s, followed by another 85 years of Jim Crow Laws, so it wasn't until the passage of the Civil Rights Act of 1964 and the Voting Rights Act of 1965 that there was even a legal basis for freedom and equality in this country, so I don't think anyone should be nostalgic for any part of the 18th or 19th Century in that sense.

As Senator Bergstein and Senator Anwar mentioned, this is a moral issue. It is a moral issue regarding people's lives as much or more than it is an economic one, and there are points of view that matter apart from that businesses who may oppose the bill. And, Madam President, I think that is critically important to make here that the -- it's important to note also that the Federal Reserve has said the typical worker making less than \$15 dollars per hour in this economy is someone in her mid-30s and the Connecticut Voices for Children Analysis

found that 90 percent of the worker who would benefit from a minimum wage increase to \$15 dollars an hour are 20 years of age or older, and that it is also true that we are talking about a very large portion of our workforce in Connecticut. There are over 330,000 people who are in the category of earning less than \$15 dollars an hour, and in some of the poorest cities and towns, the percentages are far greater. In our Capitol city right here in Hartford, it's estimated that actually the majority of workers, 53 percent earn less than \$15 dollars an hour currently, and according to that report also, the sub \$15 dollar workforce is, of course, unfortunately female, African American, and Latino, and a study by the Federal Reserve Bank of Boston has estimated that in our state 33.7 percent of female workers, 43.1 percent of African American workers, and 52.6 percent of Latino workers all earn less than \$15 dollars an hour, and again, it will take four years until our minimum wage reaches that level, so it's not as if anything truly dramatic is being done in this bill, although it does make steady progress and the fact of the -- at the implementation of a -- of an automatic adjustment factor based on the cost of living index years after that will help keep us from what has happened in the decades in the past falling back after every increase, the period of time before the next increase means that there has been a net loss.

In fact, I had a minimum wage job when I was in college many years ago that paid \$1.60 at the time, but now, that -- that job would pay -- if it were to keep pace with inflation, the minimum wage would probably have to be about \$12.80 an hour at present rather than \$10.10, and so it's lost about \$2.70

worth of value in current dollars since then in that 50-year period.

I'd like to quote briefly from a -- a recent article by Mr. Ray Dalio. Of course, many of us have heard of him recently with his commitment of funding to help deal with the education crisis in Connecticut, and he is, of course, one of our state's most successful entrepreneurs and capitalists, and the title of his article is *Why and How Capitalism Needs to be Reformed*, and he says, "Over these many years, I've seen capitalism evolve in a way that it is not working well for the majority of Americans because it's producing self-reinforcing spirals up for the haves and down for the have nots. This is creating widening income, wealth, and opportunity gaps that oppose existential threats to the United States because these gaps are bringing about damaging domestic and international conflicts, and weakening of Americas condition. He said that I think that most capitalists don't know how to divide the economic pie well and most socialists don't know how to grow it well; yet, we are now at a juncture in which either A) People of different audiological inclinations will work together to skillfully reengineer the system so that the pie is both divided and grown as well, or B) We will have a great conflict and some form of revolution that will hurt most everyone and will shrink the pie." I think Mr. Dalio's cautionary note is one that deserves careful attention. Because as he points out, we are now in many ways the more -- the most polarized economically as we have been at any time since the gilded age before the turn of the 20th Century, the time if anyone has been to Newport, Rhode Island and seen all of those opulent mansions that were built as -- in fact, some are summer

cottages for people. It shows you what the wealth disparity was between top and bottom in society at that point, and we are pretty much at that point again. As Mr. Dalio points out, there's been little or no income growth for most people for decades. Prime age workers in the bottom 60 percent have had no real -- that is inflation adjusted income growth since 1980, and this was at a time where incomes were at the top 10 percent have doubled and those for the top 1 percent have tripled, and probably one of the more discouraging statistics that he cites is the fact that the percentage of children who grow up to earn more than their parents has fallen from 90 percent in 1970 to 50 percent today, and that the income cap is about as high as it has ever been and the wealth gap is the highest since the late 1930s in the later years of the depression leading up to World War II.

These are all sobering thoughts and statistics and all the more reason that we have to try to find a way for our lowest income workers to break out of what really is a cycle of employed poverty, and I think one final perspective not really explored earlier is that of sort of the thought of human mortality and the precious value of time. Perhaps, an adequate minimum wage wouldn't be such a human tragedy if time were limitless and life was unending, but if we think about it low wage jobs often are ones that -- that can be -- can be quite grim. That is not all are. I'm sure that some can actually be pleasant in their conditions, but the conditions in which many people work many hours and many, many years as we've seen not just in their youth are not vocations, are not professions, are not careers, are not the kind of work that we do here where we don't pay attention or even notice the

hours as they pass because we appreciate the value of being here, and it absorbed into work we do here and know it's importance and appreciate it's value even if the pay is low and hasn't been raised in 18 years, but for many, many minimum wage jobs, people have the sense of time hanging heavy. That was certainly my experience as a toll collector at the -- not to raise a sore subject in this Chamber [Laughing] of what we may be dealing with in other ways -- but I spent a summer as a toll collector on the West -- at the West Haven toll station in the days where there were tolls every ten miles in the state of Connecticut once when I was in -- in college, and the experience there reminded me -- if any have ever seen the movie *Modern Times* with Charlie Chaplain working on the assembly line where he has performed the same motion of tightening a bolt all day long and at the end of the day when he goes to -- to ring out and goes out of the factory, onto the street, he is just spasmodically performing the same motion as he walks along the street and the crowd passes and people think he's crazy, so they cross the street to avoid him. My experience the last weekend I was there was the Labor Day Weekend, and I was in the lane next to the exact change lane, and the exact change lane broke down. It was not functioning, so everyone who had a quarter came to me, and I was taking the quarter, pressing the button, taking the quarter, pressing the button. I felt very much like Charlie Chaplain at that moment. I was praying for somebody to come along with a dollar bill that I could change or with a toll ticket to break the monotony, but almost no one did during that whole eight-hour shift in my last weekend there, but I only had to deal with that for eleven weeks. There are people who have to deal

with that kind of situation for an entire lifetime and an entire career, and that I think is one of the reasons that we have to think about the human reality of someone who is standing, working in a minimum wage job, watching the sands of time flow through the hour glass, selling their labor for pennies in this economy. That, I think, is something that is grim. Meanwhile, at the other end, through our tax code, we protect those who may never have worked at all because they have the blessing of living on inherited wealth through no effort or no merit of their own other than winning the biological lottery of being born into a wealthy family, so someone who inherits \$2-million dollars a year and by modestly and passively investing it at five percent will earn over \$100,000 dollars per year even if that person never gets out of bed in the morning for that whole year and doesn't do a lick of work, but a minimum wage worker will be grinding away to make \$21,000 dollars a year working 40 hours a week for the full year. There is just built in inequity in our system.

Again, why do we allow everyone to inherit on a stepped-up basis all of the value of stock and other things that they inherited without ever doing anything to merit? So, we have a whole lot of forces built into our system that are not accidental, that are built to favor privilege, and to preserve that.

So, it was also mentioned early on that the difference between \$10.10 an hour and \$15 dollars is perhaps not all that great anyway, but that is certainly not true. If you get to the point of someone perhaps -- the difference between someone who makes a million and a half a year and someone

who makes a million a year, maybe there's not a dramatic difference in their lifestyle. There's probably some difference, although maybe not all that dramatic between someone who makes \$450,000 dollars a year and someone who makes \$300,000 dollars a year, but there is a huge difference -- a huge difference between someone who makes \$31,000 dollars a year and someone who makes \$21,000 dollars a year as it is now. A person who is making \$31,000 dollars a year with a \$15 dollar an hour minimum wage may be able to get by, by working 40 hours a week instead of 50, and maybe those other ten hours can then be devoted to taking a course, going to a community college, taking a certificate program as Senator Anwar mentioned earlier. That would be a huge, huge difference for that factor of an extra \$4.90 an hour for an entire year.

So, I urge the Chamber to support this bill tonight, this morning as an investment in Connecticut, as an investment in our future, as an investment in our people.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further? Will you remark further? If not, Mr. Clerk, would you please call the roll and the machine will be open?

CLERK:

Immediate roll call vote has been ordered in the Senate on House Bill 5004. Immediate roll call vote has been ordered in the Senate for House Bill 5004. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? If so, the machine will be closed, and Mr. Clerk, would you kindly call the vote tally?

CLERK:

House Bill 5004.

Total number Voting	35
Total voting Yea	21
Total voting Nay	14
Absent not Voting	1

THE CHAIR:

(Gavel) Measure is adopted. Mr. Clerk -- Ah, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, would the clerk now please call our previous item that was marked PT, Calendar page 52, Calendar 448, Senate Bill 3?

THE CHAIR:

Mr. Clerk.

CLERK:

Page 52, Calendar No. 448, Substitute for Senate Bill No. 3, AN ACT COMBATING SEXUAL ASSAULT AND SEXUAL HARASSMENT.

THE CHAIR:

Good evening Senator Winfield. Good morning, Senator Winfield.

SENATOR WINFIELD (10TH):

Good morning, Madam President. Madam President, I would normally move acceptance, but I am going to yield to Senator Flexer who did the majority of the work on this bill; if it's allowed?

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Winfield. Senator Flexer, do you accept the yield?

SENATOR FLEXER (29TH):

Good morning, Madam President. Yes. I do.

THE CHAIR:

Good morning. Well, very good. Please proceed.

SENATOR FLEXER (29TH):

Thank you. Thank you, Madam President, and I want to thank Senator Winfield for the yield. Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

And, the question is on passage. Will you remark?

SENATOR FLEXER (29TH):

Yes. Thank you, Madam President. Madam President, the bill that is before us at this early hour of the morning is an important piece of legislation, a

piece of legislation that this Chamber has been working on for the last two years, and it represents an update in some leading efforts to combat sexual harassment in our state, and also catches our state up with much of the rest of the country in terms of how we deal with crimes of sexual assault.

Madam President, this legislation has been contemplated for the last two years, and what's before us this evening I think is a bill that has broad consensus, a bill that many people have worked on, and a bill that I think will represent a huge step forward. There are four main components of the bill, which I will get into in detail, but Madam President, the clerk is in possession of an amendment. It's LCO No. 8991. I would ask that the clerk please call the amendment, and I be granted leave to summarize?

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8991, Senate Schedule A.

THE CHAIR:

Senator, please proceed to summarize.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I move adoption.

THE CHAIR:

Thank you. Will you remark?

SENATOR FLEXER (29TH):

Yes. Thank you, Madam President. Madam President, the amendment that is before us now becomes the bill, and the bill has four main sections. The first section of the bill deals with training requirements and updating our state statutes to ensure that training around sexual harassment in all workplaces occurs in our state to make sure that everyone in Connecticut knows what their rights are, if they're enduring sexual harassment in their workplace, and to make sure that bystanders and witnesses know what sexual harassment looks like, so that they can support their colleagues and make sure they are being strong allies to make sure that our workplaces in Connecticut are free from harassment. The bill also updates our laws with regard to workplace discrimination in all areas, not just sexual harassment. It enhances the Commission on Human Rights and Opportunities. Their office's ability to enforce these laws and ensure that we have strong workplace discrimination laws. The third section of the bill deals with our criminal statutes and updating the statute of limitations for certain sexual assault crimes. It ensures that sexual assault crimes that are committed against minors have a long period of time, an unlimited period of time for prosecution to occur in our state, and the amendment before us changes the statute of limitations for sexual assault crimes that are B and C felonies against adults to a 20-year period as opposed to our current 5-year period. These provisions will put Connecticut in line with more than 40 states in the country that have statutes of limitations for these sorts of crimes of 20 years or more. Our current 5-year statute of limitations is among the lowest in the country, and so this legislation will be an important step

forward in putting us in the middle of the pack in terms of the length of period of time we give access to our criminal justice system for victims of these crimes, and I think it's important to note how difficult it can be for victims of sexual assault to come forward, and that's why this provision is so important. As we have discussed throughout the debate on this legislation, the crime of sexual assault is an incredibly difficult time to endure, and there are many reasons that victims often don't initially recognize what exactly has happened to them. There is a lot of reason in our society why victims initially blame themselves. They are confused. The trauma that they have to endure is unlike the trauma of almost any other crime, and so this change recognizes that. It recognizes why victims have such a difficult time coming forward, and it also recognizes the structures in our society that have been barriers for victims of sexual assault to come forward. And, so the provisions in those sections of the bill are so critically important.

And, then the last section of the bill deals with the -- the civil side of our law in terms of a victim's ability to seek remedy in our civil court. It changes the age of a minor from 18 to 21 to allow victims of sexual assault to seek relief both on the civil and criminal side up until the age of 21, as opposed to our current age of 18, and it also sets up a task force to study the issue of statute of limitations on the civil side. We heard really compelling testimony in the Judiciary Committee from victims on both the criminal and the civil side of this legislation, and I have to say that I am deeply disappointed that we were unable to come to consensus on extending the statute of limitations on

the civil side of our law because some of the most harrowing tales that were told in our public hearing were by people who -- people who really hope for an opportunity for some relief, and were not just failed by their abusers but by the institutions that systemically covered up the abuse they knew was happening, and so this legislation sets up a task force where we are going to ask victims to serve on the task force and other interested parties to look at this issue, to look at what other states have done. Many other states have opened up the opportunity for these victims to seek civil relief, and so this task force between now and January of next year will look at the issue and come back to this legislature with some recommendations, and we'll be able to look at that again.

So, Madam President, in -- in summary, those are the four main components of the bill. This is a really important piece of legislation at a time when more and more victims are mustering the courage that I can't fully comprehend in coming forward and telling their stories. I believe it's critical that we move forward with this legislation. I'm grateful that we've have such strong bipartisan cooperation on this legislation, and I'm hopeful that we'll have a fruitful debate on this this evening -- or this morning.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further? Senator Kissel. Good morning.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Good morning. As it's 5:03. I think Senator Flexer might be disappointed because I don't think there's going to be any debate on this bill whatsoever. I stand in strong support of the bill. When this bill was coming out of the Judiciary Committee, I had an opportunity to speak at length with Chairman Stafstrom, and he indicated to me at that time that Senator Flexer and others working on the bill had made significant -- I won't call them concessions but movement regarding some of the issues that were being discussed by various parties and concerns. I think one of the things that most telling is rather than extending the statute of limitations for adults on assault to unlimited, which caused concerns for a lot of people, the moving it from 5 years to 20 years is a compromise. I know many folks had thought 5 to 10, but 20 is livable. Regarding on the harassment portion, it's something that I think the business community can live with and in fact, CHRO working on a system where video learning can take place such that it's not extraordinarily costly. So, I just want to thank Chairmen Winfield, Chairman Stafstrom down in the House, Representative Rosa Rebimbas, Senator Flexer. I think it's a much better bill than what we had before us a year or two ago, and I thin the key word being mentioned as it still was being brought out as bipartisan. We had put forward as a caucus certain ideas, put certain things in, take certain things out, and we were listened to, and I appreciate that, and I know my caucus appreciates that as well, so I urge my colleagues to support this bill and give it a nice vote going down into the House to show that there is indeed strong bipartisan support regarding sexual assault and sexual harassment and how we don't want

to tolerate either one of those in any way shape or form.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kissel. We are discussing adoption of the amendment. So, will you remark further on the amendment? Will you remark further? If not, let me try your minds. All in favor of the amendment, please signify by saying, aye. Opposed? The amendment is adopted. Will you remark further? Senator Maroney.

SENATOR MARONEY (14TH):

Good morning, Madam President. For the purposes of legislative intent and for clarification for LCO, may I ask some questions of the proponent of the bill?

THE CHAIR:

Yes. Senator Flexer, prepare yourself. Please proceed, Senator Maroney.

SENATOR MARONEY (14TH):

Thank you, Madam President. Through you, Madam President. My understanding is that under the law a victim under age 18 may bring a civil action for damages within 30 years past his or her 18th birthday. So, effectively, the victim has until his or her 48th birthday to file a claim in court; is that correct?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President, yes it is.

THE CHAIR:

Senator Maroney.

SENATOR MARONEY (14TH):

Thank you. Through you, Madam President. Under the bill in section 13, the statute of limitations is expanded for all victims under 21 years of age, not just those under 18 under the current law; is that correct?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Yes. It is. The statute of limitations will be expanded for 30 years beyond the time the victim turns 21, so their 51st birthday.

THE CHAIR:

Thank you, Senator. Senator Maroney.

SENATOR MARONEY (14TH):

Thank you. Through -- through you, Madam President. And, how would this new statute of limitations for civil cases impact active claims that have not been filed in court? For example, if a victim was sexually assaulted as a minor and they are an adult today but under 48, could he or she still file a lawsuit in court?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. For sexual assault or abuse that occurred prior to passage, the victims fitting under the old definition of a minor at the time of the abuse will still be able to bring a suit. Although, we are repealing and substituting section 52-577d of the statutes with new language, the ability for those victimized when they were minors prior to passage of this bill would not be negatively impacted.

THE CHAIR:

Thank you, Senator Flexer. Senator Maroney.

SENATOR MARONEY (14TH):

Thank you, Madam President. I'd like to address the statute of limitations for sexual assault of minors. I understand that the most heinous sexual assault crimes committed against minors are class A felonies and that under current law there is no statute of limitations for these crimes, but for class B, C, and D felonies and sexual assault crimes and for a class A misdemeanor sexual assault, the current statute of limitations is five years from when the crime is reported but no later than the victim's 48th birthday. I'm proud to support this bill because it will eliminate the statute of limitations for all sexual assault crimes committed against minors. For confirmation and legislative intent, I'd like to ask the proponent if she could confirm my understanding?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. The good Senator is absolutely correct. The bill will eliminate the statute of limitations or all sexual assault, sexual abuse, and sexual exploitation crimes committed against a minor. For such a crime that could still be brought under the current statute of limitations and committed against a victim who was under 18 at the time of the offense, there will be no statutes of limitations.

THE CHAIR:

Thank you, Senator Flexer. Senator Maroney.

SENATOR MARONEY (14TH):

Thank you, Madam President. I'd like to thank Senator Flexer for her answers. I know it is very early in the morning, and I would make a brief comment, and I promise that they will be brief. I first want to thank Senator Flexer for her work on this bill and I was fortunate enough to serve in the House several years ago, and at that time Senator Flexer had also helped me. We found out at that time there was a domestic shelter -- a shelter for victims of domestic abuse, and the location was revealed, and we learned that it wasn't a crime at that time to reveal the location of essentially a safe house -- safe house for victims of sexual abuse or of domestic violence, and I brought that to her, and she was able to fix that situation and get a law passed, so I'm grateful to her for that.

We're here to pass public policy. We're here -- we are all here to do what we think is right for the state, and as we've heard tonight, we all may have different views of how to accomplish what is best for the state, but in our hearts, we are all here to do what is best for the state, and we're not here to legislate our personal beliefs, but I have to admit for me this is very personal. Many of you may know that my cousin, McKayla Maroney, was one of the victims of Larry Nassar, and she was the first one to come forward, and thanks to her strength and her courage he's been put in jail, and he will serve the rest of his life in jail. I never spoke with her about this. I did speak briefly with my uncle, however, and the impact it had on him and on their whole family, and I know she still struggles, and unfortunately, this past January -- I think it was January -- it's flown by -- my -- my uncle passed away at the age of 59, and one of my last conversations with him was asking him how he was doing, and he said to me, "You know, I am broken. I will get better. I'll get through this, but I'm broken." And, this was my hero, someone [Crying] who I always looked up to and still look up to, and this is what this does to not just the victims but the family.

Last year, during the campaign, I found out that three people I was very close with -- I actually babysat for them -- were all the victims of sexual abuse. They came forward because they wanted to protect my son, my nieces, my nephews. They went to the police, they told their story, they were revictimized and relived their crime only to learn that the statute of limitations had passed, and there was nothing that could be done, and so in many ways, the system let them down, and they didn't

necessarily -- and unfortunately, for many people who do get to go to court to try their cases, they aren't always successful, but sometimes that starts the healing process. I know for those people and for my friends they just wanted to be able to ask -- ask him -- you know, the person who had abused them -- why us? You know. Why did you choose us? why did you do this to our life? And, they wonder why he walks around free. He's not on a sexual abuse registry, and nothing has happened to his life while they are in counseling and they struggle, and I did reach out to them today to let them -- and so I committed to them that if I won I would work to eliminate the statute of limitations, and while we haven't done that, we are going to move it significantly, and this will help many people. I did text one of them tonight -- and I am wrapping up, so I understand that it is very early in the morning -- and I had asked her at the point if she had wanted to submit written testimony. She doesn't live in they state anymore -- just to give her the opportunity maybe for healing if it would be helpful for her. She is trying to become more of an advocate, so when I texted her that we were voting on the bill tonight, she wrote back, "I'm sorry I didn't write a testimony. I kept thinking about it, and every time, I just couldn't bring myself to start writing about it. I've learned to accept it in some ways, but most of the time, I just don't want to or have a hard time talking about it. Things are pretty good right now, and it is hard to force myself to relive that, but it's also hard because I feel very passionately about things like changing laws and putting systems in place that aid in screening children for abuse, and I want to fight for it, but I just don't know that I'm fully at that

point yet. I don't know if that makes sense. It's hard to explain. However, I am incredibly grateful for people that go to bat for people like me who can't find their voice right now but care so much."

And, I feel incredibly blessed to be given the opportunity to vote, to do something about that, and I'm happy to be with all of you, and ask you to join me in voting to give a voice to those people who don't have that voice.

Thank you, Senator Flexer, and thank you, Madam President.

THE CHAIR:

Thank you, Senator Maroney. Will you remark further? Will you remark further on the bill? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I want to thank Senator Maroney and the incredible comments that he just shared with us, and I want to thank the bravery and the courage. I want to thank his family and for telling their story and for empowering Senator Maroney to be such a tremendous advocate and partner in this work, and we're really grateful to them, and I hope that they know that we hear them, and that we admire their strength in sharing what they've shared. I do just want to make a couple of points also for -- for legislative intent. As it has been mentioned in discussion here this evening, there has been a good amount of work that's been done on this legislation. A lot of stakeholders have come to the table, and I do want to just clarify that the training tool for employers that

CHRO will be developing under this legislation will be available free of cost to all employers who want to avail themselves in training in that way and employers can also use other methods to meet the training requirements, and I also want to clarify in the sections that have to deal with working conditions that we want to empower individuals who come forward with allegations of harassment in the workplace that they have to agree to any conditions of their employment being changed, but we also recognize that this provision of the bill means that there may be circumstances where the harasser and the individual being harassed continue to work side-by-side, and that will be a decision that's made with an empowered employee who comes forward and with the employer. And, we recognize that employers are going to do everything they can to ensure that their employees are safe.

Other than that, Madam President -- Madam President, I want to first of all just take a moment to thank the leadership of the caucus I am privileged to serve in -- Senator Duff and Senator Looney. They have made this legislation a priority of our caucus for the last two years, and I'm grateful to them, and I want them to know that there are more and more people who have the courage to come forward because they see those of us who are so privileged and empowered to serve in the state Senate prioritizing this legislation. They are coming forward because they know that there is a difference to be made here, and I'm grateful that this has been a priority in this state Senate, and I'm grateful that the state Senate is run by such tremendous leaders. I want to thank two members of our staff in the Senate Democrats, Brett Kupfert [phonetic] who's worked diligently on this legislation and knowing all the

facts and details in that work should not go unnoticed, and I also want to thank Courtney Cullinan, our Deputy Chief of Staff, who has put her heart and soul into this legislation for the last two years. I'm incredibly grateful to her. I don't know where she is -- oh, there she is. I'm incredibly grateful to her, and we would not be at this point having such broad consensus on this bill if it weren't for her leadership, so I want to thank her. I also want to thank all of the tremendous advocates who worked on this legislation -- the Connecticut Alliance to End Sexual Violence, SEIU, the Connecticut Women's Education and Legal Fund. And, finally, I want to thank the victims who have come forward and bravely told their story, and first and foremost in thanking victims, I want to thank the great Chairman of the Judiciary Committee, Senator Gary Winfield.

Ten years ago when Senator Winfield and I were freshman House members, Senator Winfield in an incredible act of bravery, which I could argue that perhaps I unmatched in my opinion in the time that I've been in the legislature, came forward in a hearing in the Judiciary Committee about the sorts of things that we're finally going to accomplish today, and bravely told his story for the first time of being a victim of child sexual abuse, and he did so because he heard victims in that hearing telling their stories and then being questioned and mocked, and even though he had never told his story before in a public setting, he chose that moment to come forward and share his story to bolster the voices of those that were being brave that day, and his bravery astounds me. And, I am just so grateful to have been able to call him a colleague for the last ten years, and I'm grateful to him for his

leadership on this legislation and his partnership in this, so thank you, Senator Winfield very much. And, I know that there are so many victims who've come forward over the last ten years to tell their stories like Senator Winfield so bravely did, and I -- I want to just recognize that there is some disappointment. I've had many difficult conversations with victims over the last several months who are disappointed that this legislation doesn't go further, and I want them to know that they are still being heard, and that their bravery has not been for nothing, that this legislation -- while not everything we wanted and everything we hoped for -- is incredibly important, is moving us forward, is allowing more victims to seek the justice that they so deeply deserve, and it's also leading a conversation to make sure that everyone in our state knows that being a victim of sexual assault is not okay, and that our state is going to have laws that make sure that that is clear to everyone, and so to those victims, I just -- I cannot express my gratitude deeply enough. As I said about Senator Winfield, they have a bravery and a courage that I can't fully comprehend, but I hope that they'll feel a great level of respect for what they've done because this legislation is moving forward tonight because of them.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further on the legislation that is before us? Will you remark further? Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. Of course, speaking in support of the bill as amended, but this I think is a -- is a historic night, again, on this issue just as on the one just previously enacted. This has been a matter of debate for a long time. It has been for the last two years a matter of intent focus in our caucus. I want to thank Senator Flexer for just the -- the extraordinary passion and energy and leadership and thought and creativity that she has put into this, and to thank Senator Winfield as the Chair of Judiciary. One of the things I'm most proud of in my tenure as President Pro Tempe is the honor of having appointed him as our Judiciary Chair, my friend, and colleague and seatmate from New Haven who in many ways as we know is the conscience of this Chamber.

This is an important bill. I think some have raised issues about the extension of the statute of limitations on the criminal offenses as if it is somehow going to result in injustices to -- to potential defendants who would have difficulty in -- in gathering information for a defense if the charge is brought that long after the alleged event in question. But, we have to realize that the same criminal standard applies to these cases as to -- as to any criminal case. That is a prosecutor has the burden of proof beyond a reasonable doubt, and the prosecutor will have to assess the evidence to make sure that -- that obviously the burden of proving a case that's 20 years old or more is going to be a real challenging one, so it's not as if we're going to see just a gouge of casual prosecutions here. Prosecutors will be operating under the same standard that they have to always, so I think some needless alarm has been raised about the -- the impact of that extension, but the reality of it is

it is necessary because many young victims are just not emotionally prepared to deal publicly with the trauma of what they've suffered until a significant amount of time has passed, and this will allow that to happen to a much greater extent under our -- our current law with that five year limitation.

I would also very much want to thank Senator Fasano and Senator Kissel who sponsored the amendment -- the strike-all amendment, which became the bill. It's important, I think, for an issue like this to be bipartisan and to have -- have leaders on both sides embracing it to move it forward and to -- and to give it priority. And, to all the families in the state like Senator Maroney's who have suffered, I hope that this is something that -- that they will find some consolation in. We know that the suffering is so raw and so unspeakable in so many cases, but at least I hope they'll know that the Connecticut General Assembly has a sensitivity to what they and others have suffered.

So, again, Madam President, I would urge support of the bill as amended.

THE CHAIR:

Thank you, Senator Looney. Will you remark further? If not, Mr. Clerk, if you would kindly call the vote? And, Senator Duff. [Off mic conversing].
Senator Duff?

SENATOR DUFF (25TH):

We will have a vote on the bill, please.

THE CHAIR:

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Senate

May 16, 2019

Thank you. Mr. Clerk, kindly call the vote, and the machine will be open.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill 3 as amended by Senate A. Immediate roll call vote has been ordered in the Senate on Senate Bill No. 3 as amended by Senate A. Immediate roll call vote has been ordered in the Senate on Senate Bill 3, as amended by Senate A. Immediate roll call vote in the Senate.

THE CHAIR:

And I would ask all the Senators to stay close to the Chamber, because we will shortly have a vote on the Consent Calendar.

Have all the Senators voted? Have all the Senators voted? The machine will be locked. And, Mr. Clerk, would you kindly announce the tally?

CLERK:

Senate Bill No. 3, as amended by Senate A.

Total number Voting	35
Total voting Yea	35
Total voting Nay	0
Absent not Voting	1

THE CHAIR:

(Gavel) Measure is adopted. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, for the purposes of a referral, I'd like to ask Calendar page 36, Calendar 126, Senate Bill 4, to refer that item to the Appropriations Committee?

THE CHAIR:

So, ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the clerk now please call the items on the Consent Calendar followed by a vote on Consent Calendar?

THE CHAIR:

Mr. Clerk.

CLERK:

Consent Calendar No. 1. Page 1 Calendar 38, Senate Bill 804. Page 8, Calendar 135, Senate Bill 861. Page 12, Calendar 182, Senate Bill 1026. Page 32, Calendar 400, Senate Bill 1114. Page 38, Calendar 435, Senate Bill 831. Page 43, Calendar 478, House Bill 7364. And, page 50, Calendar 288, Senate Bill 1078.

THE CHAIR:

Thank you. And, Mr. Clerk, would you kindly call the vote? And, the machine will be opened on the Consent Calendar.

CLERK:

Immediate roll call has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Consent Calendar No. 1. Immediate roll

call vote has been ordered in the Senate on Consent Calendar No. 1.

THE CHAIR:

Have all the Senators voted?

Welcome Senator Osten. [Cheering]. All right. Mr. Clerk, would you kindly announce the tally?

CLERK:

Consent Calendar No. 1.

Total number Voting	35
Total voting Yea	35
Total voting Nay	0
Absent not Voting	1

THE CHAIR:

(Gavel) Measure is adopted. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I don't think I'll have to yield the points of personal privilege or announcements. But I would just mention to the Chamber that Senate Democrats will be caucusing on Monday, and then we'll be in session Tuesday, Wednesday, Thursday, and we should hold Friday open as well. And, with that, Madam President, I would move that we adjourn subject to Call of the Chair.

THE CHAIR:

Thank you. We are adjourned. (Gavel).

(On the motion of Senator Duff of the 25th, the Senate at 3:25 a.m. adjourned subject to the Call of the Chair.)

CONNECTICUT GENERAL ASSEMBLY

SENATE

Friday, May 17, 2019

The Senate was called to order at 3:41 p.m. in accordance with the provisions of Senate Rule 9(f), and under the authority of the President Pro Tempore and the Senate Republican Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to Acting Chaplain, Tim Kehoe of East Hartford, Connecticut.

ACTING CHAPLAIN TIM KEHOE:

May the work that we do benefit all those we serve.

THE CHAIR:

Pursuant to Senate Rule 9(f) the Senate is called into Session, by the Office of the Senate Clerk's under the authority of the President Pro Tempore and the Senate Republican Leader.

It is hereby moved that Senate Agenda Number 1, dated Friday, May 17, 2019, is adopted, the items on said Agenda shall be acted upon as indicated and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

BUSINESS FROM THE HOUSE:

**HOUSE BILL(S) FAVORABLY REPORTED - to be tabled for
the calendar.**

GENERAL LAW COMMITTEE

HB NO. 5267 AN ACT CONCERNING FAIR REIMBURSEMENT TO
RETAIL DEALERS OF POWER EQUIPMENT. (As amended by
House Amendment Schedule "B" (LCO 8730))

HUMAN SERVICES COMMITTEE

HB NO. 7093 AN ACT ESTABLISHING A TASK FORCE TO
INCREASE EMPLOYMENT OPPORTUNITIES FOR PERSONS WITH
DISABILITIES. (As amended by House Amendment
Schedule "A" (LCO 8075))

JUDICIARY COMMITTEE

SUBST. HB NO. 7222 AN ACT CONCERNING THE DUTIES OF
THE OFFICE OF THE ATTORNEY GENERAL. (As amended by
House Amendment Schedule "A" (LCO 8794))

LABOR AND PUBLIC EMPLOYEES COMMITTEE

SUBST. HB NO. 7221 AN ACT CONCERNING WORKFORCE
INVESTMENT BOARDS.

**HOUSE JOINT RESOLUTION(S) FAVORABLY REPORTED - to be
tabled for the calendar.**

JUDICIARY COMMITTEE

SUBST. HJ NO. 77 RESOLUTION GRANTING THE CLAIMS
COMMISSIONER AN EXTENSION OF TIME TO DISPOSE OF
CERTAIN CLAIMS AGAINST THE STATE PURSUANT TO CHAPTER
53 OF THE GENERAL STATUTES.

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SENATE

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May 17, 2019

The Senate at 3:59 p.m. adjourned under provisions of Senate Rule 9(f) subject to the call of the chair.

CONNECTICUT GENERAL ASSEMBLY

SENATE

Monday, May 20, 2019

The Senate was called to order at 1:04 p.m. in accordance with the provisions of Senate Rule 9(f), and under the authority of the President Pro Tempore and the Senate Republican Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to Acting Chaplain, Kathy Zabel of Burlington, Connecticut.

ACTING CHAPLAIN KATHY ZABEL:

May we be filled with loving kindness. May we be peaceful and at ease. May we be happy with the things we have.

THE CHAIR:

Pursuant to Senate Rule 9(f) the Senate is called into Session, by the Office of the Senate Clerk's under the authority of the President Pro Tempore and the Senate Republican Leader.

It is hereby moved that Senate Agenda Number 1, dated Monday, May 20, 2019, is adopted, the items on said Agenda shall be acted upon as indicated and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

**SENATE BILL(S) FAVORABLY REPORTED - to be tabled for
the calendar and printing.**

APPROPRIATIONS COMMITTEE

SUBST. SB NO. 872 AN ACT IMPLEMENTING THE GOVERNOR'S
BUDGET RECOMMENDATIONS FOR GENERAL GOVERNMENT.

APPROPRIATIONS COMMITTEE

SUBST. SB NO. 873 AN ACT STABILIZING THE TEACHERS'
RETIREMENT FUND.

FINANCE, REVENUE AND BONDING COMMITTEE

SUBST. SB NO. 876 AN ACT AUTHORIZING AND ADJUSTING
BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS,
TRANSPORTATION AND OTHER PURPOSES.

FINANCE, REVENUE AND BONDING COMMITTEE

SUBST. SB NO. 877 AN ACT CONCERNING REVENUE ITEMS TO
IMPLEMENT THE BIENNIAL BUDGET.

APPROPRIATIONS COMMITTEE

SUBST. SB NO. 1018 AN ACT CONCERNING THE OPPORTUNITY
GAP.

APPROPRIATIONS COMMITTEE

SUBST. SB NO. 1119 AN ACT CONCERNING REVISIONS TO
THE TEACHERS' RETIREMENT SYSTEM.

FINANCE, REVENUE AND BONDING COMMITTEE

SUBST. SB NO. 1121 AN ACT CONCERNING "PRIORITIZE
PROGRESS".

FINANCE, REVENUE AND BONDING COMMITTEE

SUBST. SB NO. 1129 AN ACT CONCERNING VARIOUS
INITIATIVES TO PROMOTE COMPUTER SCIENCE AND
TECHNICAL TALENT IN EDUCATION.

FINANCE, REVENUE AND BONDING COMMITTEE

SUBST. SB NO. 1130 AN ACT CONCERNING VARIOUS INITIATIVES AT THE UNIVERSITY OF CONNECTICUT.

FINANCE, REVENUE AND BONDING COMMITTEE

SB NO. 1131 AN ACT CONCERNING THE AMBULATORY SURGICAL CENTERS TAX.

FINANCE, REVENUE AND BONDING COMMITTEE

SB NO. 1132 AN ACT REQUIRING A STUDY OF INTRAPRENEURSHIP.

FINANCE, REVENUE AND BONDING COMMITTEE

SB NO. 1133 AN ACT CONCERNING FOREIGN BRANCH CAPTIVE INSURANCE COMPANIES.

FINANCE, REVENUE AND BONDING COMMITTEE

SUBST. SB NO. 1134 AN ACT RESTRUCTURING THE STATE BOND COMMISSION AND ESTABLISHING A DEDICATED BONDING SECTION WITHIN THE LEGISLATIVE OFFICE OF FISCAL ANALYSIS.

FINANCE, REVENUE AND BONDING COMMITTEE

SUBST. SB NO. 1136 AN ACT ESTABLISHING A CREDIT AGAINST THE ESTATE TAX AND REQUIRING RECOMMENDATIONS FOR THE ESTABLISHMENT OF A SOCIAL IMPACT BONDING PROGRAM.

FINANCE, REVENUE AND BONDING COMMITTEE

SUBST. SB NO. 1138 AN ACT CONCERNING COMMUNITY RESTORATION FUNDS.

FINANCE, REVENUE AND BONDING COMMITTEE

SUBST. SB NO. 1141 AN ACT CONCERNING MUNICIPAL CAPACITY AND PROPERTY TAX REFORM.

FINANCE, REVENUE AND BONDING COMMITTEE

SUBST. SB NO. 1142 AN ACT CONCERNING STRATEGIC
TRANSPORTATION PLANNING AND THE FINANCING THEREOF.

MATTER(S) RETURNED FROM COMMITTEE - to be tabled for
the calendar.

NO NEW FILE

APPROPRIATIONS COMMITTEE

SUBST. SB NO. 273 AN ACT CONCERNING DEBT-FREE
COLLEGE.

APPROPRIATIONS COMMITTEE

SUBST. SB NO. 880 AN ACT INCREASING FAIRNESS AND
TRANSPARENCY IN THE CRIMINAL JUSTICE SYSTEM.

APPROPRIATIONS COMMITTEE

SUBST. SB NO. 1046 AN ACT CONCERNING ELECTION DAY
REGISTRATION IN POLLING PLACES AND EXTENDING THE
HOURS OF ELECTION DAY REGISTRATION.

APPROPRIATIONS COMMITTEE

SB NO. 1083 AN ACT IMPROVING THE INTEGRITY OF THE
CONNECTICUT BUSINESS REGISTRY.

REPORT(S) RECEIVED - to be referred to committee(s)
indicated.

Report - Auditors of Public Accounts - Connecticut
Port Authority for Fiscal Years ended June 30, 2016
and June, 30, 2017. (Pursuant to Section 2-90 of the
Connecticut General Statutes) Date received: May 17,
2019

**Referred to Committees on Appropriations, Finance,
Revenue and Bonding and Transportation**

Report - Department of Insurance - Medical
Malpractice Report for Calendar Years 2014-2018.
(Pursuant to Section 38a-395 of the Connecticut
General Statutes) Date received: May 17, 2019

**Referred to Committee on Insurance and Real
Estate**

BUSINESS FROM THE HOUSE:

**HOUSE BILL(S) FAVORABLY REPORTED - to be tabled for
the calendar.**

BANKING COMMITTEE

SUBST. HB NO. 7180 AN ACT CONCERNING THE LEGISLATIVE
COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL AND
OTHER CHANGES TO THE BANKING STATUTES.

GENERAL LAW COMMITTEE

HB NO. 5703 AN ACT CONCERNING ACCEPTABLE FORMS OF
CURRENCY AS PAYMENT IN LOCAL BUSINESSES. (As amended
by House Amendment Schedule "A" (LCO 8955))

FINANCE, REVENUE AND BONDING COMMITTEE

SUBST. HB NO. 7200 AN ACT PROHIBITING THE SALE OF
CIGARETTES, TOBACCO PRODUCTS, ELECTRONIC NICOTINE
DELIVERY SYSTEMS AND VAPOR PRODUCTS TO PERSONS UNDER
AGE TWENTY-ONE. (As amended by House Amendment
Schedule "A" (LCO 8835))

ENVIRONMENT COMMITTEE

HB NO. 7158 AN ACT CONCERNING THE REGULATION OF
COMMERCIAL KENNELS. (As amended by House Amendment
Schedule "A" (LCO 8960))

HOUSING COMMITTEE

SUBST. HB NO. 7226 AN ACT ESTABLISHING A PILOT PROGRAM TO PROVIDE INCENTIVES FOR EDUCATORS TO LIVE IN CERTAIN MUNICIPALITIES. (As amended by House Amendment Schedule "A" (LCO 8750))

GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE

HB NO. 6055 AN ACT CONCERNING CERTAIN UPDATES TO ELECTION ADMINISTRATION LAWS. (As amended by House Amendment Schedule "A" (LCO 8930))

GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE

HB NO. 5820 AN ACT ESTABLISHING A TASK FORCE TO STUDY RANKED-CHOICE VOTING. (As amended by House Amendment Schedule "A" (LCO 8793))

LABOR AND PUBLIC EMPLOYEES COMMITTEE

HB NO. 6927 AN ACT ESTABLISHING A TASK FORCE TO STUDY DEBARMENT AND LIMITATIONS ON THE AWARDING OF STATE CONTRACTS. (As amended by House Amendment Schedule "A" (LCO 8940))

JUDICIARY COMMITTEE

HB NO. 7190 AN ACT EXTENDING GOOD SAMARITAN PROTECTIONS FOR PERSONS OR ENTITIES THAT INCLUDE AN OPIOID ANTAGONIST WITHIN A CABINET CONTAINING AN AUTOMATIC EXTERNAL DEFIBRILLATOR.

HUMAN SERVICES COMMITTEE

SUBST. HB NO. 7230 AN ACT CONCERNING INTERPRETER STANDARDS. (As amended by House Amendment Schedule "A" (LCO 7928))

LABOR AND PUBLIC EMPLOYEES COMMITTEE

HB NO. 6346 AN ACT CONCERNING THE REVIEW OF MUNICIPAL ARBITRATION AWARDS.

PUBLIC HEALTH COMMITTEE

SUBST. HB NO. 7070 AN ACT CONCERNING DECEPTIVE ADVERTISING PRACTICES OF LIMITED SERVICES PREGNANCY CENTERS. (As amended by House Amendment Schedule "A" (LCO 8919))

PLANNING AND DEVELOPMENT COMMITTEE

SUBST. HB NO. 7368 AN ACT CONCERNING THE USE OF MASS APPRAISAL SOFTWARE. (As amended by House Amendment Schedule "A" (LCO 8812))

PLANNING AND DEVELOPMENT COMMITTEE

HB NO. 7207 AN ACT CONCERNING THE APPROVAL OF CERTAIN NEW MUNICIPAL CONSTRUCTION PROJECTS. (As amended by House Amendment Schedule "A" (LCO 8610))

PLANNING AND DEVELOPMENT COMMITTEE

SUBST. HB NO. 6291 AN ACT CONCERNING PROTECTIONS FOR CERTAIN GROUP CHILD CARE AND FAMILY CHILD CARE HOMES. (As amended by House Amendment Schedule "A" (LCO 8819))

HOUSE JOINT RESOLUTION(S) FAVORABLY REPORTED - to be tabled for the calendar.

EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE

HJ NO. 166 RESOLUTION CONFIRMING THE NOMINATION OF **ERIN BENHAM** OF WALLINGFORD TO BE REAPPOINTED TO THE STATE BOARD OF EDUCATION.

EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE

HJ NO. 167 RESOLUTION CONFIRMING THE NOMINATION OF **TARINI KRISHNA** OF RIDGEFIELD TO BE APPOINTED A NONVOTING STUDENT MEMBER OF THE STATE BOARD OF EDUCATION.

EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE

HJ NO. 168 RESOLUTION CONFIRMING THE NOMINATION OF
ESTELA LOPEZ OF EAST HARTFORD TO BE REAPPOINTED TO
THE STATE BOARD OF EDUCATION.

The Senate at 1:06 p.m. adjourned under provisions
of Senate Rule 9(f) subject to the call of the
chair.

May 21, 2019

CONNECTICUT GENERAL ASSEMBLY

SENATE

Tuesday, May 21, 2019

The Senate was called to order at 2:55 o'clock p.m.,
the President in the Chair.

THE CHAIR:

Mr. Clerk.

CLERK:

The Clerk is in possession of Senate Agenda No. 1,
dated Tuesday, May 21st, 2019.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move
all items on Senate Agenda No. 1, dated Tuesday, May
21st, 2019, to be acted upon as indicated and that
the agenda be incorporated by a reference into the
Senate journal and the Senate transcript.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you. Madam President, for the purposes of markings?

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar Page 1, Calendar 487, Senate Joint Resolution No. 36, go. On Calendar Page 1, Calendar 516, Senate Joint Resolution No. 37, go. On Calendar Page 2, Calendar 517, Senate Joint Resolution 38, go. On Calendar Page 2, Calendar 518, Senate Joint Resolution No. 39, go. On Calendar Page 2, Calendar 519, Senate Joint Resolution No. 40, go. On Calendar Page 5, Calendar 78, Senate Bill 590, go. On Calendar Page 7, Calendar 99, Senate Bill 706, go. On Calendar Page 10, Calendar 157, Senate Bill 745, go. On Calendar Page 14, Calendar 189, Senate Bill 816, go. On Calendar Page 17, Calendar 225, Senate Bill 789, go. On Calendar Page 18, Calendar 234, Senate Bill 1040, go. On Calendar Page 22, Calendar 277, Senate Bill 586, go. On Calendar Page 23, Calendar 303, Senate Bill 1069, go. On Calendar Page 24, Calendar 306, Senate Bill 1060, go. On Calendar Page 29, Calendar 358, Senate Bill 383 -- I'm sorry, 388, go. On Calendar Page 32, Calendar 386, Senate Bill 347, go. On Calendar Page 33, Calendar 394, Senate Bill 1087, go. On Calendar Page 33, Calendar 397, Senate Bill 1100, Madam President I move that item to our Consent Calendar.

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May 21, 2019

THE CHAIR:

So moved.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar Page 41, Calendar 450, Senate Bill 138, go. On Calendar Page 63, Calendar 359, Senate Bill 659 -- I'm sorry, 859, go.

THE CHAIR:

All of those items are so noted. And if I might, a point of personal privilege, I would like to invite my intern, Meghan Andrews. She is from Newington. And I wanted you all to see her. She is one of our best and brightest at the University of Connecticut. And she has been working very diligently for the last semester in my office as an intern, and all of my staff has come to rely upon her, especially in connection with our Women and Girls Council. She has helped us organize, not just our 27 commissioners and constitutional officers, but more than 100 organizations that have been participating along with our legislators on both sides of the aisle. Meghan is gonna be spending the summer at Travelers. She has just secured a much sought-after internship there. And I just want you to remember her name, because she is studying political science. So expect to see her in these halls in some capacity very soon. And I would like to ask our chamber to give their traditional warm welcome and congratulations to Meghan Andrews. [Clapping]

THE CHAIR:

Have a great summer. Meghan, thank you so much.
And with that, Mr. Clerk.

CLERK:

Page 1, Calendar No. 487, Senate Joint Resolution No. 36, RESOLUTION CONFIRMING THE NOMINATION OF MARISSA PASLICK GILLETT OF WEST HARTFORD TO BE A UTILITY COMMISSIONER OF THE PUBLIC UTILITIES REGULATORY AUTHORITY.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move acceptance of the Senate Committee's favorable report and adoption of the resolution.

THE CHAIR:

And will you remark?

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, this is a full-time, salaried position. This is her initial appointment. Ms. Gillett was voted upon favorably in her March 14th nomination hearing. She is a, has a degree, a BS in bioengineering with honors from Clemson, a JD with honors from University of Baltimore at Law School. She has spent her career working in the field of regulation

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related to energy and environmental issues, spent many years at the Maryland Public Services Commission as an energy policy analyst as a commissioner, commission advisor, senior advisor to the chair, and her most recent position was energy source association in Washington, D.C. She is new to Connecticut. She's familiar with Connecticut's energy landscape. I've had a conversation with her yesterday and feel very strongly that she will do a great job at PURA, brings new, a new perspective, and somebody who I think will work very hard on behalf of our entire energy infrastructure, helping consumers, and making sure that we have cleaner, cheaper, and more reliable energy. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Duff. Will you remark further on the resolution? Senate Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. Just wanted to say that I would concur with the remarks made by the Majority Leader and ask for adoption of the candidate's nomination. Thank you, Madam President.

THE CHAIR:

Thank you so much, Senator Witkos. Will you remark further? Will you remark further on the resolution before us? Senator Duff.

SENATOR DUFF (25TH):

I thank you, Madam President. I think we need to have a roll call vote on this nominee, please.

THE CHAIR:

A roll call has been ordered. So, Mr. Clerk, would you kindly call the vote? And I will open the machines.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Joint Resolution No. 36. Immediate roll call vote has been ordered in the Senate on Senate Joint Resolution No. 36. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the senators voted? Have all the senators voted? If so, the machine will be closed. And, Mr. Clerk, would you please announce the tally?

CLERK:

Senate Joint Resolution No. 36.

Total number voting	35
Total number voting Yea	34
Total voting Nay	1
Absent and not voting	1

THE CHAIR:

[Gavel] The Resolution is adopted. Mr. Clerk.

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Senate

May 21, 2019

CLERK:

Page 1, Senate Joint Resolution No. 37, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE JAMES W. ABRAMS OF MERIDEN TO BE A MEMBER OF THE JUDICIAL REVIEW COUNCIL.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

I thank you, Madam President. I want to, I'd like to yield to Senator Daugherty Abrams, please.

THE CHAIR:

Senator Daugherty Abrams, do you accept the yield?

SENATOR ABRAMS (13TH):

Yes, thank you, Madam President. And I'm going to recuse myself. Thank you.

THE CHAIR:

Thank you very much. And the record will note that Senator Daugherty Abrams has recused herself and is leaving the chamber. And with that, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Question is on adoption. Will you remark?

SENATOR DUFF (25TH):

Thank you, Madam President. This is a part-time, nonpaid position. It's a four-year term. Judge Abrams was a state rep, sat on the bipartisan Select Committee, was voted unanimously in the affirmative in his May 16th hearing. He's a graduate of UConn Law and also Trinity College. He's both chief administrative judge for the Civil Division statewide and administrative judge for New Haven Judicial District. He -- Before becoming a judge, he worked in private practice, was court counsel for the city of Meriden, and chief counsel to House democrats. Many of us know Judge Abrams now. I have served with him when he was Representative Abrams. Always found him to be just a really a wonderful and learned individual, a very patient -- He was -- At the tail end of his legislative career, at the beginning of my legislative career, and took somebody like myself under his wing and always very, very willing to explain and to help and to be patient, and he has been an excellent judge from I think all accounts. Everyone can agree on that. And I believe he will do, and I know he will do a good job also on the Judicial Review Council. So, Madam President, I urge adoption of the resolution.

THE CHAIR:

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Thank you, Senator Duff. Will you remark further on the resolution? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Great to see you there this afternoon. I also stand in strong support of Judge Abrams. I had the pleasure of serving with then Representative Abrams on the Judiciary Committee. Back in the day, he was one of the only members of the Judiciary Committee that wanted to dig into bills dealing with the Uniform Commercial Code, and we were all very thankful that he had that interest. But just a generally very good guy. I had an opportunity to review his nomination when I sat on the committee. And it's been a number of years, and I actually bumped into him on a couple of court cases and just a generally outstanding jurist and very happy to support his nomination here this afternoon. Thank you, Madam President.

THE CHAIR:

Thank you so much. Will you remark further?
Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. Good afternoon. Speaking in support of the resolution, as was said that Judge Abrams is really an extraordinary, extraordinarily gifted member of the Superior Court and his talent has been recognized by having become the state's chief judge. In terms of civil

administration, he was the administrative judge presiding in civil cases in New Haven for a quite a period of time. Became known by both the plaintiffs of Defense Council as someone who was just excellent and inciteful in helping to foster agreements and settle cases in ways that were reasonable, focusing in on the strengths and weaknesses of both sides, cases, in the pretrial procedure and making sure that neither side had an unrealistic expectation about what the case might be worth. And so he brought that practical skill after the -- His career here, obviously, is both a very distinguished member of the House of Representatives and also had served as chief counsel to the House democrats. He had a, quite a diverse legal practice prior to his appointment to the bench. And I think that what is important in terms of his willingness to take on this additional assignment as a member of the Judicial Review Council is that this is a challenging and difficult and potentially sensitive assignment, because it involves evaluation of allegations of misconduct against other judges. And you have to have great courage, great integrity, great insight, great understanding of human nature and the practical implications of behavior in order to make a fair and accurate judgement in these cases that can be of such a significant impact on the careers of fellow jurists. So I can't think of anyone other than Judge Abrams who I think will inspire universal confidence being in this position and making those difficult decisions that require the wisdom of Solomon in many cases. And I think he's the right person to be there and brings to it the qualities that we all know are essential when someone is making a judgment in these kinds of cases where you sometimes have very, very passionate

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allegations, sometimes coming from people who feel harmed by it, the process, without necessarily understanding all of the nuances of the process. So I think that we can have great confidence in what he will do there, as well as in what he has been and is been doing as a judge of the Superior Court. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on the resolution? Will you remark further? If not, Mr. Clerk, if you would kindly call the vote and the machine will be open.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Joint Resolution No. 37. Immediate roll call vote has been ordered in the Senate on Senate Joint Resolution No. 37. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the senators voted? Have all the senators voted? The machine will be locked. And, Mr. Clerk, would you kindly announce the tally?

Senate Joint Resolution No. 37.

Total number voting	34
Total number voting Yea	34
Total voting Nay	0
Absent and not voting	2

THE CHAIR:

[Gavel] Resolution is adopted. Mr. Clerk.

CLERK:

Page 2, Calendar No. 517, Senate Joint Resolution No. 38, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE LAURA F. BALDINI OF WEST HARTFORD TO BE AN ALTERNATE MEMBER OF THE JUDICIAL REVIEW COUNCIL.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

The question is on adoption. Will you remark?

SENATOR DUFF (25TH):

Thank you, Madam President. This is a part-time, nonpaid position, which is a four-year term. Ms. Baldini lives in West Hartford with her family. She was voted in unanimously in the affirmative in her May 16th hearing. She currently serves on the Judicial Branch Wiretap Panel, Pre-Bench Faculty, and others, is involved in many community service organizations. She has gone to Yale and seen how

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law, as a Yale alumni fellow, and I would urge adoption.

THE CHAIR:

Thank you so much, Senator Duff. Will you remark further? Will you remark further? If not, Mr. Clerk, if you would kindly call the -- Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If there's no objection, I'd like this item to be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 2, Calendar No. 518, Senate Joint Resolution No. 39, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE ANNA M. FICETO OF WOLCOTT TO BE AN ALTERNATE MEMBER OF THE JUDICIAL REVIEW COUNCIL.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

The question is on adoption. Will you remark?

SENATOR DUFF (25TH):

Thank you, Madam President. Again, this is a part-time, nonpaid, four-year term. Ms. Ficeto lives in Wolcott with her family. She was voted on unanimously in the affirmative in her May 16th hearing. She is a, has gone to Mount Holyoke and UConn Law. She began her career in private practice, but has spent most of her career with the state of Connecticut in a number of legal and senior roles in the Department of Civil Protection, Public Works, Department of Administrative Services, Governor Rell's office, and as a PURA commissioner, has been a judge since 2012, and has served in Hartford and the GAE '14. I would move adoption.

THE CHAIR:

Thank you. Will you remark further? Senator Hartley.

SENATOR HARTLEY (15TH):

Good afternoon, Madam President.

THE CHAIR:

Good afternoon.

SENATOR HARTLEY (15TH):

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Yes, I rise to support the nomination of Judge Ficeto and would like to add to the record that she is an individual who has for many years been a state employee serving on the bench. Her demeanor is one that has always been complementary to those who have appeared before her and to the mission and the charge of the bar. She also is very, very involved civically and in her religious community, and she -- I highly recommend her and am very happy to see this nomination. Thank you, Madam President.

THE CHAIR:

Thank you so much, Senator Hartley. Will you remark further on the resolution? Will you remark further? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If there's no objection, I'd like this item be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 2, Calendar No. 519, Senate Joint Resolution No. 40, RESOLUTION CONFIRMING THE NOMINATION OF MELISSA KANE OF WESTPORT TO BE A MEMBER OF THE CONNECTICUT COMMUTER RAIL COUNCIL.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

And the question is on adoption. Will you remark further?

SENATOR DUFF (25TH):

Thank you, Madam President. Again, this is a part-time, nonpaid position. It's a four-year term. Ms. Kane was voted unanimously in the affirmative in her May 16th hearing. She's a selectwoman from Westport. She's been spoken very highly in her hearing by the House member that represents Westport and also our senator who represents her as well. She's been to school at Mount Holyoke. She's owned a small business for over ten years. And again, I believe she will serve very, serve us very well on the Commuter Rail Council. I know Ms. Kane as well and find her to be very passionate about a number of issues and somebody who loves to serve her community and her state, and will be a fine addition to the Commuter Rail Council. Thank you, Madam President. I urge adoption.

THE CHAIR:

Thank you, Senator Duff. Will you remark further?
Senator Haskell.

SENATOR HASKELL (26TH):

Thank you very much, Madam President. I rise today in support of Melissa Kane's nomination to the Commuter Rail Council. First and foremost, Madam President, I want to thank Senator Looney and Senator Duff and the leadership of this, of this chamber in pursuit, in moving forward with her nomination. I've known Melissa Kane for a number of years. She is a widely respected and admired voice in our community as a selectman as a passionate for others. You know, she wanted to be here today in person to watch the vote, but in fact, she's in Washington, D.C., lobbying federal representatives for commonsense gun violence prevention. Her passion extends to a variety of issues, but nowhere is it more on display I believe than in improving the quality of life of Fairfield County. And part and parcel of that, Madam President, is ensuring that we have adequate 21st Century infrastructure. That's why I believe her voice is desperately needed on the Commuter Rail Council. I've spent a lot of time chatting with Melissa Kane about how we can speed up our trains. You know, I have here in my hand, Madam President, a 1977 train map of the New Haven line. It's a timetable that shows that the train back then was actually faster than it is today. You can see it gets slower in this 1982 train map when they, its -- But it was still under an hour. Now, the train from Westport to Grand Central is over an hour. And I can tell you that minutes matter when you talk to commuters, when you go to the train station in the morning or in the afternoon, they tell you that an extra ten minutes on the train, it adds up. It means that they're not

able to eat dinner with their kids. For those who work late, it means they're not even able to get home before their kids are in bed. So it is time that we modernize our infrastructure. It's time that we bring Wi-Fi to Metro-North. On the busiest commuter network in the entire country, we're not even able to allow commuters to be efficient as they travel to and from their desk. I know that Melissa cares deeply about these issues. I know that she is gonna be a passionate and engaged voice on the Commuter Rail Council, and I'm thrilled to support her nomination. I urge my colleagues to do the same.

THE CHAIR:

Thank you so much, Senator Haskell. And I'm quite sure you were not alive in 1977 or 1982, and it is impressive that you have those documents with you. Will you remark further on the resolution that is before us? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. I rise in support of this nomination as well. Knowing Melissa as a first, as a selectman in the town of Westport that I also represent, she has been a tireless public advocate. So we know her skills and experience will be a major contribution to the Commuter Rail Council. And it is also an opportunity to perhaps plug the importance of the Commuter Rail Council within our transportation of long-term planning. These are individuals that ride the trains, use the trains, and understand the nuances and the challenges that they encounter. So having a voice

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in southwestern Connecticut, particularly from Westport, is very much a welcome. So I encourage support of this nomination. Thank you, Madam President.

THE CHAIR:

Thank you so much, Senator Hwang. Will you remark further on the resolution that is before us? Will you remark further? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If there's no objection, I'd like this item be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 5, Calendar No. 78, substitute for Senate Bill No. 590, AN ACT CONCERNING THE SELECTION OF CATERERS FOR INDIVIDUALS WHO RENT STATE-OWNED VENUES. There is an amendment.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Can the Senate stand at ease for a moment?

THE CHAIR:

Certainly. The Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If we can return to the call of the Calendar, please.

THE CHAIR:

Mr. Clerk. That item has been called. Shall we call the next? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I believe the Clerk had called Calendar Page 5, Calendar 78. Please return to that, yes.

CLERK:

Page 5, Calendar No. 78, substitute for Senate Bill No. 590, AN ACT CONCERNING THE SELECTION OF CATERERS FOR INDIVIDUALS WHO RENT STATE-OWNED VENUES. There is an amendment.

THE CHAIR:

Senator Cohen, good afternoon.

SENATOR COHEN (12TH):

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

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR COHEN (12TH):

Yes, thank you, Madam President. This bill would allow those who are renting a state-owned venue to use a caterer of their choice. Currently, there are two state-owned venues, Harkness State Park, as well as Rocky Neck, who require a renter of their facility to choose their caterer from a preapproved list. But recognizing that perhaps somebody has a favorite caterer or perhaps a special dietary need, the Environment Committee develops legislation in coordination with Senator Osten's good work to develop a process by which those who want to rent at these two facilities can go ahead and do so by applying to have their special caterer preapproved at least one year prior to the event. It was unanimously voted out of committee, and I urge my colleagues to vote in favor of the bill.

THE CHAIR:

Thank you, Senator Cohen. Will you remark further?
Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, I remember when the bill came before us. There was a

lot of concern expressed about whether or not people with special diets whether they had individuals that they had used in the past for catering services felt comfortable with other vendors and then as we listened to the testimony we were trying to provide a pathway for some of those individuals that could demonstrate that they were qualified in terms of having a license, an appropriate license, appropriate insurance, if they could demonstrate to the agency that they were qualified, that in fact an individual could choose a different caterer other than the one that's on DEEP's preferred, or Department of Administrative Services preferred list. During that conversation, I think we, at least in the screening conversation, we were torn between how much latitude we should give an individual. And as I recall, there were some concerns expressed about how some of these venues are special and how they have limited facilities, perhaps no kitchen facility. And then for those reasons, having a certain period of time for the agency to vet an applicant made some sense. As I described to the Chair of the Environment Committee, I think the committee works very well when we're trying to find a pathway for legislation to get through the committee. It doesn't always play out in our respective caucuses, and to that end, Madam President, the Clerk is in possession of LCO No. 7410. If he would call it and I'd be allowed to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 7410, Senate Schedule A.

THE CHAIR:

The question is on adoption of the amendment.
Please proceed and summarize.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, what this amendment does is states plainly that if a licensed caterer submits a, the prescribed paperwork for catering services, that the DEEP shall permit that caterer as requested by the renter to perform those catering duties on behalf of the renter. What it does is it does away in my reading of it with the one-year requirement. So, conceivably, if someone can demonstrate that they're appropriately licensed and can meet the requirements of the agency, that the one year would not be necessary. And I move adoption.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment? Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President. And I appreciate my good colleague's attempt to make the process a little bit easier for folks out there who are looking to rent these facilities. But I can also appreciate the words of our agencies and those who oversee these state-owned facilities and parks.

These are historic buildings requiring specialized knowledge, equipment, preparation, and planning. They have very narrow hallways by which caterers need to navigate. It is also important to note that these two facilities do not have kitchens, as most caterers would come to expect. And so it would be very necessary for all of these caterers to meet very specific and specialized requirements as set forth by our Department of Energy and Environmental Protection. It's for these reasons and for those that I had stated that I think we've come to a really great understanding and a great bill that provides language by which folks who want to use the caterer of their choosing can do so by following a process a year in advance. Many of us know that when we're planning these special events, such as weddings, we do so with ample time. And it's for these reasons that I urge my colleagues to oppose the amendment. Thank you.

THE CHAIR:

Thank you, Senator Cohen. Will you remark further? Will you remark further on the amendment that is before us? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, through you to Senator Miner.

THE CHAIR:

Prepare yourself, Senator Miner.

SENATOR MINER (30TH):

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I'm used to it, Madam President. [laughing]

THE CHAIR:

Please proceed. I'll bet.

SENATOR FASANO (34TH):

Thank you, Madam President. Through you, Madam President. Absent this amendment, as I understand the bill, who would be in charge of saying no to a particular caterer, absent your amendment? Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

I believe the decision is made jointly between the Department of Administrative Services for purposes of whether the appropriate licenses are in place and then the DEEP to determine whether or not the vendor could meet certain criteria that they have.

THE CHAIR:

Thank you, Senator Miner. Senator Fasano.

SENATOR FASANO (34TH):

And through you, Madam President. And once they make that decision, is it appealable or is it just a

final decision to the best of your knowledge?
Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

I don't remember any testimony about an external appeal. I know that there was an appeals process with regard to individuals who had asked for a different vendor, and that was denied. So unlike a DEEP order or something like that that has a very prescribed appeal process, I'm not aware of one here.

THE CHAIR:

Thank you, Senator Miner. Senator Fasano.

SENATOR FASANO (34TH):

So through you, Madam President, to Senator Miner. So in your -- what your amendment does is allow people to meet some criteria to be allowed to use that public facility without having to go through a more rigorous and arbitrary decision by agencies and the bureaucratic process. Is that the import of your amendment? Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

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Thank you, Madam President. Yes, that is the import of the amendment.

THE CHAIR:

Thank you. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, I thank Senator Miner for the amendment. I think the issue here is the fact that I think caterers are pretty much cognizant of a facility. I know that in my business, when people want to rent out the facility I have, then the caterers would come down check it out, and if it fits their criteria, they'll rent it from me. They're not gonna take on a facility that either there's narrow passages or there's no cooking outside so they bring their machinery in to cook. I mean, you could go down Long Wharf Drive and find all sorts of vendors who are out there who don't have cooking on-site. They do it in the truck. Right down here on Bushnell Park. Right? All the trucks are lined up. They have cooking out there. The problem is is the arbitrariness for which this could be used where someone wants a caterer come in to a public facility and bureaucrats are gonna say no. By the time you say, well, why? Well, we don't think your equipment can do this or we don't think you have that. If you want to ask for insurance, I think that's more than appropriate. If you want to check to see if they're a good business, I think that is appropriate. But I doubt DEEP or another agency can look at a business and say, you are ill-equipped to do cooking at a

party on that facility. Who are you to say that? You don't know their business. Madam President, this is a taxpayer tax, or I should say a property owned by the people of the state of Connecticut, and if somebody wants to get a caterer who can prove or could give insurance for liability, we don't need this process, which is arbitrary in nature. Thank you, Madam President. I support the amendment and ask for a roll call vote.

THE CHAIR:

Thank you. A roll call vote will be ordered. Will you remark further on the amendment? If not, Mr. Clerk, if you would kindly call the roll?

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill 590, Senate Amendment A, LCO No. 7410. Immediate roll call vote has been ordered in the Senate on Senate Amendment A, LCO No. 7410. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Amendment A, LCO 7410. Immediate roll call vote has been ordered in the Senate.

THE CHAIR:

Have all the senators voted? Have all the senators voted? The machine will be locked and, Mr. Clerk, if you would please announce the tally.

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CLERK:

Senate Bill 590, Senate Amendment A, LCO No. 7410.

Total number voting	35
Total number voting Yea	13
Total voting Nay	22
Absent and not voting	1

THE CHAIR:

[Gavel] Amendment fails. Will you remark further on the legislation that is before us? Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. And through you, a couple of questions for the proponent of the bill?

THE CHAIR:

Yes, please prepare yourself, Senator Cohen. Please proceed, Senator Osten.

SENATOR OSTEN (19TH):

And through you, Madam President. If a caterer was planning on using the facilities and they were not on a current list, how would they get the opportunity to cater at these two facilities? Through you, Madam President.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President. And through you. They would have the opportunity at the request of the person renting the state-owned venue, and then they would go through the same process that DEEP goes through with the other lists of approved, preapproved caterers to ensure that those caterers are indeed set up to use these facilities.

THE CHAIR:

Thank you, Senator Cohen. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. And through you. What would be the process for a caterer to appeal the decision of the Department of Energy and Environmental Protection? Through you, Madam President.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Thank you, and through you, Madam President. The appeals process would be set up within the Department of Environmental Protection and they would need to come up with that process upon passage of this bill.

THE CHAIR:

Thank you, Senator Cohen. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. I have no further questions for the proponent of the bill, but I just have a statement for both legislative intent and my consideration. So this bill came about as a result of one of my constituents not able after 12 years of acting as a caterer down on Rocky Neck was denied by the Department of Energy and Environmental Protection consideration from being a part of the caterers, even though he is an active caterer in the area. And this has caused considerable distress for people that were considering weddings and other such events at Rocky Neck. For three years, I attempted to get the Department of Energy and Environmental Protection to reconsider their position on this caterer and a couple of other caterers that brought similar concerns forward. I'm gonna vote for this bill, but I leave open the opportunity for me to come again before this body if the Department of Energy and Environmental Protection does not provide equal access to caterers who already have all necessary equipment, who have never had any problems catering anyplace, who have letters of recommendations from other Department of Energy and Environmental Protection professionals saying what a good caterer they were and how well they treated the facilities. So I understand Senator Cohen's concerns about the historical nature of the property. I have concerns on the small business aspect of this and believe that the Department of Energy and Environmental Protection's past behavior on this has led to some, some concerns on my part of them picking and choosing not by the best person by,

but by whether or not someone turned in a colorful application. So again, I will be supporting this piece of legislation, and I do, I perfectly understand the position of Senator Cohen, but if the Department of Energy and Environmental Protection is not fair in their access to these facilities, I will be back again. Thank you very much, Madam President.

THE CHAIR:

Thank you, Senator Osten. Will you remark further on the bill? Will you remark further on the bill? If not -- Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President, and good afternoon to you.

THE CHAIR:

Good afternoon.

SENATOR FORMICA (20TH):

Thank you. I rise for a purpose of question for the proponent of the bill.

THE CHAIR:

Yes, please proceed. Senator Cohen, prepare yourself.

SENATOR FORMICA (20TH):

Thank you very much, Madam President. Thank you, Senator, for bringing this bill forward. There are a lot of caterers who have not been able to take advantage of the opportunities here. My question related to the 12 months, and why 12 months, as if -- If you decide to get married in July of one year, then for a June wedding the next, this bill would prohibit you to be able to participate in that? Through you. As a caterer? Madam President.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President, and through you. Yes, the 12 months was chosen in partnership with the agency who obviously had great concerns over this bill being brought forward at all. Commissioner Dykes did write in opposition of the bill. But in talking with the agency, it was determined that 12 months would be a reasonable amount of time in which to sit down with a caterer, allow them to apply, and allow them to make any corrections necessary without having to go through some sort of appeal process. There is, as I say, some specialized equipment that would be necessary in order to cater at the said facilities, and so 12 months seemed to be a reasonable amount of time in which to get everybody prepared and on board to cater such an event. Through you, Madam President.

THE CHAIR:

Thank you, Senator Cohen. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. With all due respect, Senator, I think 12 months is a reasonable amount of time only in government. If you're in business, you gotta do things much quicker than in 12 months. And I have some concerns about what's gonna happen at DEEP if we have to go down there as a caterer, make an appointment, go sit with somebody, go through something on a, some procedure that might involve who knows what, an application form, when you have caterers that have perhaps been doing this for decades upon decades who have equipment that they travel to many places without kitchens, much less a place that the public owns, and be able to go in there and -- With especially these particular two venues that you mentioned. Which will bring me to the question, Madam President, why weren't those two venues if they're the only ones without kitchens, mentioned in this bill? Through you, Madam President.

THE CHAIR:

Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President. And through you. We discovered that they were the only two facilities that were impacted upon greater research with the Department of Energy and Environmental Protection. Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. I have a lot of difficulty with some of the details in this bill, but I think it's better than the process where we, you know, where people had to operate prior, including a business that, you know, that I was involved in. Sometimes I just don't understand how government works and why we have to go through all these hoops just to do business here in the state of Connecticut. But, thank you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Will you remark further? Will you remark further on the bill? If not, Mr. Clerk, if you would kindly call the roll and the machine will be open.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill 590. Immediate roll call vote has been ordered in the Senate, Senate Bill 590. Immediate roll call vote has been ordered in the Senate on Senate Bill 590. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the senators voted? Have all the senators votee? The machine will be closed and the Clerk would kindly announce the tally.

CLERK:

Senate Bill 590.

Total number voting	35
Total number voting Yea	29
Total voting Nay	6
Absent and not voting	1

THE CHAIR:

[Gavel] Legislation is adopted. Senator Needleman for a point of personal privilege. I see you have a very smart, good-looking, energetic group with you.

SENATOR NEEDLEMAN (33RD):

I do, Madam President, and thank you for acknowledging this today. As a point of personal privilege, I would like to recognize the young people from the Colchester Bacon Academy, young Democrats, along with their two fine teachers, Angie Parkinson and Megan Kehogreen, who are dedicated. Colchester Bacon Academy is very, very politically active school. I think they have groups on both sides of the aisle who work for candidates, and I can honestly say that I'm here because they worked so hard on my behalf. So I want to recognize them. Thank you. Welcome to the Senate. This is where it all happens. You'll be here someday. And I thank you.

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THE CHAIR:

Thank you, Senator Needleman. And I do see Senator Anwar has gravitated over to that part of the room, because I didn't notice that many of these young people also were helpful to Senator Anwar and the governor and I, and I'm sure Joe Courtney also say thank you to you. And if our chamber could kindly give these young people a warm welcome, we'd appreciate it.

[general applause]

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

And I'd also like to welcome the Bacon Academy young Dems as well. They follow me on Twitter, so I -- They have a good online presence. So welcome. Madam President, if we could for just a moment in our markings or recalling, if the Clerk can now please call Calendar Page 57, Calendar 99, Senate Bill 706, please.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 57, Calendar No. 99, substitute for Senate Bill No. 706, AN ACT CONCERNING EPINEPHRINE AUTO INJECTORS. There is an amendment.

THE CHAIR:

Senator Abrams.

SENATOR ABRAMS (13TH):

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

THE CHAIR:

Thank you. The question is on passage. Will you remark further?

SENATOR ABRAMS (13TH):

Thank you, Madam President. This bill makes various changes regarding the administration of epinephrine auto injectors. The Clerk is in possession of a strike-all amendment, No. 9080. I would ask the Clerk to please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 9080, Senate Schedule A.

THE CHAIR:

Senator Abrams, would you like to summarize?

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SENATOR ABRAMS (13TH):

Thank you, Madam Clerk [sic]. This bill allows for profit and nonprofit entities who have a person or persons with training work to establish a medical protocol with a prescribing practitioner to obtain and maintain epinephrine cartridge injectors from wholesalers.

THE CHAIR:

Thank you, Senator Abrams. Will you remark further on the legislation?

SENATOR ABRAMS (13TH):

I move --

THE CHAIR:

Please proceed, Senator.

SENATOR ABRAMS (13TH):

Thank you, Madam President. I move adoption of the amendment and ask its reading to be waived and seek the le -- Oh, I'm sorry. I did that. Excuse me [laughing].

THE CHAIR:

No problem.

SENATOR ABRAMS (13TH):

I would like to ask that this be put on the Consent Calendar.

THE CHAIR:

Thank you. And -- So, so we're on the amendment. And let us ask first, Senator, if there are any other senators, since you have summarized the amendment, who might like to remark on the amendment that is before us. Will you remark on the amendment that is before us? Senator Somers.

SENATOR SOMERS (18TH):

Thank you, Madam President. I rise in support of this bill in this amendment. This amendment will allow those who feel that it's proper to have epinephrine readily available for a situation that could arise. We do know that there is an expiration date on epinephrine, so it does not necessarily describe when, how much, and at all locations, but it does allow organizations, nonprofits, and actually state employees to be held harmless if they administer epinephrine. It does require once it has been administered to call 911 so that proper medical attention can be taken. But this is an opportunity for us to save lives here in the state of Connecticut. And we've seen in many times -- I know that there are senators in here that have severe allergies -- how it can be life-savings, and I support the, the amendment fully. Thank you.

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Thank you, Senator Somers. Will you remark further on the amendment that is before the chamber?

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. I rise for a question, please.

THE CHAIR:

Certainly. Please proceed. Senator Abrams, prepare yourself. Senator Formica.

SENATOR FORMICA (20TH):

So, thank you, Senator. Thank you, Madam President. Thank you, Senator. Good afternoon. Just a qu -- Is there a requirement that public places have these epi pens? Through you, Madam President.

THE CHAIR:

Senator Abrams.

SENATOR ABRAMS (13TH):

There is no requirement.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

[crosstalk]

SENATOR ABRAMS (13TH):

There is no requirement.

THE CHAIR:

Senator --

SENATOR FORMICA (20TH):

Thank you, Ma -- Thank you, Madam President. And if we, if public places choose to have an epi pen there, this bill prohibits them from administering it? Or they give it to somebody who's having a reaction? Or what is the process for distributing this pen to the person who's having the reaction?

THE CHAIR:

Senator Abrams.

SENATOR FORMICA (20TH):

Basically, you have -- Thank you, Madam President. I'm sorry. But basically, I'm going after liability here. Thank you.

SENATOR ABRAMS (13TH):

Okay. Yes, there is a process and there is language in the bill that covers liability. It grants immunity from civil and criminal liabilities for the prescribing practitioner who gives the entity the prescription to obtain the epinephrine, also for any

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trained person who is acting in good faith in using it.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator, for your answers.

THE CHAIR:

Thank you, both. Will you remark further on the amendment? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. I was not gonna speak on this, but you raise a very important question from Senator Formica. Through you, to the proponent of the amendment. Some questions.

THE CHAIR:

Thank you. Senator Hwang.

SENATOR HWANG (28TH):

Thank you. On the question of liability, I think the clarification was a approved medical practitioner that was allowed to prescribe it. But indeed, if we were going to put it into a public place and at a point of emergency, the potential liability of anyone being able to access it and utilize it to save lives, but if something goes awry, where does that liability -- Does that, does this statute still afford the liability protection for non-medical practitioners, non-prescribing

medical practitioners, a goodwill citizen, doing so?
Through you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Senator Abrams.

SENATOR ABRAMS (13TH):

It does provide the immunity to anyone who's acting
in good faith in using the injector.

SENATOR HWANG (28TH):

Through you, Madam President. Where is that on the
statute and is it clearly delineated? I just want
to simply ask that, through you, Madam President,
for legislative intent.

THE CHAIR:

Thank you, Senator Hwang. Senator Abrams.

SENATOR ABRAMS (13TH):

I believe you can find that from lines 77 through
96.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President. If the good proponent
could read that for me.

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THE CHAIR:

Senator Abrams.

SENATOR ABRAMS (13TH):

A person with training who is an employee or agent of an authorized entity that acquires or maintains a supply of epinephrine cartridges injectors, pursuant to subsection, of this section may in accordance with the established medical protocol provide an epinephrine cartridge injector to an individual or to the parent, guardian, or caregiver of an individual whom the person with training believes in good faith is experiencing anaphylaxis, regardless of whether the individual has a prescription for the epinephrine cartridge injector or prior medical diagnosis of an allergic condition. Would you like me to continue, sir?

SENATOR HWANG (28TH):

No. Through you, Madam President. I want to thank the proponent for sharing that legislative intent. I appreciate her information. Thank you, Madam.

THE CHAIR:

Thank you, Senator Hwang. Will you remark further on the amendment? Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Madam President. Actually, I don't have questions. I just want to make a comment. There

are not a lot of medications that are out there that can save an individual's life in a matter of a few minutes. There is not a medicine that is out there that is available in the community that in a matter of a few minutes you can actually save an individual's lives. And that's going to be the critical piece that we have to recognize. Whether we like it or not, the number of people who have allergic reactions to either medications, bee stings, or even food are increasing. We don't have an understanding why that's happening, but that's a reality that's there. If there is increase in easy access to some of the medications, we are going to be saving lives. So I would suggest strongly that we should support this bill. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Anwar. Will you remark further?
Senator Lesser.

SENATOR LESSER (9TH):

Yes. Thank you, Madam President. Madam President, I rise in support of the amendment and the underlying bill.

THE CHAIR:

Please proceed.

SENATOR LESSER (9TH):

Yes. I want to thank Senator Abrams, Senator Somers, leadership of the Public Health Committee

for moving this legislation forward. I also want to thank the Department of Consumer Protection and the Department of Public Health for working with the committee to make sure that we have a robust bill that protects public health, that saves lives, that helps children and other folks, including as we learned in the last few days myself, people living with severe allergic conditions. I think this bill will save lives, and we were able to put together a strong, robust bill that has a number of safeguards that protects public health. It establishes this medial protocol and I think it works for the state of Connecticut. And as Senator Formica pointed out earlier, this is a, an optional bill. There is no requirement that entities stock epinephrine under this bill. This is simply allowing entities to do so, if they choose to do it. But I, my hope is that a lot of entities will choose to do that and as a result, we will see in all kinds of places, in summer camps and workplaces and other places across the state, entities stepping forward to stock epinephrine and help protect people with potentially life-threatening allergic reactions. I know that there's been some attention in the press over the last few days to my own story. I don't think this is about me, and in fact, I do think that a lot more attention should be given to the proponents in the House, folks like Representative Robin Comey, who've been really trying to push this legislation forward. And I have a great appreciation for their efforts and hope that this legislation receives broad bipartisan support today. Thank you.

THE CHAIR:

Thank you, Senator Lesser. Will you remark further? If not, if the Clerk could please call -- Oh, we need to, we need to, we need to weigh in on the amendment. So with that, if -- Please let me try your minds. Please signify if you would like this amendment adopted, please signify by saying, "Aye."

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended? Senator Abrams.

SENATOR ABRAMS (13TH):

Thank you, Madam President. As my esteemed colleague said, this bill has a lot of support in both the House, the Senate, and Republicans and Democrats alike. And so I would ask that if there's no objection, that it be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, we have a number of items on our Consent Calendar. If the Clerk can read the items on the Consent Calendar, followed by a vote, please.

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THE CHAIR:

Mr. Clerk.

CLERK:

Page 2, Calendar No. 517, Senate Joint Resolution No. 38. Page 2, Calendar 518, Senate Joint Resolution No. 39. Page 2, Calendar 519, Senate Joint Resolution No. 40. Page 33, Calendar 397, Senate Bill 1100. And Page 57, Calendar 99, Senate Bill 706.

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Consent Calendar No. 1. Immediate roll call vote has been ordered in the Senate on Consent Calendar No. 1. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote in the Senate on Consent Calendar No. 1. Immediate roll call vote has been ordered in the Senate on Consent Calendar No. 1.

THE CHAIR:

Have all the senators voted? Have all the senators voted? The machine will be locked. Mr. Clerk, if you could announce the tally on the Consent Calendar, please.

CLERK:

Consent Calendar No. 1.

Total number voting	35
Total number voting Yea	35
Total voting Nay	0
Absent and not voting	1

THE CHAIR:

[Gavel] The Consent Calendar is adopted. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, if the, we can PT the next two items, we'll go back to them right after the next bill, which is Calendar Page 17, Calendar 225, Senate Bill 789.

THE CHAIR:

We will PT those items, and Mr. Clerk, if you could call the next item.

CLERK:

Page 17, Calendar No. 225, Senate Bill No. 789, AN ACT CONCERNING REIMBURSEMENT TO LAW ENFORCEMENT UNITS FOR TRAINING CAUSE. There are amendments.

THE CHAIR:

Senator Bradley, good afternoon.

SENATOR BRADLEY (23RD):

Good afternoon, Madam President. It's a pleasure to see you this afternoon. Madam President, I move

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this item be accepted of the Joint Committee favorable report and passage of the bill.

THE CHAIR:

The question is on passage. Will you remark further? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the Senate stand at ease for a moment?

THE CHAIR:

The Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. We're going to just PT this item for now. And we can go back to the other two items, which are higher education bills.

THE CHAIR:

Thank you, Senator Duff. Mr. Clerk.

CLERK:

Page 10, Calendar No. 157, substitute for Senate Bill No. 745, AN ACT REQUIRING A FEASIBILITY STUDY ON THE ESTABLISHMENT OF AN ENVIRONMENTAL AGRICULTURAL PROGRAM AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

THE CHAIR:

Senator Haskell.

SENATOR HASKELL (26TH):

Good afternoon, Madam President.

THE CHAIR:

Good afternoon.

SENATOR HASKELL (26TH):

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

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR HASKELL (26TH):

Yes, thank you, Madam President. This bill would study whether or not it's practical to establish controlled environment agricultural programs at Connecticut technical colleges. I believe this bill is an important piece in making sure that we have a, that our education facilities are rapidly responding to the needs of a 21st Century workforce. And as many members of this circle know, agriculture is an ever-growing part of Connecticut's economy. So I urge my colleagues to support the bill.

THE CHAIR:

Thank you, Senator Haskell. Will you remark further on the bill? Senator Somers.

SENATOR SOMERS (18TH):

Yes, thank you, Madam President. I rise in support of this bill. I had a wonderful time testifying in front of Senator Haskell on this bill. And this provides an opportunity for us here in Connecticut. As many other states, and actually countries like Canada, have moved to growing marijuana versus vegetables, we have an opportunity here in the state of Connecticut for controlled environment agriculture, which is basically high-tech horticultural greenhouses. If you go into some of them, they look like a nuclear submarine. It's all climate-controlled. And we can give our young people an opportunity to get into another growing field here in the state of Connecticut. And the demand is there. And so I fully support this and I know that many institutions are interested in having this curriculum added to their programming, including UConn. So I hope that this bill can move forward. Thank you.

THE CHAIR:

Thank you, Senator Somers. Will you remark further? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. It's a privilege to be a ranking member in higher education to be able to speak about this bill. And I rise in support of this bill. But it's also important to recognize the

major proponents of this bill, which was UConn and the Ratcliffe Hicks School of Agriculture, which is an associate's degree program at Storrs with a stellar international reputation. And their testimony was incredibly helpful, but also insightful in what we have done already at UConn and the ability to be able to share that within our community colleges along with our advanced manufacturing, as well as other areas of educational focus toward career paths, is really a credit to their advocacy on this. So I rise in strong support, because as we look at job creation, it is not simply a four-year college and going on to graduate program, it is the focus on vocational-technical apprenticeships and also farming and agriculture as an integral part of being able to contribute to our economy. So I want to thank the chairs for their advocacy. But I want to repeat again, I want to thank UConn and the Ratcliffe Hicks School of Agriculture and their proponents in really educating us about the importance of agriculture. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Will you remark further on the bill? Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President. Good afternoon. Through you, I have a question of the proponent.

THE CHAIR:

Yes, please proceed. Senator Haskell, prepare yourself. Senator Cassano.

SENATOR CASSANO (4TH):

Yes, Mr. Chairman, I believe last year we had a bill that might be similar and might not. I believe it was a study of Long Island Sound, an environmental study of Long Island Sound. I'm wondering if in fact that study is approved that this would be done in conjunction with it. If not, would this expand to include Long Island Sound? We had rather dramatic presentation as to the condition of the sound and its future impact on the state of Connecticut. It was obviously before you were here, but I'm not -- I don't know the answer to that, if it's not included or we're not doing anything. Maybe Senator Hwang might have the answer to that, because I believe he was there. Thank you.

THE CHAIR:

Senator Haskell.

SENATOR HASKELL (26TH):

Thank you very much, Madam President. And I thank the good senator, my colleague Senator Cassano, for his question. I certainly share his passion for protecting the Long Island Sound and making full use of its wonderful resources. As somebody who grew up in a town that falls right on the Long Island Sound coast, it's a tremendous asset for Connecticut and I would hope that this study also encompasses the many opportunities that may lie on that coast. I will yield, Madam President, to either Senator Hwang or

Senator Somers who know far more about this bill and the work that may or may not have been done on it before I got into the building.

THE CHAIR:

Senator Hwang, do you accept the yield?

SENATOR HWANG (28TH):

Thank you. I do. And thank you to the good senator from Westport. In regards to the question about the Long Island Sound Blue Plan, it was a bill that was passed through in the legislature over four and a half years ago. And I'm happy to report that through the collaborative work of the task force that was convened from the Long Island Sound Blue Plan, there is a Blue Plan that encompasses a comprehensive analysis of not only the topography of the sound, but also the riverways that feed into it. So it is an integral part of ensuring it's not only the aqua agriculture, but the lines of water and supply to help our farming communities throughout. And there obviously is a concern in regards to the water trust, but ultimately, we do have a Long Island Sound Blue Plan, and in fact, right now, we are currently under a review period until the end of June for people to offer input. And this would be another vehicle for farmers and agriculture to be able to offer their input on the impact on Long Island Sound and their ability to conduct business. Through you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Senator Cassano.

SENATOR CASSANO (4TH):

Yes, and through you, Madam President. Back to Senator Hwang. I appreciate that explanation. It was interesting, you know, people didn't realize -- many of us in this circle didn't realize that when you look at Long Island Sound, stuff is being dumped from Canada that's come all the way down the river, the Connecticut River and so on, and it's been a problem. We used to have a lobster population. We're concerned about shellfish and so on, and so this is a natural tie-in, I think, with this bill potentially simply because of what goes into the sound. So I'm excited about this bill because I think it makes a big difference in the, in the environmental future of Connecticut. Thank you.

THE CHAIR:

Thank you, Senator Cassano. Will you remark further? Will you remark further on the legislation that is before us? Senator Haskell.

SENATOR HASKELL (26TH):

Thank you very much, Madam President. I -- Before wrapping up, Madam President, I just want to thank my colleagues, both on the Higher Education Committee and those around the circle for their hard work on this bill. Senator Somers, thank you for your advocacy as well as Senator Hwang. It's been a pleasure working with you on this, and if there's no objection, Madam President, I move this item be placed on the Consent Calendar.

THE CHAIR:

Thank you. Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 14, Calendar No. 189, substitute for Senate Bill No. 816, AN ACT ALLOWING THE CONNECTICUT HEALTH AND EDUCATIONAL FACILITIES AUTHORITY TO MAKE LOANS FOR THE COST OF RELATED HEALTH CARE INSTITUTIONS. There are amendments.

THE CHAIR:

Senator Haskell.

SENATOR HASKELL (26TH):

Thank you very much, Madam President. Madam President, I move the, I move the acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

The question is on passage. Will you remark further?

SENATOR HASKELL (26TH):

Yes, thank you, Madam President. Currently, CHEFA, which stands for the Connecticut Health and Education Facilities Authority, cannot finance out-of-state projects for Connecticut health care institutions. This bill would health care

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institutions that are eligible for CHEFA funding assistance to receive assistance for projects that are outside of Connecticut.

THE CHAIR:

Thank you, Senator Haskell. Will you remark further? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. I want to thank the chair for his good work in the Senate and also within the House on this. It was a interesting study in this in the sense that it is another quasi-public organization. Through you, Madam President, just for legislative intent, there are some questions to the proponent of this bill in regards to clarity.

THE CHAIR:

Thank you, Senator Hwang. Senator Haskell, prepare yourself.

SENATOR HWANG (28TH):

Thank you. Through you, Madam President. The acronyms that we use in this building all too often gets a little confusing. But, through you, Madam President, what is the difference between CHEFA, C-H-E-F-A versus C-H-F-A, CHFA? Through you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Senator Haskell.

SENATOR HASKELL (26TH):

Thank you very much, Madam President. Through you, I will certainly agree with my colleague that it is alphabet soup in this building. For clarification, CHEFA makes loans to health care and education facilities, whereas CHFA, just reading from their website, it's their mission to increase the supply availability retention, and retention of affordable housing for individuals and families in Connecticut. So, Madam President, while one quasi-public is focused on making sure that they, that housing is available and making loans to eligible housing authorities, the other is narrowly focused on education and health care facilities. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Haskell. Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President. What is the definitive role from a standpoint of quasi-publics within our state? Is the role focused on issues and matters and institutions within our state? Because of the unique quasi-public relationship, the focus that I always thought was that it would serve the greater public interest and goods of the people within Connecticut. Through you, Madam President, would that be the focus?

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Thank you. Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. And I thank the good senator from Fairfield for his questions. The concept of this bill is that it allows CHEFA to finance projects if their headquarters are based in Connecticut, but they're seeking to build a health care facility perhaps just across the border in Medford, New York, or in Rhode Island or in Massachusetts. CHEFA currently can provide tax-exempt bonds for hospitals and universities only in this state. Now by expanding their coverage to health care institutions that are headquartered in this state but might be located outside, it gives CHEFA a clearer picture of the credit and projects of such health care institutions, because CHEFA will be involved in the institution's entire debt portfolio rather than those that are narrowly limited to the geographic of Connecticut.

THE CHAIR:

Thank you, Senator Haskell. Senator Hwang.

SENATOR HWANG (28TH):

Thank you. I want to thank the good senator for that answer. And that's important when we look at the vehicle. And I am full of praise for CHEFA and its board of directors and the incredibly capable managers and finance analysts that provide the product in evaluating projects. But nonetheless, the basis of it is it continues to be a quasi-public

and that the bonds that they issue would be called, would be backed by special capital reserve fund project in support of the new projects that we're talking about. To what extent are these special capital reserve fund, SCRFs, backed by? Through you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Senator Haskell.

SENATOR HASKELL (26TH):

Thank you, Madam President. And I thank the good senator for his question. I'm actually thrilled to be able to answer this question. It is important for every member voting today to know that the state's credit is not being used on the bonds. It is entirely the credit of the borrower, for example, Yale University or Hartford Hospital or any other health care institution that might be seeking this sort of assistance from CHEFA. I'll also note that there are annual financial statements disclosed to the state in which CHEFA regularly reports the, the quality of its health -- I'm sorry, the financial quality of the projects it's currently undergoing. And I will note that according to their most recent report, they do have a AAA bond rating. So CHEFA has been incredibly effective, not only at what they do, but also in spurring economic development within the state, making sure health care is affordable and accessible, making sure that education is affordable and accessible to all. I asked CHEFA for a brief summary of their ten-year economic impact, and in 2013 they found, Madam President, that they had created 6,405 jobs, that they had generated \$387

million dollars in labor income, and that they had -- It's really been -- that they were responsible for \$554 million dollars in gross domestic product annually on average between 2003 and 2013.

THE CHAIR:

Thank you, Senator Haskell. Senator Hwang.

SENATOR HWANG (28TH):

Thank you. Through you, Madam President. I do agree that the talent and the expertise within CHEFA is to be lauded and the track record with the AAA rating should be the envy, even within our own state. That being said, I would direct and ask the good proponent of the bill on a, on this bill's OFA fiscal note, the background stipulates that the SCRF-backed bonds are a contingent liability on the state. It is not free and clear. And that is important to distinguish. And then on the fourth sentence down the page of the OFA analysis, it says that the draw on the general fund would be deemed appropriate and is not subject to the constitutional or statutory appropriation gaps of the legislative body. So, through you, Madam President, I think it is clear from this OFA fiscal notice and the background in regards to the SCRF fund, it is not free and clear of the liability of the state. That ultimately, should there be a shortfall, it is ultimately a liability, that bond of the state of Connecticut drawing off of the general fund. Through you, Madam President, is that correct?

THE CHAIR:

Senator Hwang to Senator Haskell, if you would respond.

SENATOR HWANG (28TH):

Thank you, Madam President. I thank the good senator for his question. This, the SCRF fund, as it's, it seems to be known around the building, is available. It's used for CHESLA and CSCU only. If for some reason the bonds fail, Madam President, the state may step in to utilize the bond fund. However, I'll note, and this is the most important part, it has never been utilized and there's no expectation that it will be utilized due to the exceptional and stellar record of CHEFA and CHESLA over the past many decades.

THE CHAIR:

Thank you, Senator Haskell. Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President. Just, again, and I hope we never have to use that bond for the lauded talents that we talked about earlier, but nonetheless, statutorily, should the bond be called into question and the fund is drawn down, is it not a liability of this state as a back bond and the funds will be drawn from our general funds without any constitutional legislative cap oversight? Through you, Madam President.

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Senator Hwang to Senator Haskell, would you respond?

SENATOR HASKELL (26TH):

Yes. Thank you, Madam President. While I understand the good senator's concern, given that CHEFA's investments are subject to a credit risk and have an average rated by Standard & Poor's of a AAA in their most recent financial disclosure, I am not concerned that the SCRF fund will be utilized should the bonds fail for any reason.

THE CHAIR:

Thank you, Senator Haskell. Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President. I would take that as a yes answer in understanding that the risk is minimal, but ultimately, as within any investment vehicle, there is risk. And, and it is clear for us in this body in this circle to understand that as we pass through this statute and expand the scope and capacity of a stellar performing investment background and performance record, the bottom line is we have expanded the risk. Risk, that's the key word. And ultimately, should catastrophic things occur, this is going to ultimately, as we said earlier quite a bit, quasi-publics have a unique status in a relationship and liability within our state, but sometimes operating outside of it. This is another example, should we hope never occur with CHEFA, but nonetheless, they are a guaranteed bond issuer with the liability on the state of Connecticut. So I think that's an important

distinction as we evaluate quasi-publics. No matter how well they do, they are a collaborative partner where the state has a stake in their performance and in some cases, for me, Madam President, some oversight of them as well. So I will reserve further questions down the road and allow others to ask about this bill. Through you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Will you remark further on the legislation that is before us? Will you remark further? Will you remark further? If not -- Senator Haskell.

SENATOR HASKELL (26TH):

Madam President, if there are no further questions from my colleagues, I would ask for a roll call item on this bill, a roll call vote on this bill.

THE CHAIR:

Thank you. Mr. Clerk.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Bill 816. Immediate roll call vote has been ordered in the Senate on Senate Bill 816. Immediate roll call vote in the Senate, Senate Bill 816. Immediate roll call vote has been ordered in the Senate on Senate Bill 816. Immediate roll call vote in the Senate on Senate Bill 816.

dlg

Senate

May 21, 2019

THE CHAIR:

Have all the senators voted? Have all the senators voted? The machine will be locked, and Mr. Clerk, if you would please announce the tally.

CLERK:

Senate Bill 816.

Total number voting	33
Total voting Yea	32
Total voting Nay	1
Absent and not voting	3

THE CHAIR:

[Gavel] Legislation is adopted. Mr. Clerk.

CLERK:

Page 18, Calendar No. 234, substitute for Senate Bill No. 1040, AN ACT CONCERNING THE STATE EMPLOYEE CAMPAIGN. There is an amendment.

THE CHAIR:

Senator Flexer, good afternoon.

SENATOR FLEXER (29TH):

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

THE CHAIR:

The question is on passage. Will you remark?

SENATOR FORMICA (20TH):

Yes. Thank you, Madam President. Madam President, the bill before us today makes some important changes to the Connecticut State Employees Campaign for Charitable Giving. It transfers authority over the campaign to the Connecticut State Employee Campaign Committee. It removes federations from our charitable campaign, which is an outdated model. It allows participating nonprofits and organizations to demonstrate that they, or it requires that they demonstrate that they are serving people here in the state of Connecticut. It makes sure that any administrative expenses associated with the running of that organization are no more than 15 percent if they're going to participate in this campaign, and it also changes some appointments to the committee that will be governing the campaign. Overall, this piece of legislation is important. These changes modernize this program, and I believe that they are important to ensure the future success of the State Employee Campaign for Charitable Giving. And if these changes are not made, I have concerns about the way this program will continue to function. This, this legislation enjoyed broad support in our committee and I'm hopeful it will do so today in the state senate. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further?
Good afternoon, Senator Sampson.

dlg

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SENATOR SAMPSON (16TH):

Good afternoon, Madam President. I will just stand up in support of this bill briefly and say that the chairman of the GAE committee did a fine job explaining what is happening in the legislation before us. This is a good proposal. I think it is going to take the State Employee Campaign and put its control where it belongs. And I encourage my colleagues to support it also. Thank you, Madam President.

THE CHAIR:

Thank you so much, Senator Sampson. Will you remark further on the legislation that is before us? Will you remark further? Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President. I just rise in support of this proposal, the bill before us. I chaired I think it was four years ago GAE. This was a bill that came before us. This is a bill that was a mess then. Because of the new technology and the changes in voting procedures and all that, we just never got to the bill. So I applaud the committee for making the effort to get this out and to make these changes and to do it right. A job well done. Thank you.

THE CHAIR:

Thank you, Senator Cassano. Will you remark further on the legislation that is before us? Will you remark further? Will you remark further? If not,

Mr. Clerk, if you would kindly -- Ah, Senator Flexer.

SENATOR FLEXER (29TH):

Madam President, if there's no objection, I move that we place this bill on our Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, if we could call the next bill as Calendar Page 24, Calendar 306, Senate Bill 1060. And after that if we can PT Calendar Page 22, Calendar 277, Senate Bill 586.

THE CHAIR:

So ordered. Mr. Clerk.

CLERK:

Page 24, Calendar No. 306, Senate Bill No. 1060, AN ACT CONCERNING THE REGULATION OF STORMWATER. There are amendments.

THE CHAIR:

Thank you, Mr. Clerk. And Senator Cohen. Good afternoon.

SENATOR COHEN (12TH):

dlg

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

THE CHAIR:

And the question is on passage. Will you remark further?

SENATOR COHEN (12TH):

Yes. Thank you, Madam President. This, this bill requires DEEP by February 1st of 2020 to submit recommendations to reduce the fiscal burdens with respect to MS4 regulations. Those are the municipal separate sewer systems regulations which reduce pollution related to stormwater runoff. Municipalities are right now feeling burdened by some of these requirements, both from a fiscal standpoint and a regulatory standpoint. The intention of the bill is to have DEEP go back to the drawing board, as they say, and come up with a plan to move forward and hopefully relieve some of the burden while keeping in mind all of the environmental considerations that make MS4 really a great program in some ways, but again, really creates some fiscal burdens for our towns and municipalities throughout the state. Thank you.

THE CHAIR:

Thank you, Senator Cohen. Will you remark further on the legislation? Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, I too rise in support of the legislation. We heard testimony. I just heard some more testimony. [laughing] But we heard testimony from many chief elected officials about their concern over regulation of stormwater. Not that they don't want to do the right thing. I think we heard from everyone that they do want to try and make improvements when they, especially when they will benefit the environment. But what we have heard over time from chief elected officials, public works directors, is that the DEEP, either through regulation or through policy, more often than not, creates a force of law. And it just seems to them to be rather heavy-handed, especially around the area of MS4. So I think this is an opportunity for us to say, come back to us next year with some ideas. Let's be more clear about what it is that you're gonna propose. Let's not have chief elected officials wondering about when the hammer is gonna come down. And for that reason, Madam President, I support the adoption of the language. Thank you.

THE CHAIR:

Thank you, Senator Miner. Will you remark further?
Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Thank you, Madam President. I rise in favor of this bill also. As a chief elected official, I can tell you that, that the burden on small municipalities and all municipalities is so great that most municipalities don't actually comply with the law,

because they can't afford to. It requires onerous provisions to keep mapping and cleaning things out that may or may not be causing problems in the groundwater. In Essex, for example, all stormwater goes one place. It ends up in the Connecticut River, and we're mapping it knowing that it goes to the Connecticut River. We spend endless hours trying to do this as best as we can. I believe we are compliant, but I know most municipalities have actually never been able to comply with this. And after the initial legislation was enacted, I think in 2004, this came, the DEEP came back through this legislature and asked for enhancements to that law. This legislature did not vote those enhancements and DEEP enacted those enhancements anyway. So we need to review this. We need to make this common sense. We all want our water clean. But this really goes too far as an undue burden on our towns. Thank you.

THE CHAIR:

Thank you, Senator Needleman. Will you remark further on the bill that is before us? Will you remark further? Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President. Madam President, if there's no objection, I ask that the bill be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, if the Senate could stand at ease for a moment.

THE CHAIR:

The Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, if we can PT the next item on our list, Calendar Page 23, Calendar 303, Senate Bill 1069, and go back to Calendar Page 22, Calendar 277, Senate Bill 586. Can we just stand at ease just for a moment?

THE CHAIR:

Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. The Clerk can call the item I just previously marked go.

THE CHAIR:

Please proceed, Mr. Clerk.

CLERK:

Page 22, Calendar No. 277, substitute for Senate Bill No. 586, AN ACT CONCERNING THE CONTROL OF NUISANCE WILDLIFE.

THE CHAIR:

dlg

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Senate

May 21, 2019

Senator Cohen.

SENATOR COHEN (12TH):

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

THE CHAIR:

The question is on passage. Will you remark?

SENATOR COHEN (12TH):

Yes. Madam President, I'd like to at this time yield the floor to my colleague and ranking member, Senator Miner.

THE CHAIR:

Senator Miner, do you accept the yield?

SENATOR MINER (30TH):

Thank you, Madam President. Yes.

THE CHAIR:

Please proceed.

SENATOR MINER (30TH):

Madam President, over the last I think it's four years perhaps, the Environment Committee has considered a number of bills intended to try and

manage problems associated with bear populations. And to be sure, as we've listened to the testimony, the effect of bears on the population in the state of Connecticut is not the same in all jurisdictions. Bears seem to have entered from Massachusetts and New York into the northwest corner and they've taken up residence probably over the last ten or so years, but have built in quantity to a point where many of my constituents, in fact I think some of Senator Slap's constituents, probably have felt the impact more than some others. I will tell you that the testimony has been compelling, both in terms of people's urging that we learn to live with this bear population and compelling with those that say, we don't mind living with them. We just don't think we can live with this many, certainly not in this limited location. Madam President, we heard testimony from officials in the towns of Simsbury, where the animal control officer I think told us that he himself had gone on 98 bear-related calls and had tried various methods of trying to repel the animal from the residences that they seem to be most comfortable sunning themselves in front of, and didn't mind that. But frankly said in his estimation, that was not sufficient in all cases. We heard testimony from people in Sherman, Connecticut, that had a chicken coop torn apart, chickens killed. We've heard testimony from people that have lost sheep, lambs, calves. I have a constituent in Kent that lost a donkey a couple of years ago, a full-grown donkey. It was a long-time resident of that, of their farm, and they were heartbroken. People that have apiaries all over the state of Connecticut have also been impacted by the bear population. What we hadn't heard in previous years was that live agriculture, that is animals,

was not the only thing that had been impacted. We heard testimony, received testimony from people that farm corn and that sweet corn in the quantity of somewhere around 15 acres over a period of, short period of time would be decimated by bears. We also heard testimony that people that grow grapes for purposes of making wine lost tens of thousands of dollars' worth of inventory in grapes, specific to a certain kind of wine. And so, Madam President, it wasn't even a situation where you could start over. The crop was lost. DEEP has provided testimony over the last three or four years and various stages of support for some kind of an organized, methodical, legal hunt that would be done generally through the recreational hunting opportunity. And when we listened to the testimony this year, the statistics that they presented to us seemed to be consistent with what I was hearing from constituents. In fact, some of my colleagues around the circle here have been hearing from theirs. It's not just bird feeders, Madam President. It's not just trash. Although the statistics are compiled on an annual basis by the agency, and in fact, things like bear versus garbage can complaints have gone from somewhere around 82 to 632. In fact, I have constituents that will tell me that the bear knows when the garbageman's supposed to be there. So if he forgets, he knows the bear's waiting for the garbageman even if he doesn't put the garbage out. But Madam, Madam President, individuals have lost pets, they've lost livestock. As recently as yesterday, I think we all heard the story about the dog in Burlington. Prior to that, there were five goats that were killed in the very same neighborhood, I believe. Home entry was a number that I found rather striking. The agency has

confirmed that last year 21 incidents occurred where bears were actually found in people's homes. They've caused structural damage, over 100 incidents. Broken into cars, 13 last year. And so the list goes on, Madam President. One of the things that I've learned about bears is that they are pretty resilient. And so from the time of their birth in the first year, about 70 percent survival rate. Every subsequent year after that, it's in the 90s. So if you imagine that, the older the bear gets, the more likely it is that it's gonna live to maturity. Sixty-three road kills were reported last year. So for those that don't think bears will succumb to any form of harm during the course of their life, 63 incidents where a human made contact with a bear in an automobile, and I would suggest that death is probably more violent than any that I can think of, other than perhaps poisoning. Some people may claim that we've moved into their neighborhood. I've been alive in Connecticut I think probably somewhere around 55 years, and up until recently, I never saw a bear. And when I was a child, I never saw a deer. And so I think it speaks well to the conduct of the state of Connecticut that we have a very robust deer population. Some say that's helped the bear population. They're a natural predator for young fawns. And so the home range that may have existed here a hundred years plus ago really has not existed here. And so they have reacclimated themselves to Connecticut, and in fact, they've been found in 153 towns out of 169. So it's not really just a Litchfield County problem. It's not as acute in other parts of the state of Connecticut it is, as it is in western Hartford County and Litchfield County. The committee struggled frankly, Madam President,

with trying to find a balance. And I think many of the individuals on the committee that had heard the testimony in years past were concerned that an opportunity to hunt bear without a limit and for no reason was not something they were willing to support. And as the committee did in this case and had done in some other cases, we tried to find a balance and found the balance around agriculture. Recently this year, we've taken a number of votes in an effort to try and benefit agriculture in the state of Connecticut. We recognize that it's an important part of the fabric of this state. We recognize that people earn a living through agriculture. And many times, we voted to enhance education, provide opportunity for reduced taxes, given certain protections against neighbors who may not like a certain farming activity. And so I think the list goes on and on, Madam President. And so when we sought this balance, I thought the agricultural connection was the most logical. What this bill does is requires a farmer to make a claim to the agency. So if a farmer loses a calf or a farmer loses crops, if an apiary is damaged by a bear, the individual that owns that inventory, that commodity, that animal, has to make a claim to the DEEP. The DEEP, under this bill, would send out either a conservation officer or perhaps a biologist in an effort to make a determination that in fact it was bear damage. Usually, they can tell whether or not the injury or death to the animal was caused by something other than a bear because there are certain telltale signs, if you will. Once that's been done, the agency would make a determination as to whether the permit would be issued. And if the permit is issued, the time under which the permit could be used would be restricted to after August

1st. Some of you may remember from the news yesterday that a bear was killed, shot, and left behind three cubs. And so the agency told us that anytime after August, a cub can reasonably expected, be expected to survive, re-den in the winter, and then come back out in the springtime as an older adolescent and begin to move towards adulthood. So they wanted to try and resist any possibility that there would be an intentional act taken in conjunction with this agricultural opportunity. And so the post-August seemed to be the date at which they felt most comfortable. They've also indicated to the committee that just submitting a report isn't sufficient. What the agency wants to see is that there's no other attractants. The agency wants to see that there's reasonable precaution being extended so that in the case of beehives, there's an electric fence. In the case of grazing cattle, there'd be an electric fence. The only thing that they concede that reasonable alternative may not be possible is in the case of something like sweet corn. It's my understanding that these will be issued on a one-on-one basis. It's my understanding that the language in the bill would permit a farmer to take the life of a bear on property that they own or property that they lease in conjunction with that permit. So once you've demonstrated damage, then you'd have the ability to get the permit. It's also my understanding that the plain reading of the bill includes an opportunity for those that just don't believe they have the ability to harm a bear to assign that to someone else that may work for them or a next-door neighbor. And to be honest, I have farming friends and farming constituents that could not do this. But at the same time, they are tired of having to sit back and take on the expense in

total without having some recourse. I think I've done the best I can to describe what the bill does. I'm happy to take any questions if that's what someone would like to have happen so they don't get them. I see a head nod. And I would appreciate support of this legislation. I think the time has come. I think the opponents to the bill have not changed. They have stated as their concern on many occasions that they don't think anyone should take the life of a bear. In fact, many of them would say that you shouldn't take the life of anything. And so, when we got testimony, it was kind of consistent right straight through. So I thank the gentlelady for giving me the opportunity to state what I think the bill does, and I am happy to answer any questions. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Will you remark further on the legislation that's before us? Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. A few years ago, I was opposed to any euthanization of wildlife. But the bear population in our neck of the woods in the northwest corner and the central region of the state has become so great, and I'm in fear that it's going to take a human being to be mauled or harmed or killed in order for us to pass legislation. So I want to thank Senator Cohen and Senator Miner for working on a agreeable language to bring something out that starts to address some of the things that our farmers are working on, that have issues with

right now. And I will tell you that there are other bills out there. I hope they come forward, because my communities are screaming, asking for action, because there is, they're at their wits' end. The bears have become so accustomed to the only predator, which is man, who aren't doing anything. In one of my communities, they are spending tens of thousands of dollars in police overtime, because the bears will go -- There's a group of three cubs that will go to the school, sit on the school property while the kids are in session. Basically, the school has to go into lockdown. The police will arrive. They'll put their sirens on. The bears are used to it. They don't move. They might move 10 or 15 feet. They'll go and they'll get beanbag rounds. They'll shoot the bears with beanbag rounds. They'll move another 20 feet and they sit down on the lawn and they just play with each other. You know, it's a cute picture. But imagine if somebody was to get hurt. And law enforcement is there to protect life and property. When they're called and they say, put their hands up. I'm sorry, there's nothing we can do. State law won't prevent it or do something about it. So then you contact DEEP, Department of Environment and Energy Protection, and they say the way the statutes are worded, there's nothing we can do about it. We are asking you folks to give us permission. We have scientific evidence that our bear population is doubling every four years. These bears are traveling a hundred miles a day. They're in New York, they're back up in Danbury, they're back up in Kent, they're over in the farm and the valley. While -- And I say to myself when I -- I met with the DEEP officials, that they said, you know what, you're never gonna get anything passed in this chamber because there's some

folks that have never seen a bear and that's what they want to do. I wish I could see a bear. What I say is, come spend your tourist dollars up in the northwest corner and you're gonna see plenty of them. I think the bears are underreported. I will tell you, I see at least two a week, at least two a week. I don't call it in anymore because they're just moseying through or at a bird feeder just walking around. But I have talked to some of my colleagues who have had the duty to respond to break-ins of homes. In one case, one woman was awoken from her bedroom and there was a bear in her bedroom. How scary is that? She didn't leave food out on her nightstand. Oftentimes, you can just look on social media. You can see folks posting bears that have gotten through the screened-in doors. So if you can't even be the ward of your castle, your home, protected inside your own home, what can you do? You know, law enforcement doesn't want to put anything down. And I understand where the opponents would say, well, we don't want a mass eradication of bears in our state. And that's not what this piece of legislation does. It's, I think it's carefully constructed. It's easily identified and trackable, and now is the time we start putting some piece of legislation in place. And I strongly support the bill before us. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Witkos. Will you remark further?
Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President. I have question either to the chair or to Senator Miner, advice chair. Senator Witkos just referred to the state statutes, and we've heard state laws and so on, but nobody said what they are. At least I don't know what they are. I'm told that people, if you're trying to protect your animal, the best way to do that now is go get a permit. And if we get a permit, then you can shoot the bear who's attacking your goat or your dog. If I don't have a permit and a bear is attacking my goat or my dog, I think the natural reaction of most people is to protect their dog.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I thank the gentleman for his question. So under current law, it's my understanding that a farmer that is witnessing their animal being harmed has the right to take the life of the bear. They don't have the right to keep it. So the agency has taken the position that they need to leave it where it is. And I have a corn, sweet corn farmer that said, what am I supposed to do? Leave it in the middle of 15 acres of corn? As I tried to explain earlier, so, many of my agricultural friends don't own the property that their agricultural purpose is on. And so under this language, which is different than current law, if I had an apiary or someone that raised bees had an apiary in, on your property and the damage occurred on your 20 acres, then the animal, the permit would be filled out and then the animal could be taken on

that leased or licensed land and it could even be taken by you if you chose to want to take such action. So under the current law, it's confined to the farm that you own. Under current law, it's confined to the farmer. And under current laws, we understand that you're not permitted to keep the animal. The agency can come and take it, but no one else can take it. I don't know if that answers your question. Through you, Madam President.

THE CHAIR:

Thank you. Thank you, Senator Miner. Senator Cassano.

SENATOR CASSANO (4TH):

Yes, through you, Madam President. It is a beginning, and I appreciate that. We, you've talked about the farmer. I'm a homeowner. I have a dog. If there's a bear coming across -- I don't have a gun, so I'm not gonna be able to shoot him, but if I had a gun and this dog, this bear is attacking my dog or coming after my dog or my cow or whatever it might be -- I guess I'd be a farmer if I had a cow. My pet. I don't think I can call the DEEP to get a permit in that moment. But I'm gonna protect the dog and I shoot the bear. Am I gonna be arrested? For protecting my property? My dog?

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. It's my understanding it's a case-by-case basis. Each time there's an incident, I'm told that there's a full evaluation done of the individual's property. And so if there are circumstances where the bear wasn't enticed to come to your house in some way -- I have neighbors that feed bears. I think we'll probably get a chance to talk about another bill after this that is going to suggest that we should not do that in a little stronger terms. So, provided the circumstances of our plain fact, it's my understanding that you may not face arrest and you may not be penalized. But each is on a case-by-case basis. And I have many constituents that have said to me they're not gonna wait for law enforcement. They are willing to take action and would take action. And we run into this quite often. We haven't -- We have not addressed that in this bill, however. It does not include pets.

SENATOR CASSANO (4TH):

All right. I think -- Through you, Madam President?

THE CHAIR:

Thank you. Yes, Senator, thank you, Senator Miner. Senator Cassano.

SENATOR CASSANO (4TH):

And that is helpful. I had a situation where we had a rabid caccoon, rancoon, raccoon, and we called the police department and it indeed was a rabid racoon, which she dragged down to the garden and shot. Because she's allowed to do that. Obviously, I

wouldn't want to go after a rabid raccoon, but it's clear that you can call law enforcement. I don't know if they could come in and shoot a bear on your property if he's attacking or doing something, but what I'm hearing is that there doesn't seem to be any real consistency, and at least, there doesn't seem to be any direct communication from DEEP to the public as to what they can do, what they cannot do, what they should and should not do. And that bothers me more than anything. I think that's the first answer we need. Shooting the bears? I grew up in Nantucket. Everybody knows Nantucket for a beautiful place to visit, and I know it for many things. I know it for a different reason as well. It is the home of the deer tick. And the first Lyme disease was found in Nantucket. It is the home of Lyme disease, unfortunately. And it is such a serious problem that during deer hunting season, Nantucket has been given special exception by the state. They hunt both male and female deers and there's a two-week hunt period. And so people come from around New England to Nantucket to hunt Lyme-diseased deer, potentially. But this is their way to curb the Lyme disease issue by dealing with the problem of ticks. Settle the situation. But the state got together with the medical community. They made a decision as to the way to deal with that. Was it a good answer or a bad answer? Well, they didn't have to change anything except to extend the period, because they already were hunting deer, as they are in Connecticut. But I don't see that here from the state. I would assume that we have the right to protect our home, our children, our pets, and if a bear or a dog or anything attacks any of those, I, as a homeowner, I would have the right to protect and shoot that animal if necessary or do

whatever I can to protect them. And I haven't heard that that is the real legislation. And so I'm really bothered. I'm totally confused on this. I want to do the right thing, but I don't think anything has been laid out clearly as to what we can and cannot do, and perhaps what we should and should not do. Because having that would make it a lot easier for me to make a decision on this bill. So, I understand where you're coming from and I sympathize where you're coming from. I don't want to just go up and shoot bear to shoot bear. That's, that's not me. That's -- I don't believe in that. But I clearly believe we have the right to protect ourselves and our animals. And when I've seen some of these stories of the guy with the little donkeys and these other kinds of things, it isn't right that we seem to be able to do nothing. And so I appreciate you bringing this forward. It's one of those things I just, I, I'm having difficulty with it. And I'm glad you've brought it forward, because I think a lot of us in Connecticut are having difficulty with it. We need to do something, and hopefully the right thing. And I think DEEP should be right at the lead in this issue. It's a two-year session. I would hope something that comes out of this second half is very, very specific, very early, very communicative to the general public, because I don't see that now. Thank you.

THE CHAIR:

Thank you, Senator Cassano. Will you remark further? Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Madam President. Good afternoon. I would align my comments going forward with those of Senator Witkos and in part with Senator Cassano, because I think we brought out some very interesting issues for continued debate here. You know, I represent another part of Litchfield County, a little further south than Senator Witkos. But we certainly deal with in the county the, what is arguably reported to us as the highest bear population. And I get calls from constituents almost on a daily basis about bears that are in their yard, property damage, damage to gardens, damage to livestock, damage to pets, loss of pet, loss of the use of their property. And we most recently had a school go down, go on lockdown during what was supposed to be an outside activity for the kids in the school because there was a bear in the parking lot. So the kids are forced to stay inside because we have no really good measure, it seems, despite what we, I guess what we believe is the measures under the law through DEEP and through various animal control agents in our respective towns to take care of our bear problem. But I think we've seen enough evidence over the last couple of years that those solutions don't really work. You know, when you have a bear that comes back with a tag that's been applied by DEEP and keeps coming back and get relocated and everything, it's not working. Okay, the bear is smart. The bear knows -- Senator Miner has taken enough time to explain to me how bears actually live amongst us. And I would argue that that living amongst us is not, not working. You know, the proponents of protecting bears say that we've invaded their space and they're defenseless. And I would ask anyone who's listening to this debate today to take a look

at a picture of a black bear in Connecticut. And I think it would be very hard to argue that that is a defenseless animal. I spoke two years ago on the floor of this chamber from right here to the same thing that Senator Witkos said. And that was that I do not want Connecticut to be the first place where we see a YouTube video posted of someone being mauled by a bear and dragged into the woods. And then we come back on some emergency basis because all of a sudden, we now have a person who's been killed in Connecticut by a bear. And we say, oh, my God! We have to fix that. And in fact, a couple of years ago, a college student in New Jersey was out for a hike. And New Jersey's, some of its geography is similar to ours. That college student was stalked and killed by a black bear. A black bear very similar to what we see in Connecticut. And I would go back to what was the original intent of SB 586, and that was to offer a pilot for a bear hunting season in Litchfield County with a very limited number of kills, but in an attempt to see if bear hunting, very much like we do with a deer hunting season, a coyote hunting season, a turkey hunting season, a fox hunting season, a rabbit hunting season, would do anything to control the bear population. And what I hear in response to that is that we were trying to pass a bill that was going to be game hunting or trophy hunting for bears. And I'll finish with what Senator Cassano spoke to a moment ago. I think that we have an inalienable right to protect our property. And we have a responsibility and a right to protect our loved ones. And right now, I'm unclear as to what the law actually allows me to do as a homeowner. But I think that it would be very unfortunate that if I were to take action against a bear who is

attacking my 12-year-old or my 15-year-old or my 84-year-old father in my yard, that I would go to jail or be arrested for defending and protecting people that I care about and that I love. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Berthel. Will you remark further? Senator Martin. Good evening.

SENATOR MARTIN (31ST):

Good evening, Madam President. Madam President, I rise just to perhaps just to share a couple stories. I live in Bristol, 61,000 people in the city. And where I raise my children, four children, we -- It's a beautiful neighborhood, very populated with nice homes. We lived a quarter of a mile from the elementary school, and we had bear, bears multiple times in our neighborhood photographed by neighbors, seen from my family members in our backyard, as well my neighbors' as well where they, the bear mauled a bird feeder. Moved out of that home and moved to another location, and just last year my wife and I are away on vacation, and once again, a bear on our back patio actually. Mom's 84 years old, lives with us in a little apartment, and the bear's photographed on the back patio next to the sliding door while we are away. So I, as I'm listening to the conversation taking place here today, and I'm wondering too, how would I, what would I have done had I seen that black bear. Kind of hard to say. And most recently, received a letter -- Well, while we were beginning this session, received the, an email from a friend who lived on the other side of

town and saying that they, he had a black bear in his back yard and wanted to know what we were going to be doing about it here at the capitol. And lastly, last week, my son lives maybe two miles away from us, very dense housing area, 10,000-square-foot lot. So you can, you know -- The lots or the homes are close to one another. He's about ready to send his dog out, opens the back slider door. It was dusk, and the dog takes one step out and starts to bark and bark and bark. And my son looks up, and there's a black bear. And he photographed it and sent it to me. It's just time. I mean, with the number of sightings that we are experiencing, I think this bill, it's a small step. It needs to go further than what we've got here in front of us. So that's just my little stories I wanted to share with the chamber here, that we needed, we need to do more than what we are currently doing here under this bill. Thank you.

THE CHAIR:

Thank you, Senator Martin. Will you remark further?
Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. For the second time, I wanted to try and make clear that the DEEP has for a long time had a position that the population is expanding at a rate that needs to be managed. But they've also been clear that humans can do a lot in helping them try to manage the population by not leaving bird feeders out in the summer, by being more conscientious about garbage left around. So there's been no, there's been no mixed message that

I'm aware of in terms of the agency. The agency's testimony is crystal clear. There is no other predator. There is no other opportunity. And unless we figure out some way to manage the population, the numbers are gonna continue to increase. Males move about 40 miles away after birth. Females move about 5. So if you can imagine, this population is gonna keep filling in a checkerboard all over the state of Connecticut. What's happening in Litchfield County and western Hartford County is gonna happen in other places in the state. It's not a matter of whether it'll happen. It's a matter of how long it will take for that checkerboard to fill in. My constituents love living amongst bears and everything else. There isn't one of them that has used the word "hate." There isn't one of them that has used "eradicate." There is not one of them that has used "eliminate." Not one of them. Even people that have lost livestock understand that there's a, there's a good thing in balance. And to have them amongst us is a good thing. But I have to tell you at the same time, the Farm Bureau is clear. They support this action. So all the action that we take, and we tout the Farm Bureau, this is another one we could take, and the Farm Bureau would support it. My constituents go outside their house at night after dark and don't know that there's a bear there. There's no alarm. No one knows. You can't smell them. And having had one come within five feet of them, I can tell you, you can't hear them. And so the risk is real. The risk is real. And so I'm asking this chamber, I'm asking you to provide my constituents and other people in the state of Connecticut that have an agricultural purpose an opportunity to maintain balance, an opportunity to

re-instill a respect amongst bears, which they no longer have for human beings. And that's what this bill is about, trying to reprogram the way surviving bears will learn. And that's really, if you look statewide, nationwide, that's what this bill is all about. So once again, Madam President, I thank the chamber for listening and I would appreciate the support for the bill. Thank you.

THE CHAIR:

Thank you. Will you remark further on the legislation that is before us? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, for me, this is a difficult bill, because I am a professed animal lover, but I don't think that's the right issue that's before us. I think the right issue before us is a safety issue. I find it difficult because to me it's a very difficult balance. I have always grown up with animals and love to see the animals in my backyard, although I have yet to see a bear in North Haven, at least in my neck of the woods. We certainly have a lot of different animals that run about. But this is something I think that Senator Miner brings to our attention because of the world that he lives in. And it is that bears can be dangerous, and it is that we are not allowing people just to shoot them on sight. There is a procedure, and it runs through DEEP. And we do a lot of things through that to make sure that the permits are given out in a very a narrow fashion, if you would, in essence to make sure that we don't overuse this permit against the

bears. But on the other hand, as Senator Miner said, we have a generation of bears that don't understand interaction with humans can be dangerous to both. And it's a reprogramming it, which is a very interesting analysis by Senator Miner. Madam President, we do have a problem with bears in Connecticut. And if someone gets attacked by a bear and if someone is killed by a bear, I assure you that there'd be many legislators tripping over each other to grab the microphone at a press conference saying, that's horrible. We have to get proactive. I assure you that's gonna happen. This chamber, this legislature predominantly is a reactive mechanism. And here we have for the second time I believe, if not the third time, this issue in front of us. And it's always rung true to me when Senator Miner said, I think it was last session, that someone is going to get killed. And I think there was a news story about a man who came home, walked in and found a bear in his kitchen, tearing the kitchen apart. I don't remember what town that was. All but fortunate that he was not attacked. It's going to happen. All we're asking is let DEEP, who is the authority in these things, who will review each and every application, limit the number. It specifies the purpose, and at her discretion, the DEEP commissioner can make a case-by-case determination if it is warranted, and issue the permit or not. Once again, this is not a Republican-Democrat, this is not a policy issue that is subject to political ramifications. This is about protection and this is about changing that aspect of wildlife. And it's difficult for me to vote yes, I will tell you, because of how I feel about nature and animals. But when I weigh the balance, I have to side on the side of caution. So,

Madam President, with that, I'll be voting yes on this bill. Thank you, Madam President.

THE CHAIR:

Thank you so much, Senator Fasano. Will you remark further? Will you remark further? If not, Mr. Clerk, if you would kindly call the roll and the machine will be open.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill 586. Immediate roll call vote has been ordered in the Senate on Senate Bill 586. Immediate roll call vote in the Senate, Senate Bill 586. Immediate roll call vote. Immediate roll call vote has been ordered in the Senate, Senate Bill 586. Immediate roll call vote has been ordered in the Senate on Senate Bill 586. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill 586. Immediate roll call vote has been ordered in the Senate, Senate Bill 586. Immediate roll call vote in the Senate.

THE CHAIR:

So I see that so many senators are excited to vote on this bill. Because I see that we have many senators present who have not voted, I think we should -- We'll have one more call, Mr. Clerk, and --

CLERK:

dlg

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Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Bill 586. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the senators voted? Have all the senators voted? Thank you for bearing with us. The machine will be locked. And, Mr. Clerk, if you would announce the tally.

CLERK:

Senate Bill 586.

Total number voting	33
Total number voting Yea	11
Total voting Nay	22
Absent and not voting	3

THE CHAIR:

[Gavel] The legislation fails. Mr. Clerk. Ah, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, would the Clerk now please call Calendar Page 29, Calendar 358, Senate Bill 388?

THE CHAIR:

Mr. Clerk.

CLERK:

Page 29, Calendar No. 358, substitute for Senate Bill No. 388, AN ACT CONCERNING INTERSEX PERSONS. There are amendments.

THE CHAIR:

Good evening, Senator Abrams.

SENATOR ABRAMS (13TH):

Thank you, Madam President. I would like to yield to the vice chair of Public Health, my colleague Senator Lesser.

THE CHAIR:

Senator Lesser, do you accept the yield?

SENATOR LESSER (9TH):

Yes, I do.

THE CHAIR:

Please proceed.

SENATOR LESSER (9TH):

Yes, Madam President, I want to move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

dlg

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And the question is on passage. Will you remark?

SENATOR LESSER (9TH):

Yes, Madam President. Madam President, the Clerk is in possession of an amendment, LCO 9112. I ask that the Clerk please call the amendment and I be granted leave of the chamber to summarize.

THE CHAIR:

Thank you. Mr. Clerk.

CLERK:

LCO No. 9112, Senate Schedule A.

THE CHAIR:

Please proceed to summarize.

SENATOR LESSER (9TH):

Yes, I thank you, Madam President. Madam President, this bill is intended, though this amendment which will hopefully become the bill, is intended to protect intersex individuals in the state. It does principally three things. It allows the designation of intersex persons as nonbinary on birth certificates. It creates a task force to evaluate medical interventions. And it prevents discrimination against intersex persons. I urge adoption.

THE CHAIR:

Thank you, Senator Lesser. The question is on adoption. Will you remark on the amendment that is before us?

SENATOR LESSER (9TH):

I'm happy to summarize it. It is a five -- It is five amendments, five amendments, five sections doing three things. But I asked that when the amendment be taken that, oh never mind. I'm happy to answer any questions.

THE CHAIR:

Thank you, Senator Lesser. Will you remark further on the amendment that is before the chamber? Will you remark further on the amendment? If not, let me try your minds. Senator Somers, would you like to remark on the amendment?

SENATOR SOMERS (18TH):

Yes. I just rise in support of this bill. This will provide an added layer of protection for those who are born as intersex, and I hope the circle will support it. Thank you.

THE CHAIR:

Thank you, Senator Somers. Will you remark further on the amendment that is before us? Will you remark further? If not, let me try your minds. All in favor of the amendment, please signify by saying, "Aye."

dlg

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SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Senator Lesser.

SENATOR LESSER (9TH):

Thank you, Madam President. That was a strike-all amendment, and since the bill now is the amendment, I urge all the colleagues to support the bill. If there's no objection though, I would ask that it be placed on Consent.

THE CHAIR:

Seeing no objection. So ordered. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Senate stand at ease for a moment?

THE CHAIR:

Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the Clerk return to the call of the Calendar?

THE CHAIR:

Mr. Clerk.

CLERK:

Page 32, Calendar No. 386, Senate Bill No. 347, AN ACT CONCERNING CONTRACTS FOR THE SALE OF REAL PROPERTY LOCATED IN THIS STATE.

THE CHAIR:

Good evening, Senator Winfield.

SENATOR WINFIELD (10TH):

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

THE CHAIR:

The question is on passage. Will you remark further?

SENATOR WINFIELD (10TH):

Yes, thank you, Madam President. This is a bill that comes to us through the Judiciary Committee. Under the current law, financial institutions or sellers of property can offer a buyer incentives for using their preferred vendors. What this bill does is it prevents that. It's good policy. It came to us on a very positive vote from the Judiciary Committee and I would urge passage.

THE CHAIR:

dlg

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Thank you, sir. Will you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I would like to associate myself with the remarks of Chairman Winfield. It's a good bill. I urge my colleagues to support it. That actually will clarify some things regarding practices regarding real estate sales. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further on the bill that is before us? Will you remark further? Senator Winfield.

SENATOR WINFIELD (10TH):

Yes, thank you again, Madam President. If there's no further comment or objection, I'd ask this be placed on Consent.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 33, Calendar No. 394, substitute for Senate Bill No. 1087, AN ACT CONCERNING SERVICE OF PROCESS ON OUT-OF-STATE FINANCIAL INSTITUTIONS, LIMITED LIABILITY COMPANIES AND REGISTERED FOREIGN LIMITED LIABILITY COMPANIES.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you again, Madam President. I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

The question is on passage. Will you remark?

SENATOR WINFIELD (10TH):

Yes, thank you, Madam President. This bill before us also comes from the Judiciary Committee. What it does is it allows for additional methods for service of process financial institutions in the title. It is a very good bill. Again, it should, I urge passage. Thank you, Madam President.

THE CHAIR:

Thank you so much, Senator Winfield. Senator Kissel, will you remark?

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I'd like to associate myself with the remarks of Senator Winfield. In our modern era, as technology moves ever forward, you know, when we charge our marshals and say you're in a small practice or any size practice and you give the marshals a paper for

garnishment of an account, there are financial institutions that are not present in our state in brick and mortar form. Fully functional online and a lot of folks are moving in that direction, but how does the marshal effectuate service of process on an entity that's not physically present? So they came, they testified before our committee. They said, please give us this new tool in our toolbox so that we can effectuate service, make our, the attorneys that we work with happy, and their clients happy. And this just moves Connecticut one step forward into acknowledging that some entities just aren't here in a physical presence, but we need to be able to effectuate service on them. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further? Will you remark further? Will you remark further on the bill that is before us? Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. Sorry about that. I was pulling some information. If there is no further conversation or question, I'd ask that it be placed on Consent.

THE CHAIR:

So ordered. Mr. Clerk.

CLERK:

Page 41, Calendar No. 450, substitute for Senate Bill No. 138, AN ACT MODERNIZING THE STATE'S COOPERATIVE ASSOCIATION STATUTES.

THE CHAIR:

Will you remark? Senator Winfield.

SENATOR WINFIELD (10TH):

Yes, thank you, Madam President. I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

The question is on passage. Will you remark further?

SENATOR WINFIELD (10TH):

Yes, Thank you, Madam President. Another bill that comes to us through the Judiciary Committee. What it does is it modernizes the statute governing the formation of these cooperative associations in the state to allow for a better usage of that business model. This is a bill that had a lot of discussion in the Judiciary Committee, all positive. Senator Kissel, many of the people who were on the committee were very happy to see this bill. It's a great bill and I would urge passage.

THE CHAIR:

Thank you so much, Senator Winfield. Will you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Again, I'd like to associate myself with the remarks of Senator Winfield. This is a nice little bill. Our co-op statutes right now are antiquated, even so much so that a new business that's formed as a cooperative in Winsted area actually went up to Vermont to get itself organized. This will bring us into the 21st Century. And there was some great testimony, all positive, as Senator Winfield indicated. And a big shout-out to Christian who started his testimony by saying, I've been going to a particular co-op, Fiddlehead, since I was young. Turns out upon further questioning, Christian was only ten as he's testifying before us hearkening back to his earlier days. But the whole family came up and so we have some thriving co-ops. And the other thing that I just want to point out is that if we move forward with this legislation to make it a lot easier to form a co-op, there's an ancillary benefit, because a lot of these food co-ops, they utilize the local food producers in the area. And so in the areas where there's been success stories, there's been also a very tangible benefit to the farmers and their local produce being utilized for the co-ops. So there's a lot of net benefits, no down side. Urge my colleagues to support this bill. Thank you.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further on the legislation that is before us? Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. And just one further comment. As Senator Kissel indicated, Christian was scary good. If there's no further comment or question, I'd ask this be placed on Consent.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 63, Calendar No. 359, Senate Bill No. 859, AN ACT CONCERNING COMMUNITY HEALTH WORKERS, as amended by Senate Amendment Schedule A, LCO No. 8246. There is an amendment.

THE CHAIR:

Senator Abrams. Good evening.

SENATOR ABRAMS (13TH):

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

THE CHAIR:

The question is on passage. Will you remark further?

SENATOR ABRAMS (13TH):

Yes, Madam President. This bill establishes a certification program for community health workers. Community health workers are public health outreach professionals with an in-depth understanding of a community's experience, language, culture, and socioeconomic needs. They perform specific tasks, service liaisons between community members and health care and social service providers, and provide a range of services, including outreach, advocacy, and care coordination. Madam President, the Clerk is in possession of Amendment LCO 9076. I would ask the Clerk to please call the amendment.

THE CHAIR:

Thank you, Senator Abrams. Mr. Clerk.

CLERK:

LCO 9076, Senate Schedule B.

THE CHAIR:

Senator Abrams.

SENATOR ABRAMS (13TH):

Thank you. I move adoption of the amendment and ask its reading be waived and seek leave of the chamber to summarize.

THE CHAIR:

Please proceed to summarize.

SENATOR ABRAMS (13TH):

This is a very simple amendment. It just changes the effective date from January 1st, 2019, to 2020.

THE CHAIR:

Thank you, Senator Abrams. Will you remark further on the amendment that is before us? Will you remark further? Will you remark further? If not, let me try your minds on the adoption of the amendment. All in favor of the amendment, please signify by saying, "Aye."

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Senator Abrams.

SENATOR ABRAMS (13TH):

Madam President, if there's no objection, I would ask that this bill be placed on the Consent Calendar.

THE CHAIR:

Seeing none. So ordered. Mr. Clerk. Oh, excuse me. Senator Duff.

SENATOR DUFF (25TH):

dlg

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Thank you, Madam President. I have two more bills to mark as go. Before I do that, I'd like to mark some items for referral, please.

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar Page 22, Calendar 264, Senate Bill 957, I'd like to refer that item to the Appropriations Committee.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar Page 17, Calendar 226, Senate Bill 424, I'd like to refer that item to the Appropriations Committee.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. If we could stand at ease, please.

THE CHAIR:

The Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. For the purposes of markings, we have two more items to go.

THE CHAIR:

Okay.

SENATOR DUFF (25TH):

Two additional items, I'm sorry.

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

Thank you. Madam President, on Calendar Page 27, Calendar 342, Senate Bill 1103, I'd like to mark that item as go, followed by Calendar Page 22, Calendar 278, Senate Bill 894, if we could have those marked as go, and if the Senate could stand at ease for a moment, please.

THE CHAIR:

So ordered, and the Senate will stand at ease.
Senate Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If the Clerk could now call those two items, please.

dlg

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THE CHAIR:

Mr. Clerk.

CLERK:

Page 27, Calendar No. 342, substitute for Senate Bill No. 1103, AN ACT CONCERNING INTERAGENCY DATA SHARING.

THE CHAIR:

Senator Flexer, good evening.

SENATOR FLEXER (29TH):

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

THE CHAIR:

The question is on passage. Will you remark?

SENATOR FLEXER (29TH):

Yes, thank you, Madam President. Madam President, the bill before us builds on the important work that this legislature did last year to improve the ability of our state agencies to share data amongst themselves. The Clerk is in possession of an amendment, LCO No. 8881. I'd ask the Clerk please call the amendment and that I'd be given the opportunity to summarize.

THE CHAIR:

Mr. Clerk. Senator, would you repeat the LCO number?

SENATOR FLEXER (29TH):

Yes, Madam President. Madam President, the amendment's LCO number is 8881.

THE CHAIR:

Thank you, Senator. Mr. Clerk.

CLERK:

LCO No. 8881, Senate Schedule A.

THE CHAIR:

Senator Flexer, please proceed to summarize.

SENATOR FLEXER (29TH):

Thank you, Madam President. I move adoption of the amendment.

THE CHAIR:

Thank you. Will you remark?

SENATOR FLEXER (29TH):

Yes, Madam President. Madam President, the amendment before us makes some changes to the bill that mitigate the fiscal note that was in the

underlying bill. With this amendment, the bill is improved and there is no fiscal cost, but the goal of allowing state agencies to share data amongst themselves in the most effective way possible is still here. And I urge my colleagues to support this amendment. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further on the amendment that is before us? Senator Sampson. Good evening.

SENATOR SAMPSON (16TH):

Good evening, Madam President. Thank you very much. I'm standing in support of the amendment that is before us. It makes some significant changes to the underlying bill, effectively simplifying it and making it into a much more palatable item. To be honest with you, I'm gonna support the amendment and -- I just -- The reason why I'm hesitant is because I, I don't even understand why we need a bill for this, to be honest with you. It's a very straightforward thing that we're putting into our law and it basically says that the chief data officer in consultation with the attorney general and the executive branch legal counsel shall review the legal obstacles to sharing high-value data of those agencies. It seems to me like anything, it should be able to be done without putting a law in place. But I also don't have any objections to it. So I will support the amendment in the bill assuming the amendment is adopted. Thank you, Madam President.

THE CHAIR:

Thank you so much, Senator Sampson. Will you remark further on the amendment that is before us? Will you remark further? If not, let me try your minds. All in favor of the adoption of the amendment, please signify by saying, "Aye."

SENATORS:

Aye.

THE CHAIR:

Opposed? Amendment is adopted. Will you remark further on the bill as amended? Will you remark further on the bill as amended? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, if there is no objection, I move that we place this bill on our Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 22, Calendar No. 278, Senate Bill No. 894, AN ACT CONCERNING THE NONLETHAL MANAGEMENT OF THE BLACK BEAR POPULATION IN CONNECTICUT.

THE CHAIR:

dlg

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Good evening, Senator Cohen.

SENATOR COHEN (12TH):

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

THE CHAIR:

The question is on passage. Will you remark further?

SENATOR COHEN (12TH):

Thank you, Madam President. This bill would require DEEP to submit a report by February 1st of 2020 on the best practices to employ regarding the nonlethal management of black bear. We heard from my colleague, Senator Miner, a little bit earlier on the increased incidences of black bear sightings within the state of Connecticut. And we also heard during public hearings on this particular bill about the habituation of black bear into more heavily populated areas. My understanding is that DEEP does employ certain types of aversive conditioning when it comes to black bear management, but there are many other methods which are able to be used, and are in fact used, in other states and areas where black bear have become again a little bit more habituated to heavily or densely populated areas. So I urge my colleagues' support of this bill so that DEEP can go ahead and do some work and some study on this and come back to us with some recommendations on how they might move forward. Thank you.

THE CHAIR:

Thank you, Senator Cohen. Will you remark further?
Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, we did hear testimony during the public hearing phase on all sorts of options with regard to limiting the possibility of the chances that we would have negative contact with bear, the bear population. Madam President, I'm not opposed to this language. I think it is especially helpful that the agency kind of step up its game in areas where bears don't currently exist or where bear sightings have been very limited, such as down on the shoreline. It is my intention to support the language, but I would be remiss if I didn't state for the record that this is not gonna change what's happening in Litchfield County. This is not gonna affect my constituents in the least, because they already do all this stuff. They carry bear spray when they walk, they watch their dog when it goes outside. They are concerned about the number of bears in Litchfield County. And if this chamber feels that this is a good alternative to the bill that failed already, then that's their right. Again, I don't oppose the bill, because I think there's some parts of Connecticut where it would be important for the agency, as I said, to step up their game. But eventually, this is not gonna be enough. Thank you.

THE CHAIR:

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Thank you, Senator Miner. Will you remark further on the bill? Will you remark further? Will you remark further? Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Madam President. Madam President, if there's no objection, I ask that this placed on the Consent Calendar.

THE CHAIR:

Senator Berthel.

SENATOR BERTHEL (32ND):

Madam President, I'd ask for a roll call.

THE CHAIR:

Thank you, Senator.

THE CHAIR:

With that, Mr. Clerk, if you would kindly call the vote and the machine will be open.

Consultation Report

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill 894. Immediate roll call vote has been ordered in the Senate on Senate Bill 894. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the senators voted? Have all the senators voted? The machine will be locked. And, Mr. Clerk, would you kindly announce the tally, please?

CLERK:

Senate Bill 894.

Total number voting	34
Total number voting Yea	31
Total voting Nay	3
Absent and not voting	2

THE CHAIR:

[Gavel] Legislation is adopted. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If the Clerk can now call the items on Consent Calendar No. 2 followed by a vote, please.

THE CHAIR:

Thank you. Mr. Clerk, please announce the Consent items and open the machines.

CLERK:

Consent Calendar No. 2, Page 10, Calendar No. 157, Senate Bill 745. Page 18, Calendar 234, Senate Bill 1040. Page 24, Calendar 306, Senate Bill 1060. Page 27, Calendar 342, Senate Bill 1103. Page 29, Calendar 358, Senate Bill 388. Page 32, Calendar

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386, Senate Bill 347. Page 33, Calendar 394, Senate Bill 1087. Page 41, Calendar 450, Senate Bill 138. Page 63, Calendar 359, Senate Bill 859.

Immediate roll call vote has been ordered in the Senate on Consent Calendar No. 2. Immediate roll call vote has been ordered in the Senate on Consent Calendar No. 2. Immediate roll call vote has been ordered in the Senate, Consent Calendar No. 2.

THE CHAIR:

All right, to the members, we have the wrong, we have the wrong signage on the board. So we will close this vote out and we will put the correct legislation up and we will have a redo. So, Mr. Clerk, would you clear the board, put the appropriate legislation up so that everyone's clear they're voting on the Consent Calendar No. 2. All right. So let us call the roll and the machine will be open.

CLERK:

Immediate roll call vote has been ordered in the Senate on Consent Calendar No. 2. Immediate roll call vote has been ordered in the Senate on Consent Calendar No. 2. Immediate roll call vote. Immediate roll call vote on Consent Calendar No. 2.

THE CHAIR:

Have all the senators voted? Have all the senators voted? The machine will be locked. And, Mr. Clerk, would you kindly announce the tally?

CLERK:

Consent Calendar No. 2.

Total number voting	34
Total number voting Yea	34
Total voting Nay	0
Absent and not voting	2

THE CHAIR:

[Gavel] Consent Calendar is adopted. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I'd like to yield to members for points of personal privilege or announcements, please.

THE CHAIR:

Senator Maroney, do you have a point of personal privilege?

SENATOR MARONEY (14TH):

Yes, Madam President. I rise for a point of personal privilege. I would just like to make the announcement that tomorrow is the annual Veterans Committee Help a Hero event. We'll be collecting donations and stuffing a Humvee for homeless veterans. So if you can bring something up tomorrow, it would be appreciated. We're looking for personal care items, socks, T-shirts, gloves, boots, hats, umbrellas, gift cards, health care and hygiene items for both men and women. So just a

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reminder that that will be tomorrow, and thank you very much, and hopefully we --

THE CHAIR:

And is that somewhere at the capitol, Senator?

SENATOR MARONEY (14TH):

Yes, that will be in the state capitol parking lot. There'll be a Humvee in the capitol parking lot. Thank you very much, Madam President.

THE CHAIR:

Thank you, Senator. Any other points of personal privilege or announcements? Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. For a general notation, Senator Champagne missed votes due to business outside of the chamber and Senator Kelly missed due to a medical condition.

THE CHAIR:

Thank you, Senator Witkos. Any other announcements? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, the Government Administration Elections Committee will reconvene its meeting from this morning in here in Room 2B.

THE CHAIR:

And will that be immediately following?

SENATOR FLEXER (29TH):

Fifteen minutes following the end of the last session.

THE CHAIR:

Thank you. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Just for a note of order. I missed the vote. I was in the building just down the hallway here. I did not hear the call. It's the first vote I've missed since my election in 2015. And I hope the newfound sense of urgency will be kept for all the future votes. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Any further points of personal privilege or announcements? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, that concludes our business for today. It's our intention to have a Senate Democratic caucus tomorrow at 11:00 followed by a session at noon.

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And with that, Madam President, I move that we adjourn subject to the call of the Chair.

THE CHAIR:

Thank you. Go forth and govern, while it's still light.

On motion of Senator Duff of the 25h, the Senate at 6:30 p.m. adjourned subject to the Call of the Chair.

CONNECTICUT GENERAL ASSEMBLY

SENATE

Wednesday, May 22, 2019

The Senate was called to order at 2:10 o'clock p.m.,
the President in the Chair.

THE CHAIR:

Good afternoon, everyone. Would the Senate please
come to order? And, I would ask that members and
guests please rise and direct your attention to our
acting Chaplain, Benita Toussaint, who is always
with us, part of our legislative family here in the
Senate. Benita, thank you.

CHAPLAIN BENITA TOUSSAINT:

Thank you, Ms. Lieutenant Governor. Good evening --
good afternoon.

THE CHAIR:

Good afternoon.

CHAPLAIN BENITA TOUSSAINT:

May we bow our heads to evoke God's blessings?
Please bless us with an inner strength so that our

lives and our work may be a blessing on others.
Amen.

THE CHAIR:

Amen. And, I would like to invite Senator Mary Daugherty-Abrams to come and lead the pledge.

SENATOR DAUGHERTY ABRAMS (13TH):

(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.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President, and good afternoon.

THE CHAIR:

Good afternoon.

SENATOR DUFF (25TH):

Madam President, is there any business on the clerk's desk?

THE CHAIR:

Mr. Clerk.

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CLERK:

The clerk is in possession of Senate Agenda No. 1, dated Wednesday, May 22, 2019.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move all items on Senate Agenda No. 1, dated Wednesday, May 22, 2019 to be acted upon as indicated, and that the Agenda be incorporated by reference into the Senate Journal and Senate Transcript.

THE CHAIR:

So ordered and so noted.

SENATOR DUFF (25TH):

Madam President, will the Senate stand at ease for a moment, please?

THE CHAIR:

The Senate will stand at ease. [Pause]. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Does the clerk also have Senate Agenda No. 2?

THE CHAIR:

Mr. Clerk.

CLERK:

The Senate is in possession of Senate Agenda No. 2, dated Wednesday, May 22, 2019.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move all items on Senate Agenda No. 2, dated Wednesday, May 22, 2019 to be acted upon as indicated and that the Agenda be incorporated by reference in the Senate Journal and the Senate Transcript.

THE CHAIR:

So ordered and so noted.

SENATOR DUFF (25TH):

Thank you, Madam President. And, for our marking today.

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

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Thank you, Madam President. As marked as our order of the day, Senate -- on Calendar page 54, Calendar 36, substitute for Senate Bill 1.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 54, Calendar No. 36, substitute for Senate Bill No. 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE. There is an amendment.

THE CHAIR:

Good afternoon, Senator Kushner. It is a big day.

SENATOR KUSHNER (24TH):

Yes, it is. Thank you, Madam President. It's my honor to move adoption of the amendment and move -- and to waive the reading. I would seek leave of the Chamber to summarize.

THE CHAIR:

Mr. Clerk, if you would kindly call the amendment.

CLERK:

LCO No. 9302, Senate Schedule A.

THE CHAIR:

And, please proceed to summarize, Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. We are putting forward Senate Bill 1, which is a bill that will create a program for paid family and medical leave. It is a program that will really help working families throughout Connecticut, and I am glad to summarize the components of the bill.

First of all, it establishes the reasons for leave, and that would be to care for a new child, a family member with a serious illness, care for your own serious illness, or perhaps to be an organ or bone marrow donor. This covers the employee and the employee's family. Under this bill, the employee will have up to 12 weeks to care for a family member or themselves with an additional two weeks for a person who is incapacitated during pregnancy. The wage replacement provides for 95 percent of the minimum wage, and on earnings above the minimum wage, you would receive 60 percent of your earnings, but it is capped at 60 times the minimum wage, which at \$13 dollars an hour would be \$750 dollars a week. At \$15 dollars, it would be \$900 dollars a week.

Eligibility is all employees, and those that are self-employed or sole proprietors may opt in. You must have earned at least \$2325 dollars in one of the last four out of five quarters. If you are unemployed, you must have been employed during the

12 weeks prior to the leave. State employees are not covered -- who are not covered by contracts will be covered by this program and will participate in it. Municipal and school employees who are not represented, however, will only participate in the program if their employer bargains into the program with one of the bargaining units that exist in their municipality or in their board of education. There will be a premium of one half of one percent on all earnings up to the Social Security maximum, which today is \$132,900 dollars.

Family coverage includes son or daughter, a spouse, a parent, a grandparent, a grandchild, or a sibling, and the definition of family is an individual related to the employee by blood or affinity whose close association is the equivalent of these relationships -- named the above relationships, son or daughter, spouse, parent, grandparent, grandchild, or sibling.

Job protection will exist for all employees who have worked at least 3 months for the employer prior to taking their leave. The employer may require advanced notice. You must notify the employer at least 30 days in advance if practicable. The employer can request certification by a medical provider, and the employer can require that you use all but two of your paid time off that has accrued. There is an opt-out for private employer plans as

long as the benefits and the rights of the employees are at least as great as those provided for in the state plan. An employee can't pay more for the benefit, and the employer will have to have that determination by the insurance department that the plan meets those requirements.

There are penalties from willful misrepresentation in this bill. If an employee willfully misrepresents in order to receive a benefit, they will be penalized. They will be required to pay back what they took from the fund. They will also have to pay a penalty of up to 50 percent of that, and they will be disqualified for two years from participating in the plan. If they are doctors who aid an employee in such misrepresentation, then the doctors would be hit with trouble damages three times what is paid out by the fund. An employer or anyone who aids the employee in willful misrepresentation would also be subject to the same penalty as the employee, that includes an employer. There will be a process established here for adjudication of disputed claims and penalties by the Department of Labor.

This fund will be self-sufficient. All of the money that will be used to start up this fund must be paid back to the state within one year of the start-up of payment of wage replacement. That would be October 1, 2020. There's also a mechanism here that

triggers -- that is triggered if there is insolvency. Should the fund be insolvent, then the authority will be in a position to lower the benefit level to the least amount necessary. In other words, the reduction would be the least amount necessary in the event of insolvency. The administration of this program will be by a quasi public authority called the Paid Family and Medical Leave Authority. It will have a 15-member voting board, and the authority will hire the staff and issue the RFPs necessary to conduct its business and to carry out the elements of this program.

Before we start answering questions, I would like to say that the Family Medical Leave Act was passed in 1993. At that time, I had three children. I was one of the fortunate people who had an employer who paid me while I was on leave caring for my newborn children, and it made my life so much better. It didn't make it easy to have little kids. There's incredible stress and worry and lots of hard work, but it made me possible for me to pay the bills, and I'm one of those people who grew up and said just because I'm fortunate I shouldn't turn my back on others. I need to make sure that people have the same good fortune that I have been afforded. I was delighted to go to Washington in March for the Family Medical Leave Act in the 1990s, and to bring my little children along with me, but it's been far

too long since that time for us to now realize that we must pass Paid Family and Medical Leave.

You now, I've talked to my colleagues, I've talked to colleagues here in the Senate, to colleagues in the House, we've had public hearings, we've had committee debate, we've talked to the governor, and you know lots of people have had input into this bill. I believe this is a good bill. It's a strong bill. I think it will help our working families. It will make their lives better, and I believe that it is so important for us to pass this now, so I urge all of my colleagues to stand with me and pass Paid Family and Medical Leave today.

Thank you.

THE CHAIR:

Thank you, Senator Kushner. The question is on adoption of the amendment that is before us. Would you -- will you remark further on the amendment that is before us? Senator Miner.

SENATOR MINER (30TH):

Thank -- thank you, Madam President. Madam President, I have a number of questions, if I might through you to the proponent of the amendment, please?

THE CHAIR:

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Senator Kushner, prepare yourself. Please proceed,
Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I'm trying to I guess
set parameters around the title of covered employee,
and through you, is the title of an employee anyone
who earns that base wage rate subject to the quarter
requirement whether they are full time, part time?

Through you, Madam President.

THE CHAIR:

Thank you -- thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Yes, that is correct.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, in terms of eligibility, am I correct that the
individuals have to be -- have to have been employed
within 12 weeks of their making application for a
claim onto this program?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

That is also correct.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, so in the case of a summer employee that would normally finish up let's say on Labor Day, if that individual earned sufficient wages in that quarter and that was the only quarter that individual worked, is that individual eligible for Paid Family and Medical Leave in the first year?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

That employee would be eligible for Family and Medical Leave wage replacement.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, so if that individual planned on leaving employment meaning that was a seasonal job, the fact that the individual is not employed, didn't plan on being employed, would they be obligated to apply for unemployment first before they could make an application to this fund?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

The bill is clear that if the person is on unemployment they would not qualify for this benefit.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, so I -- I understand from the gentle lady's response that if they were on unemployment they are not eligible. My question was would they be obligated to apply for unemployment as opposed to making a withdraw from this fund?

Through you.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

I'm sorry, Madam President, through you, would you ask the good gentleman to restate that question?
[Chuckling].

THE CHAIR:

Senator Miner, if you could please restate the question?

SENATOR MINER (30TH):

Certainly, Madam President. So, the question is if they would be eligible for unemployment and chose not to go on unemployment but instead make a claim against the Paid Family and Medical Leave plan having paid in their obligated tax, is there a provision in this bill that requires them instead to go to unemployment first before making a withdraw under this program?

Through you.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. No, there is not.

THE CHAIR:

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Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, if the gentle lady knows is the level of compensation for the weeks that that individual would be making a claim -- 12 weeks for instance -- is that consistent with unemployment or more than unemployment?

Through you.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

I don't know the answer to that. I know that the benefit would be based on their earnings, so if they earned the \$2325 dollars, it would be based on the formula that I said earlier.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

And, so through you, if -- if -- if I understand the formula correctly, the formula states that I think it's up to about \$54,000 dollars in annual earnings would be receiving a weekly wage rate or

compensation rate at 95 percent -- it's kind of complicated -- 95 percent of 40 times minimum wage, and in that case, would that number be equal to what they would get for unemployment?

Through you.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Madam President, through you. The maximum I think would be \$60,320 dollars. If someone was earning that, they would get 95 percent of the -- their earnings on the minimum wage, and then they would get 60 percent of the earnings above that, and that would be their weekly benefit rate. Can we -- can you give me a moment?

THE CHAIR:

Yes. The Senate will stand at ease briefly.

[Pause].

SENATOR KUSHNER (24TH):

Madam President.

THE CHAIR:

Senator Kushner.

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SENATOR KUSHNER (24TH):

So, I may have been a little thrown by the question by inserting the \$60,000 dollar person, but let me be clear that they would only get the wage replacement on the earnings that they had in that quarter and as you stated the question, the quarter would have been \$2325 dollars in earnings, and that was their only earnings, they would only receive 126th of that for their benefit replacement, and it would be -- then the formula would be based on that.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, again, I thank the gentle lady for her response. I may want to finish with some questions, take a break, and do some calculations myself. I think the rate of reimbursement for an individual on the Paid Family and Medical Leave is in fact a higher rate of reimbursement than it would be under unemployment, and I think that's the reason why some had suggested that the reimbursement rate in this bill be consistent with unemployment so you wouldn't end up attracting people to this fund as opposed to some other alternative. I recall that there was some language that would have required an individual to

exhaust all other means of compensation for other sick time, other wage replacement. If the gentle lady knows, does the current language in the amendment include any such language obligating the employee first to exhaust vacation or sick or unemployment if all of those would be available to the employee?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The bill does require that a person would have to use all of their paid time off with the exception they would be allowed to retain up to two weeks of accrued paid time off. Otherwise, they would have to use all of their paid time off before using their benefit. It does not address unemployment.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, does all that time that would be required to be taken paid for through

the other payment mechanism, is that added onto the 12 weeks? If the gentle lady knows?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. A person would not be able to add time on based on time that they have accrued time off, so they would not be able to what they call stack it, so that they add the time off to the end of their leave.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, there's some question about whether or not and how deductions would be taken from this payment. In many cases when an individual is out either on vacation or sick leave any of the agreed to employee reimbursements whether that's for health insurance or life insurance or any other premiums, those would normally be deductions from a payroll check. Is there any mechanism in the language before us that requires those deductions be taken out of this

payment and be then sent to the life insurance company, health insurance company, and so on?

Through you.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Would you please restate that question? To make sure I heard.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. So, under my pay system here with the state of Connecticut, I have certain deductions. It might be for health insurance. It might be for life insurance. It might be for something else, so every time I get a paycheck those deductions are withheld, and presumably, they make premium payments on a life insurance policy. So, if an employee has a life insurance policy with an employer and currently the employer makes that withholding under this proposal, would the state withhold the premium payment for life insurance and keep that life insurance premium going through this mechanism?

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Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Senator Miner -- or good gentleman -- I forget how to do that stuff, sorry. [Laughing]. But there would not be a paycheck coming to that employee obviously while they were out. If you're asking about whether those deductions would be coming through the wage replacement check that they're receiving from the state, there's no requirement under this bill that those payments be made in that fashion -- or those deductions.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, so since the language is silent, is it anticipated that the employee then bears that burden to see that those payments are made even though there is no payroll check, they remain an employee technically -- I think -- under the bill?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you. Through you, Madam President. I believe that would depend on the employer requirements that they set up for whether employees -- whether they have some mechanism to continue making payments on behalf of an employee or whether the employee is obligated to make those payments on their own, so that would be -- that would be in the purview of an employer's relationship to the employee whether they would continue to make any payments on behalf of -- or there would be no deductions if you're not getting a paycheck, but whether or not payments were made would be part of the relationship between the employer and the employee.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

So, is there a -- through you. Is there a provision in the bill that obligates the employee to answer a series of questions prior to departing on Paid Family and Medical Leave as to how those instruments -- insurance policies will be maintained in the

absence of the employee? Is that an obligation of the employee?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. There is no obligation for the employer to continue those, so it is not addressed in the bill.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

So, there's no obligation under the language that's before us for the employer to maintain premium payments for health insurance, premium payments for disability policies, any other deductions that would otherwise have been agreed to previously as part of payroll -- those for all intents and purposes cease under this language unless the employee directs the employer to do something or gets the employer to agree to do something?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This bill does not change any of the underlying requirements of an employer to provide any deductions or make any payout to an employee. It doesn't change the underlying existing statute. It does provide for a wage replacement that would be provided through this fund, and so to the extent that an employee is required currently to make any to -- under unpaid family leave -- to the obligation of the employer is the same as it would be for this bill, for paid family leave, as it is for unpaid family leave.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, with regard to income tax, either state or federal income tax, is there a determination made in the language whether or not these are taxable under the IRS code or under our state income tax code?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you. Through you, Madam President. If income tax is to be taken, an employee can -- under this bill -- ask the fund to withhold taxes that are required, so that's the only reference to the tax issue.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

And -- and, so through you, Madam President, the bill doesn't contemplate whether the payment made from the fund to the employee as wage replacement funds -- it doesn't state affirmatively whether those are taxable funds or not taxable funds?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The bill does state that federal taxes can -- that the employee receiving a wage replacement can ask for their federal taxes to be taken out of the wage replacement check.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

And -- and, for those that would be getting a wage replacement check sufficient to otherwise have triggered state income tax, would the same apply there? Could the individual direct the fund to make those withdraw -- withholdings?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. Give me a minute to look it up?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President, through you. These are not intended to be benefits that are subject to state tax.

THE CHAIR:

Senator Miner.

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SENATOR MINER (30TH):

Thank you, Madam President. So, whether you are an employee or a sole proprietor, these disbursements would not be taxable under the state of Connecticut's tax code?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. It is not intended to require state taxes.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, I want to turn at this time to the purpose for which someone might claim paid and family medical leave, and if I understand it correctly, it adopts the definition of 31-51kk sub 10, and it lists illness, injury, impairment, physical or mental condition. Am I correct that that's the intention of this would be to adopt that subset of existing statute?

Through you, please, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. It would be the underlying conditions that are now part of the Family Medical Leave Act.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, that's what that section is, and so I'm trying to make I guess as best we can clear to individuals that would want to avail themselves of this protection and employers that would be receiving the request for paid and family and medical leave that with in regard to injury does the injury require hospitalization or could the injury be something that may require recuperation for some period of time -- could be weeks -- 1 or 2 weeks as opposed to 12 weeks?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This bill does not change the underlying statute and the reasons for use of family medical leave.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And -- and, so if the gentle lady knows, under current family medical leave, which is not paid, is that leave permissible by the hour or something less than a full day?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. It is -- there is no requirement on the amount of time you need to use to qualify for family medical leave.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

So, my understanding was that the original language provided an opportunity to take paid family medical

leave down to as low as four hours. Is that still the case in the amendment?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This amendment changes that to line up with the current benefit under the Family Medical Leave Act.

THE CHAIR:

Senator Miner.

SENATOR KUSHNER (24TH):

The current opportunity for leave. Excuse me.

THE CHAIR:

No worries. Senator Miner.

SENATOR MINER (30TH):

And, through you, Madam President, would the -- would the gentle lady mind stating what that alignment is?

Through you, please.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. A person can use leave time for any qualified -- where you've met the criteria for leave. It could be on an intermittent basis. It doesn't have to be consecutive hours, and there is no limitation on how many hours you must use.

THE CHAIR:

Thank you. Senator Miner.

SENATOR MINER (30TH):

And, through you, the gentle lady used the word "must use." Is that synonymous with may use? And, by that, I mean may an individual take it one-hour increments?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Yes. A person may use it in one-hour increments.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, if the gentle lady knows, through you Madam President. Is there a -- is there a waiting period or delay or can someone call in on Monday morning and say I'd like to take two hours of Paid Family and Medical Leave beginning with my shift that would have started at eight o'clock?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. There is a notice requirement of up to 30 days where practicable. Obviously, if there was an emergency situation and that notice couldn't be met that is provided for, so there would not be a requirement -- there would be a requirement for notice and specifically on intermittent leave, it would be required that you worked with your employer to work out the scheduling of that leave.

SENATOR MINER (30TH):

And, so --

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I remember when we discussed this in the committee and again it had that four-hour threshold as I recalled, and we were -- we were contemplating that there might be certain procedures if my wife was seeking treatment and it was going to be a continuous treatment for a period of time, I might be able to sit down with my employer and lay that schedule out. It's contemplated then under this language as it's currently drafted even though it doesn't establish a floor let's say of four hours minimum, that obligation still exists under the language that we're looking at today to reach that agreement with an employer for those types of situations where it might be somewhat predictable so that the employee would not in advance -- not in emergency -- that these things -- these treatments are going to occur, and therefore, the individual would like to avail themselves a Paid Family and Medical Leave; again, after they've exhausted the other wage replacement opportunities?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. There is underlying language in the statute that does require an employee where they are requesting intermittent leave or on a reduced leave schedule to work with their employer to make sure that they are scheduling that, and it even goes further to allow an employer to temporarily transfer someone to an available alternative position for which the employee's qualified that might better accommodate that schedule.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I think I'm getting the hook again, and I think there's a thought that maybe we'd move the amendment by voice vote first, and then I guess resume the conversation after that. I'm looking around and nobody seems to know. Do you want me to keep going? All right. I'll sit down for a moment.

THE CHAIR:

Thank you, Senator. Senator Duff. Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. I would like to request a voice vote on the amendment to adopt the amendment.

THE CHAIR:

Thank you. A -- sorry, a voice vote or roll call vote? Voice vote?

SENATOR KUSHNER (24TH):

Voice vote.

THE CHAIR:

Thank you. So, we will entertain a voice vote, but before we do that -- on the amendment, but before we do that I would ask if there are any other senators who would like to remark on the amendment that is before us?

SENATOR LOONEY (11TH):

Madam President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. Madam President, I would urge adoption of the amendment. It does represent -- I think -- the consensus view that we've developed on this issue, and then we can move

forward with the -- the debate on additional particulars, and any other amendments that might be offered later.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on the amendment that is before us? Will you remark further? If not, let me try your minds. All in favor of the amendment that is before the Chamber, please signify by saying aye. (All) Aye. Opposed? The amendment is adopted. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the Senate stand at ease for a moment?

THE CHAIR:

The Senate will stand at ease.

[Pause].

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. We're just gonna do a quick commercial break. If I can PT the bill for just a second. I'm going to yield to Senator Witkos for a point of personal privilege.

THE CHAIR:

Thank you, and Senator Witkos, sir, do you accept the yield?

SENATOR WITKOS (8TH):

Thank you, Madam President. I most graciously accept the yield. Thank you, Senator Duff. Ladies and gentlemen of the Chamber, it is my distinct pleasure along with State Representative, Tammy Exum and Leslee Hill, to present to your and introduce to you the great-great grandchildren of Chester Woodford, Randy Little, Barbara Rupert, Susan Jansen, and Gina Carville [phonetic]. The reason why I think it's -- it's important to note the Senate's -- or the great-great grandchildren of Chester Woodford is because back in 1919 Chester Woodford served in the General Assembly here in Hartford, Connecticut. In fact, he represented the town of Avon, and it was the Centennial year that year. We were commemorating the 100th meeting or the first meeting of the General Assembly here in Hartford, and due to his age -- Chester Woodford, he was in his late 90s serving as a State Representative -- he was presented what was known as the Loving Cup from the then Speaker of the House, James Walsh. And, James Walsh stated in the ceremony that this cup is given to you as a token of friendship and esteem as being the oldest living

member who has represented our state in the legislature, and we congratulate you and your family for the many years of service that you have been able to render your town and state. We trust that this Loving Cup will be handed down by you to the future generations so that at the 100th anniversary in the year 2019 some member of your family will be able to attend and carry with them a message of informing the assembly that this cup is now held by the family as a great treasure. It being presented to you by the state in 1919. Once more, I can assure you that I deem it to be a great honor to be privileged to converse with you, the oldest legislator of this good old state, and I trust that in the future you may enjoy all he, the pleasures of living as you have in the past.

A notable thing about Chester Woodford he was the first tobacco farmer in the town of Avon. He served as an Avon town Selectman, a tax collector, a Justice of the Peace, an assessor. He was the President of the East Avon Congregational Church, and early on in his career, he was a traveling clock salesman, traveled along the Eastern seaboard selling clocks, but then he went out to -- to -- as every entrepreneur does to go sell some of his wares outside of the New England region and went to the state of Illinois and began to sell clocks there.

Unbeknownst to Chester Woodford, there was a law in the books that said you can't sell anything but Illinois clocks out there, so he was arrested. He hired an attorney, but this esteemed attorney was able to prove his innocence and got him off. That attorney was the future President of the United States, Abraham Lincoln, so there's a connection with this family through Abraham Lincoln, and I will say that the family has discharged their duties in high quality. They have with them today the Loving Cup that was presented to their great-great grandfather back 100 years ago today, and it is my honor to welcome them on this anniversary and repeat that instruction to your future descendants and make this return presentation in the year 3019, so if I would ask the Chamber to give them a warm welcome, a welcome back to the State of Connecticut.

[Applause].

And, additionally, Madam President, I would like to present an official General Assembly citation and it's authored by the leaders of the General Assembly, as well as the Representatives from the town of Avon, and it says, "Sincerest congratulations to the family of Chester Woodford in recognition of the 100th anniversary of the recognition of the Avon State Representative, the services of Chester Woodford to the State of Connecticut, to the town of Avon, and its

constituents is greatly appreciated by those who continue to the serve. The General Assembly extends their warmest welcome to the Woodford family descendants on this historic anniversary." And, it truly is. What a well-maintained Loving Cup. You can show that you've given the love it deserved over these past 100 years, and I look forward to -- well, I won't be meeting your -- the -- the people that bring it back in 3019, but we'd like to keep this tradition alive, so thank you all for making a trip up here to Hartford, Connecticut. [Applause].

THE CHAIR:

To the Woodford family, congratulations. And Senator Witkos, do you want to correct your math? Would that be 2119? Because that would be quite an obligation to commit for 1000 years.

SENATOR WITKOS (8TH):

Yeah, so otherwise, you'd take your spaceship up here, so let's -- I stand corrected. 2119 -- 2119, rather than 3019. Thank you very much for the corrections. I'm glad everybody paid attention to help correct me [Laughing], in that speech.

Thank you very much, Madam President.

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Thank you so much, Senator. And, Representative Exum, so nice to see you in our Chamber. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Senate stand at ease for a moment?

THE CHAIR:

Good afternoon, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I'd like to yield to Senator Flexer, please.

THE CHAIR:

Senator Flexer, good afternoon.

SENATOR FLEXER (29TH):

Good afternoon, Madam President. I rise for the purpose of an announcement.

THE CHAIR:

Please proceed.

SENATOR FLEXER (29TH):

Thank you very much, Madam President. Madam President, this afternoon from 3 to 5 p.m. the Connecticut Coalition Against Domestic Violence is

hosting a legislative reception in the old judiciary room. the coalition's 18-member domestic violence programs will be here today, and I encourage my colleagues to stop by and talk with the great advocates who work on behalf of domestic violence victims from all over the state.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If we could go back to the item previously marked PT, please, our order of the day?

THE CHAIR:

Thank you, Senator Duff. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I was assuming there were more questions from my good colleague.

THE CHAIR:

Senator Miner. I'm sure he has some for you.
[Laughing].

SENATOR MINER (30TH):

Thank -- thank you, Madam President. Madam President, if we could turn to the section on lines 825, 26, and 27, and they refer to family member, and my question is in line 827, the gentle lady defined a family member or someone, an affinity for whose close association with the employee shows to be equivalent to those family relationships, and it's in this section that includes spouse, sibling, son or daughter, grandparent, grandchild, parent. Through you, to whom does that disclosure get made, is that to the overseer of the fund or is that to the employer?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam Chair -- Madam President. The bill requires that that representation be made to the fund, and I think that answers your question.

THE CHAIR:

Thank you. Senator Miner.

SENATOR MINER (30TH):

And -- and, through you, so that -- that designation, that disclosure is made how, if not to the employer?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. For purposes of wage replacement, it would be made to the fund. For purposes of job protected leave, it would be made to the employer.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, so it's anticipated, through you, that there would be a kind of dual notification. And, so if I lost an individual that I felt was my father even though he wasn't my blood father, he wasn't married to my mother, he was someone that over a period of time I had come to know as that person in my life, I can designate that person and claim compensation under the Paid Family and Medical Leave and make that disclosure both to the fund by whatever mechanism -- I assume it's going to be done through

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regulation -- and my employer, and -- and that is my declaration and is unchallengeable; is that correct?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

The Department of Labor will be responsible for adopting guidelines on how one will provide that information, and that's billed out in the bill.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, through you, with regard to the declaration made in terms of job security that is made to the employer?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. We have not changed the underlying statute in terms of the requirements to notify your employer of your desire to take a

leave or your need to take a leave, so the deal, while will be establishing guidelines on how to implement this particular new language, I would like to point out that this language is the same language that was adopted in 1994 by the Federal Family Friendly Act, which has been in place since, I said, 1994, so I think that there will be guidelines to study and see about the implementation. It has applied to approximately two million workers over the last almost 20 years.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

And, thank you, Madam President. I guess what I'm trying to point out is that there's an interface that is presumed in this language, that's it's not all inclusive. It's not necessarily clear, and so through the regulatory process, it's assumed that employers will get information from the state of Connecticut letting them know about each of these regulations that will be adopted so that they will be able to effectively and fairly implement Paid Family and Medical Leave as contemplated in this amendment? So, that is a question. Is there gonna be correspondence that will go to each employee to be sure that we don't end up with a problem in this area?

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Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The bill does require that the authority engage in a public education campaign to notify both employers, medical providers, and -- and employees of their rights under this program and under this bill, and we also have knowledge that this has been done in other states, and I think we can learn from the best practices in those states and make sure we do a good job with this.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, so again, on line 827, that group of individuals, is it anticipated that that designation could change over time? So, it's not necessarily a lifelong designation? Is that correct?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I assume those would be part of the regulations.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. If I could, Madam President? I just wanted to go now to -- because the language in the amendment, now the bill, speaks to one employee, prior to this I think the minimum threshold was 50 employees in the State of Connecticut, and so we didn't end up with circumstances that I think we're gonna find ourselves in under this language. If I have one part-time employee that meets the threshold of Paid Family and Medical Leave -- as I understand the earlier answers to the questions -- once they've qualified, they can begin to draw on the Paid Family and Medical Leave insurance policy for a lawful purpose and for a prescribed period of time, so it's one employee; am I correct?

Through you, Madam President.

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Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. You are correct.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, if I have 50 employees and each of those employees in my business is assigned as a caregiver to an individual and one of those employees request time off on Paid Family and Medical Leave, am I obligated under the provisions of this language to return that person to the exact position in the exact client -- to the exact client upon their return from Paid Family and Medical Leave?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

This bill does not change the underlying statute with regard to an obligation to return the employee to work. It will be the same criteria as you have currently under statute.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, so through you, Madam President, under current statute, does -- am I obligated as an employer to return an employee of one to their current place of employment if it's a client in their home?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Senator Miner, this bill -- I'm sorry. Through you, Madam President, this bill -- this bill does change the requirement that an individual employee be returned to work. That would be the same, they are to be returned to work without loss of pay hours -- and hours.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, what I'm trying to make sure of that the Chamber knows and employer's and employees know that if they work for an agent whether they can reasonably expect to be returned to

the exact same client imagining that if I am an employee of an agency, I request 12 weeks off under Paid Family and Medical Leave, and I go to take care of my mother, and upon the end of that 12 weeks, I come back to the agency expecting to go back to work, they offer me an assignment, and the assignment is a different assignment; would that be considered lawful in terms of the employer's obligation under this language?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Madam President, give me one minute.

[Pause].

Thank you, Madam President. And, just to clarify for the good gentleman, when I was answering the question previously I was referring to there are standards that were created under the existing Family Medical Leave Act for the State of Connecticut that do lay out an obligation of employer to return someone to work to guarantee job protection for a certain number of hours, wages, so that they don't face a reduction in wage or a reduction in wage as a reduction in hours, so that's

the reference I was making. In terms of the obligation to return someone to the exact same position, I don't believe that currently exists under current statute, so I think we can extrapolate and say that this bill will not require an employer to go further than the underlying statute, only in the sense that it does require that an employer do this for one employee as has been stated in this bill.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, I share your concern for trying to make sure that the returning employee is provided the same opportunity to earn the same wages, have the same hours. This is kind of a nuance because it now goes down to an employee of one, and so it's been suggested to me that there are certain businesses in the State of Connecticut, certain business models that couldn't and don't under current law guarantee that their employees are able to work for a client for instance beyond a day because things happen, and so my mom may go into a nursing home even though I have a family face that comes from an agency. My mom may pass away; and

therefore, the need for the agency to supply someone no longer exists, and so there are a number of circumstances when you get down to the number one where people have suggested to me that this becomes rather cumbersome, and it sounds -- based on what the gentle lady described -- that as long as the hours are protected and the wages are protected, and there is a position in the agency, position in the firm, the exact client is not an obligation, so there's no obligation under the language before us that that individual be returned to 2030 E. Chestnut Hill Rd.; am I correct?

Through you, Madam President.

THE CHAIR:

Senator Miner, Senator Kushner, hold that thought. I do want to welcome our guests who are here to listen to this debate. We welcome you here. We would just ask that you respect our Senate rules and some of you may be new to our Chamber, so we have a rule against videotaping and we have a rule against photos. You are, of course, welcome to be here in the People's House, and we listen and we appreciate your being here, and ask you to respect our rules. And, Senator Kushner, you may respond.

SENATOR KUSHNER (24TH):

Thank you, Madam President. Through you, I think that is -- the intention of this bill is to provide job protections, and there are certainly employers who in the kind of situation that you described where an employee isn't guaranteed to always have the same client, and that would be the normal practice of that business, and certainly, we've all experienced that. I've had a grandmother who had around-the-care clock -- around-the-clock care, and had many different providers during that time, and so I think this -- it's clear that this statute is to provide job protection so that a person is not discriminated against for having taken leave, and it does not guarantee them further protections in that they would otherwise have on the job.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, I think that helps greatly with what the gentle lady just described. You know, I'm remembering when we had an opportunity to listen to people in the public hearing when the prior former language was before the Labor Committee, and there certainly were a number of heart-wrenching important stories, truthful stories that people shared with the committee outlining the difficulties that some people found themselves

having to grapple with, either through a prolonged illness of a parent or a child, trying to manage rent, car payment, perhaps tuition, any number of things, and still have to deal with the challenges at hand, which in many cases I think we can all relate to and that is the illness of a loved one or a difficult childbirth. What I've heard from employers is that if they're very small employers, because of the language even the way it's constructed in the amendment, it is going to be very difficult to deal with. There is just not the kind of redundancy in most small businesses that would permit a small employer to keep going if they were to lose an employee. Let's say if they had 10 employees or 2 employees. I know there's some provisions in the language where two members of the same family don't have the same ability, I think, to take the same time off if they work for the same employer; am I correct?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. If a spouse -- two spouses are employed by the same employer, they would have the opportunity to collect the wage

replacement that they have you know paid through their premiums for, but they would only have job protection for the aggregate number of weeks of 12 weeks.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, so then through you, Madam President. It sounds to me as though you could in a small employer situation end up with two individuals out of work during the same period of time, and have to deal with that, and I don't mean to diminish what the two employees are having to deal with what they're out as well because I think we did hear testimony, as I stated earlier, that those are always challenging life circumstances. So, this bill because it is defined as an employer of one, contemplates getting to rather small employer/employee relationships. I've had employers say to me that no matter what the schedule says it seems to me as though it's not properly funded as I understand the numbers; and therefore, eventually, it's going to come back and I'm going to be paying a portion of this, so it's not only going to be the scheduling issue, it's going to be -- become my obligation either in part or in whole. And, Madam President, when I looked at the wage scale that had been presented to me, it

really does kind of tell the story, the reason why people are concerned, so I'll just pick a number -- \$54,000 dollars a year. It's a weekly wage of \$1038 dollars. The annual tax on that is \$270 dollars, so that is the total that the employee will have paid in, and the weekly benefit that the employee plus or minus a dollar or two will be eligible for is \$493 dollars, so in the very first week, the payment is made to the employee, it will be almost twice what the employee has paid in for the year. That's the reason why people are concerned about whether it's appropriately funded. I do agree that this language is not 100 percent wage replacement. It's close at least up to the first 40 times minimum wage, and so it's not full wage replacement. We heard testimony about people's concern that at full wage replacement their would be no reason to go back to work, but even when you get up above that number, it's still a significant wage replacement, and that's the reason why I asked the question about unemployment.

Madam President, it seems to me that while this does have a provision in here that requires the use of vacation and sick time to some level, it is certainly a significant wage replacement that makes, again, some of the stories that we heard, some of life's challenges that people describe to us much more affordable should they choose to take the time off or more importantly be forced to take the time

off, but I do think that those numbers represent the crux of why people are concerned about whether it is going to be solvent within a period of time. So, employers I hear solvency, bill's gonna come to them, management -- I can't replace these people. I can temporarily replace them, which means I'm probably looking at an unemployment claim when they are let go to give the job back to the individual that we replaced, that we had to replace, and so there are any number of reasons why employers are concerned.

When I've spoken to my constituents about Paid Family and Medical Leave, to be quite honest with you, most of them haven't heard anything about it, they've heard about minimum wage. They've heard about tolls, but they haven't heard about Paid Family and Medical Leave. It's not on their radar. And, so when we talk about a payroll tax or whatever you would want to call it, it's not a huge amount of money, but it's certainly something people will notice, especially at certain points in their life. So, when I spoke with seniors, those that feel they need to work in addition to what modest income they get from Social Security, I'm asked are they out of the bill, and I say, no. The payroll deduction is required for everyone, and so that's a concern. It's a concern that the people at the end of their life, certainly their working life, are not gonna

have the ability to replace those taxes paid on wages, whatever they might be. I think most of the younger people that have yet to have a family see this as an opportunity, but even they questioned whether the rate is going to be sufficient. Many of them have said to me, this doesn't seem financially possible -- financially possible. And, so all those things sound alarms with me. Again, we heard plenty of testimony from people about how important this was and how much -- I don't want to say how much nicer or how much easier, but certainly, it would diminish the challenges of those life circumstances should this be in place and people be able to draw on this fund.

I'm just pretty convinced that it is going to run out of money. I am very convinced that it is going to ultimately end up on the back of the employer. No matter what this language says, it can be changed. The bill currently does not have language in it that says that, but that's what my constituents believe, and so, Madam President, I think there a number of other people with questions. I do thank the Chairwoman of the Labor Committee. I want to say that I think in all cases during the conversation about this legislation the hearing was respectful, it was -- it gave a fair opportunity for everyone to ask questions and kind of state their concerns, and so for that, I am grateful, and I am

grateful for her response to my questions here this afternoon.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Anwar, to be followed by Senator Kissel.

SENATOR ANWAR (3RD):

Thank you, Madam Chair. I rise in support of the amended bill. I do not have questions, but I do have some comments that I wanted to make. First, I wanted to thank Senator Kushner for her leadership and all the people who have been involved, and the collaboration that has been happening in the last many months, so thank you for your hard work.

I want to share a couple of cases that are -- are worth mentioning, and -- and, so in my other life, I'm a critical care doctor and I teach with a medical school and some of the residents, so we had this patient who had lung cancer and what develops with some of the cancers is that the airways get blocked and people can get pneumonias, and she unfortunately had obstructive pneumonia with sepsis with septic shock, which means that her blood pressure dropped, her heart rate had been impacted, and she was on a machine and critically ill. The fact that she had cancer, which had not only been in

the lung but it had gone beyond the lung, and it was quite significant, and then on top of that having a critical illness the chances of survival were not very good. Our challenge in her management had been that we could not get a hold of her daughter, and our -- our difficulty was because we needed to have the critical conversation about the likelihood of her survival and the heroic treatments that we were providing, and -- and -- and despite those heroic treatments, the outcome was not expected to be in her favor, and with that concern, we wanted to have a conversation with her daughter, but we could not find her daughter. And, after about a day or two of trying to reach out, one of the medical students said that it almost seems as if her family does not care, and it was a reflex response that this student had. We were finally able to use Social Services and reach out and find the daughter. The reality was the daughter was a single mom, and then she actually had two children, and she had two jobs to survive. This woman was working about 90-something hours a week to be able to take care of her children, and there was no luxury that she had to be able to take public transportation, come over to the hospital, and see her dying mother, and be a part of the conversations. This was just one story, and of course, we and our team realized that this was not about lack of care this was about our situation and our environment where individuals when their loved

ones are impacted at times are stuck in a point -- in a position that they are unable to be there with them. In talking to the daughter, what I realized was the pain of losing your loved one was significant but the fact that she was unable to be with her mother at that time was even more painful for her, so it was additional pain that she was suffering from the fact that she could not afford to be with her dying mother.

And, I think there are hundreds of stories like this. Today, one of my constituents he came here to the Capitol and spoke with me about -- from East Hartford. He shared his story and he was crying when he was sharing his story. It's -- it's during the part of the pregnancy of his wife, she had developed preeclampsia, and she actually had a complicated pregnancy, and toward the last part of her pregnancy, he had to -- she was bed-bound for safety purpose and for her own and the child's safety, and he had to be off work. There was no way around it as she was bed -- bed-dependent at that time, and complete bedrest. During the time of the last part of the pregnancy, he had to be there for her, but after the pregnancy, there was a complication and the child was very sick and about 11 days after the birth of the child, the child died, but during that entire time, he could not be at work, of course, and he said, if he did not have

any support from his employer, if he did not have any resources, he was going to leave his job and be with his family, and I would say knowing many of my colleagues around this circle, we will all do the same. We will be there for our families. This is who most of us are, if not all of us are. We will make a decision to be with our loved ones. We will be there when there is a critical situation where whenever that is God-forbid hopefully we will never have that, but that's the reality.

I think this is something we have to look at and put yourself in the shoes of an individual who has a loved one who is critically ill. Put yourself in the shoes of an individual who has an illness, and they are wondering about what will they be able to do? Would they be able to take care of their immediate needs that they have at the workplace or take care of their immediate surgical intervention that they may require? I think this is part of why this bill is so important. This is why this is critical for us as people who value families, who value the workers, we value individuals in our state have a responsibility, and this is something that's not out of the blue, and the good news is we are not the first state doing this. We have plenty of data and experience about this. California has done this for many years now. It's about 14 or 15 years of experience that you can draw from their data and

information from the state of California, and about 10 years now for New Jersey as well, and we can start to understand what went right in those environments and what did not go as well. One of the things that we have looked at and people have made comments and will make comments is that look if you have one employee and that employee is sick that would actually result in the business going to be impacted negatively. The reality is this bill is not making people sick. Let's not be confused. The illness is not from this bill. The illness is from the illness itself. The bill is not making your loved ones sick either. The loved ones are going to be sick because there is an illness that they may have. They could be severely ill, critically ill, but the bill has nothing to do with it. The bill is a tool, which is an insurance tool, which is going to help that individual get paid because when they will not work because they will make the right choice to be with their loved one or if they can make a choice or they are too unwell to make a choice themselves, they will at least have a way of being able to survive, and as expected in these states where this bill was passed, the number of people who had bankruptcies decreased, and the number of people who actually lost their jobs or left their jobs decreased. That's what we expected because we will leave our jobs and we will go for bankruptcy if we do not have a choice just to be

with our loved ones in a critical time of our lives because if we are not there we will have to live with the fact that we were not with our loved ones at that time.

So, the data is there that there is a benefit to the employees, but what was the negative impact on the employers? There was not much of a negative impact on the employers. There were a slight increase uptake on the temporary workforce, but it was not a sustainable amount. It was very mild, but it was there. It was a difference that we learned from that, and yes, there's going to be an impact in some of those situations because there is going to be need for temporary workers in some situations, but not enough for us to -- to be panicking about.

The other part I think is people will say there's a risk of abuse. Well, okay, that's -- that's a fair way to approach this because we don't want unintended consequences. It's a good way to think about the risk of abuse, but then let's look at the data. This is the reality of the data that we have learned from California. You are three times more likely to be hit by lightning in your lifetime -- you're three times more likely to be hit by lightning in your lifetime than -- in the state of California than in their 10 years plus data that they have of abusing this -- their bill. So, if you start to make policies based on fear of lightning

strikes or being there we would actually not be doing right and not doing the right thing, but the risk is at times creating a panic on the parts of some policy makers, but it also creates panic on some of the employers, but the reality is that you need to have protections in place, and those protections are in place and arguably are better than what California has, so that's something that we can actually be happy to learn about that aspect.

Finally, I would just say is the reality is this bill is about how we value families, how we value workers, how we value the sustainability of our own workers and their rights, and also the families, unity, and the critical times of our lives, and -- and if we are the people of -- of the State of Connecticut who value individuals and their families, we need to support this bill, so I would urge all my colleagues around this table in this circle to -- to support this bill.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Anwar. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President, and great to see you there this afternoon. I think all of us in this circle run for higher office or run for office

because we want to help our fellow citizens, neighbors, friends, loved ones, and hopefully, leave this earth a little bit better off for having made the effort. And, certainly, we are going to disagree as to the methodology that we put into motion as to how we effectuate our allottable purposes. I am standing not to ask a lot of questions, nor to go on at length, but in talking to my constituents, they are concerned about this proposal and also have some misunderstandings. Many folks that I have spoken to over the last several months regarding Paid Family and Medical Leave felt that this is going to be something imposed by employers, that it's going to be a complete benefit to them without any cost from them. And, when I explained to them that it's in the nature of a payroll deduction that will be mandatory, they are surprised. They are unaware -- had been unaware that that's the concept that's being discussed and part of the bill that we have right here. Granted, 0.5 percent does not seem like a lot to be taken out of one's paycheck, but if you haven't had a raise in a number of years, as soon as this is imposed on you, you are going to see the drop, and while in terms of real dollars it may not be a huge amount out of your paycheck, you're going to immediately feel like you got a pay cut, and some people may feel that that's okay, but many folks that I have spoken to said that they had no idea that the State

of Connecticut was contemplating a wage cut to them to create another bureaucracy, another government program. I don't think any of us here in this room would say that there aren't instances out there where individuals are indeed in need of taking some time off, and if they have hard-hearted employers or employers that have hard and fast rules that can't be bent, they may be constrained to make a very difficult decision as to whether to take time off to be with a child or a loved one or a spouse or some other emergency in the family, and we do know that sometimes that poses quite -- God bless you -- a hardship on those individuals and their families. There's no two ways about that.

But why would the first reaction be to create another governmental bureaucracy? Because it's my understanding that this bill says that we're not going to turn to the private sector to try to make this program work, which surprises me because Connecticut that I grew up in was the insurance capital of the world where we have the brains, the background, the wherewithal probably within walking distance of this capital you could bump into an insurance company or too that would have the ability to put this in motion. No. We're gonna create this large board, tell them that this is their job, it's in the nature of a quasi-governmental authority again, which I don't prefer. You're either in or

you're out, but I don't like an entity that isn't really responsive to us in the nature of a governmental entity, and yet, we give them so many freedoms, and we've had problems with quasi-governmental entities, but they they're gonna go out and hire a slew of employees that are perhaps technically not state employees, but they're gonna get the benefit packages of state employees, so I don't know what they are -- state employees or not state employees or quasi-governmental employees. And, along the lines of what Senator Miner had indicated, 0.5 of 1 percent, everytime I've looked at this as a proposal, I don't think that there's the critical mass to make successful at that rate, and so I think it's an inevitability for this to be a successful program that they have to come back and raise that cap, and will that -- as Senator Miner pointed out -- come again from the employees? So, now it's not 0.5 percent out of a paycheck but maybe 1 percent or 1.5 percent, and where will that eventually go? Or, at some point in time, does it become a forced contribution from the employer as well? Right now, the first step -- and these things usually are progressive -- the first step is employee only 0.5 percent, and let's see where we go.

And, then when I tell my constituents that it's going to be a number of years before we even know if

we have the right amount of money, so they say, I'm not going to see any benefit for around one or two years, and I go, yes. And, we're supposed to trust the State of Connecticut, this quasi-governmental entity to hold onto that money and not move it around, send part of it to the general fund or anything like that? Yes. You got to trust them it will all be there, but what's the criteria for disbursement? I don't know exactly all the criteria. I know what the intention is, but whether the intention will be fulfilled or not, I think there's gonna be some rules and regulations. The parts of the bill -- and I commend those who poured a lot of time and effort into this bill. I think there's -- as has been indicated -- some protections that make it even tougher than California's law, and I think that's all a good thing, but I think not utilizing our private sector expertise is a mistake, and I am not against state employees or state employee unions. All you have to do is ask the COs in my district at the six remaining correctional facilities that I have stood up for those corrections officers year in and year out for the 27 years I've been lucky enough to serve in this Chamber. That's not what it's about, but what it's about is I don't want to -- I think it will be unfortunate if we're here in a year or two and we have 100 new state employees with another contract like we're gonna have tomorrow where -- I don't know

-- salary is going to be \$80 to \$100,000 dollars, and fringe is going to be a huge percentage of that on top. We're just continuing to add to the burdens that we have to bear as a state when we have all these other programs that are going wanting, the waiting list for people with special needs and things like that.

So, I think we're not quite there yet. It's my understanding that at 12:30 at a press conference this afternoon Governor Lamont says this bill as it's written, which is before us, lands on his desk that he would veto it. He might wake up tomorrow and change his mind. I don't know, but that was the last I heard, and I think he wanted the direction to be more utilization of the private sector. We have those skill sets out there with employees to get the folks that are really have expertise in this. Do we have to go and poach them from our private sector employers, the ones that are remaining in the greater Hartford area? That would not be good. But I think that you need a certain level of expertise, certainly at the higher levels of this program in the nature of actuaries and things like that to make sure that what you're drawing in is appropriate and what's going out eventually would be appropriate, meet all the guidelines. I think for a lot of smaller employers you're gonna have to hire an accountant or at least a very expertise bookkeeper

just to figure out your way through this. What are your responsibilities? What are the responsibilities of employers, of employees. It's not a short bill. It's a long bill, and we don't want people to trip up accidentally with the best of intentions and run a foul of this, and that's a problem too. See, what is happening -- this year in particular -- but over the last several is we don't want to reach where the proverbial straw that breaks the camel's back. You've increased the minimum wage, Paid Family and Medical Leave, all these other burdens and mandates on businesses. The larger businesses might be able to absorb them. They might even be providing these benefits already so it's not even a blink, but for a lot of the smaller or medium-sized businesses, it's a problem just to find your way through all these pathways so that you are being a good employer.

So, I don't doubt for a second that there are people with complicated pregnancies and serious health issues, and problems befallen their loved ones, or just the vicissitudes of human life where they could benefit from a program such as this, but I really question if this is the right program in its current form, and I think that we should leverage the private sector that has the expertise so that we are not bringing on more costs onto our shoulders for things like pensions and healthcare benefits and

things like that for this new group, this new cohort of employees that I would suggest is probably going to end up in excess of 100, and to have these skills sets I think that are at the higher end of the wage scale, and not to belittle the data input folks, but I do think that insurance work is highly complicated when you're going to be involving so many different kinds of employers and different relationships with the employees, and sometimes our reach is more than our grasp. So, I commend those that with the greatest of intentions want to move forward with this, but I think it's the wrong time, I think it's a burden on my constituents, I think they don't anticipate that they're going to be getting a pay cut into a forced program where they may or may not have a reason to tap into it. I think how it rolls out is problematic reaching it's critical mass so that it can actually effectuate what is promising to the public is a real question mark.

And, for those reasons, Madam President, the amendment, which is now the bill, I will have to be voting against this afternoon. Thank you.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further?
Senator Abrams.

SENATOR DAUGHERTY ABRAMS (13TH):

Thank you, Madam President. I stand in strong support of Paid Family Medical Leave. When I was out campaigning this past summer and fall, I spoke to so many people who asked if I would support moving forward with the Paid Family Medical Leave, and I was so proud to say that if elected that is exactly what I would do. My good colleague, Senator Kushner, has done an amazing job, along with Representative Porter in coming up with a bill that I think both meets the needs of the people who are constituents, as well as our business community. I believe strongly that regardless of your financial circumstances there is no differences between us in terms of wanting to bond with our children or take care of our loved ones or needing to take care of ourselves at different times in our lives. So, for me, this is just about acknowledging that, about saying that no matter what your financial circumstance is, we're going to give you away to take care of those that you care about, your loved ones.

In my previous career, I was an educator, and I was very fortunate to have great sick, leave and family leave, and it made all the difference for me as a young mother, as someone who took care of my parents and took care of myself at different times in my life, and the thought that other people don't have that ability, it just doesn't sit well with me. I

just don't think that that's the way I want to live in a state. I would like it to be more equitable when it comes to that. So, I am very proud to stand here in the circle and make good on my promise that I will vote for Paid Family Medical Leave, and that along with what I think is the majority of people in our state, I will stand up and say that I think this will help them in managing their lives, their work lives, business owners as well. There are some small business owners that would love to take care of their employees in this way, but just can't afford to, and this gives them the opportunity to do the same thing for the people that they care about that they employ.

I would like to say finally that I'm concerned sometimes when I listen to debate here that the perfect becomes the enemy of the good, and we have an opportunity to do good today. Is it perfect? No. But I have to say that I've seen very little of perfection in this circle. I've seen people who are trying very hard to do what's best and to move our state forward in the best way possible and to make the best life for our constituents. So, I would ask my colleagues to do good today, to acknowledge that we all want to take care of our families, and to vote for this bill.

Thank you.

THE CHAIR:

Thank you, Senator Abrams. Senator Hwang, to be followed by Senator Winfield.

SENATOR HWANG (28TH):

Thank you, Madam President. You know this issue of Family Medical Leave has been discussed throughout this building, throughout the General Assembly for many years. Since 1993 when the Family Medical Leave bill was enacted, it provided an avenue and a respect for the importance of being able to take time to care for your loved ones. As the House Ranking Member of Labor four years ago, we had a debate and testimony on these issues. The stories are compelling from mothers to caregivers to loved ones that have suffered unexpected tragedies and illnesses. The ability to take time to care for your loved ones is compelling without a doubt -- without a doubt, and in fact, as we deliberated and delivered the issue, we had a bipartisan passage of that bill out of the Labor Committee -- bipartisan, and in fact, it was one where we talked about the opportunity to work together to find solutions for this very important issue. The appeal to me as I voted for that issue in the committee was that this was an opportunity to address an important issue of providing respect and dignity and a security in employment, but at the same time, balance it with

the needs of your loved ones and family to be able to do the work that you do, but the most important component that compelled me to support that bill was the fact that this was going to be portable and private. We emphasized that fact because the portability. The portability for the employee to be able to have a program that they could take with them or her to any job that they wish, and that would give them the flexibility to be able to have that coverage and to be able to provide the -- the care that's needed on family leave. The other component was this was going to be a private funded insurance program, and it was a work in progress.

But, unfortunately, for the past three and a half years since that passage out of the Labor Committee, it has been a one-sided conversation, and it has continued to veer toward more government, more employer contributions, more restriction of being a program that is provided by employers and government. It continues to be a very noble plan, and it's very important to be able to care for loved ones, but the devil's in the details in regards to how it's being implemented. And, I know that this amendment that we just passed through today made dramatic changes to the underlying bill, but nonetheless, it veers significantly from the collaborative bipartisan vision that was passed out of the Labor Committee three and half or four years

ago, and that is this is a private program and it gave mobility to employees on the issue of paid family medical leave.

We have veered so far from that, and I was very encouraged to hear Governor Lamont's philosophy on that closely align with the idea that this is an important program, this is a human-element program, but nonetheless, it is a program that should be run independent of state government. It is a program that should be run to benefit the employees and allow them to manage the program. This bill does not do that.

A little refresher on this is the fact that we heard that California, New Jersey, and Rhode Island had implemented paid medical leave, but isn't it interesting that all three of those states used currently preestablished disability insurance programs. They did not create a new authority or have the Department of Labor -- as the previous bill mandated -- to manage this program. I think that's important should we learn from the states that implemented paid family medical leave as we so eloquently used throughout this circle. Yes. Those three states do have an implemented program, but those three states use preestablished disability insurance programs.

And, in 2007, one of the first states to try to adopt this was the state of Washington. Since 1993, the authorization allowed in 2007 the second state to adopt paid family medical leave into statute was Washington, but unfortunately -- or rather fortunately, they stipulated under appropriate -- of under available appropriations in the statute, and in fact, to this day, Washington has not been able to implement paid family leave because to them the state could ill afford the program.

Those are telling tales and those are telling examples that we have sometimes chosen to ignore in our haste to do something noble and worthwhile. Make no mistake about it, paid family medical leave is important. It is right, but the fact is we have veered away from our ability to pay for it. My goodness, if the state of Washington, the second state to adopt this program, in 2019 has deemed it unaffordable, should we not listen to those lessons?

Through you, Madam President, a couple questions to the proponent of this bill?

THE CHAIR:

Thank you, Senator Hwang.

SENATOR HWANG (28TH):

Thank you. Thank you, Madam President. Is this program with the amended bill portable in the

concept that an employee could leave any employer, go anywhere in the country, and be able to carry that coverage for the money they have paid into it via any form of deduction?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This bill allows for an employee to carry that benefit with them from employer-to-employer within the state.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President. So, it's within the state obviously governed by this so-called authority, but the portability is truly not national. It is only restricted to within the state. If somebody wanted to work in New York or from Granby to live and work in Massachusetts, the bottom line is this is not truly portable from a national basis because it is in a program that's administered by the state or the quasi authority; would that be correct?

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Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. If a person worked here in the State of Connecticut and established the benefit levels -- the work levels required to benefit, they would benefit when they were here. If they went to New York -- as you would suggest -- they would be covered by the New York Paid Family Leave Act. If they went to Massachusetts, they would soon be entitled to a benefit if they were working in Massachusetts -- in Massachusetts. You know, I would like to point out that this is -- this benefit program as you correctly state as was correctly stated by the good gentleman, that this kind of a program that has -- that does now exist in other states and they're all done as we are suggesting in this bill for employees while they're employed in the state.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. Through you, Madam President. And -- and I hope to be wrong -- and through you, Madam

President, to get a clarification. Through those three states that I mentioned earlier that use a preestablished disability insurance program, will this be using -- will our state's program be using a preestablished insurance -- disability insurance program or are we creating a state entity in an essence self-insuring through this?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I am most familiar with New York having worked there at the time I had my children many, many years ago -- almost four decades ago, and I did get an existing disability program through the state of New York at that time. They had an existing program. They did not have it for family leave. They had it for the individual who was themselves ill or injured, and only recently expanded that program. And, so we have learned from them. We've spoken with them. We've spoken with all the states that have been involved in developing their programs, and I think we have learned a great deal from them, and -- and because of that, I believe this program is not only, you know, going to be really good for employees, but it's gonna work.

I know that there have been questions raised about solvency for instance, and the rates and all of that. You know, we have done actuarial studies, and we are confident that these rates will be sustainable, both the premium rate and also the benefit, and that's based on looking at what other states have done and what the experiences have been in those states, so I feel very comfortable with this.

Thank you. Through you, Madam President.

THE CHAIR:

Thank you, Senator Kushner. Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. Just again a point of clarification. I don't thin the proponent answered. Will this be a preestablished disability insurance program or will this program under this amendment be a newly established self-insurance -- self-insured program of the State of Connecticut? And -- and, I will have a followup after that.

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. We are establishing a paid family leave authority to establish the fund to provide the benefits for this benefit. To my knowledge, we do not have temporary disability insurance fund run by the state.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, ma'am, and -- and I appreciate the good work of -- of the Senator and Representative chairs in Labor, but through you Madam President, could the good chairwoman explain who did the studies? Who were the actuaries? Were they state employees? Were they private insurers? Who more importantly did the studies that she reported?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President, the original study was done -- it was commissioned by the legislature and it was done several years ago, and it was not done by the state of Connecticut or state employees, it was done by an outside organization that was

contracted with to provide that data. We have asked for updated information based on current modeling, based on current wages, more up-to-date wages, and this particular benefit wage-replacement program, so it was done with actuaries hired by -- you know, working through an outside organization.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

And, through you Madam President, I thank the good lady for her answer. And, what were the conclusion in regards to this program from the payroll deduction and the actual utilization because as we've seen in various other programs where premiums are being stripped by claims? And, I also want to offer a letter that was recently sent to Governor Lamont, which was shared with me by a company in -- in my district, Bigalowe Tea Company where the CEO wrote about their prior experience with paid family medical leave. They instituted a paid family medical leave program modeled after the federal program but as benevolent and caring community employer, they paid for those family medical leaves, and what they found in their actual -- actual real life examples of utilization was the use and the applicability within their employees for paid family medical leave was excessive. It was greatly

utilized. The scope of definition that is provided in this amendment equally adds to the possibility that put into real life applications there could be a significant outstripping of premiums to match the needs. Should that ever happen -- and I hope it doesn't, through you Madam President -- who bears the ultimate burden to meet those premium obligations? I believe if the state of Connecticut's creating this authority, it would be the taxpayers of the state of Connecticut. Would that be correct?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This program will be established under the authority. The program benefits, as I've said, have been analyzed. You know, this bill provides for a wage replacement. It provides for a maximum benefit, maximum premium that can be required paid by an employee, and it has been studied, and it is understood that we anticipate out of the more than a million workers that we have here in the state that the implementation report assumes approximately 102,000 employees would take the leave. I think the average length of the leave was

assumed to be four weeks. again, this was based on comparing utilization in other states. In terms of if the fund were to be insolvent, the bill provides for a reduction in the benefit to address that insolvency.

THE CHAIR:

Thank you, Senator Kushner. Senator Hwang.

SENATOR HWANG (28TH):

Thank you. I want to thank the good Chairwoman for that explanation that we do provide the option of decreasing the benefit and -- and I'm appreciative of that, but ultimately, if it should be outstripped and even if we decrease the premium, ultimately if the liabilities outstrip the ability of the premiums to -- to keep up, is the state taxpayer of the -- of Connecticut ultimately responsible for this self-insured authority program?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I don't believe there's any provision within this bill for the state to bear that responsibility. There are provisions

in the bill that provide for annual reporting, and a board that will be responsible for carrying out its fiduciary duties to make sure that we are meeting target fund balances necessary to provide the benefit, so I think the protections are there that the fund will be solvent.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. Then, I'll have one more question, and then I reserve the right to ask more down the road if it's okay, but why not consider a private portable program through preexisting disability programs that -- that would be one that would be consistent with the governor's preference and also, I think a much more employee beneficial program that we discussed nearly three and a half years ago?

Through you, Madam President. Why not explore a private insurance disability program rather recreating the wheel and wondering about a lot of what ifs?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. I don't think we've made a determination that this program cannot have elements that are performed by outside private insurers, and you know, we looked at this issue and we've heard both sides of the issue from many, many advocates from many, many employers. We have studied the issue of not whether this would be run better completely in house by DOL or whether it would be better to do it through a private insurer or as we have now written into the bill making it a quasi-public that gives us and affords us the opportunity to make those determinations through a careful process of examination.

Now, there are certainly plenty of people who feel private insurers have not always performed well for the people that are covered by them -- you know, lost claims, delayed claims, denied claims, huge profits. So, there are those -- we hear those criticisms, and we also hear people who says that you know the government can't possibly run this program. So, we've heard both sides of the issue, and I thin that's why the approach that we're taking is so sound to create a quasi-agency authority here that will have the opportunity still to do RFPs and look at what's the most cost-efficient way to carry out this program using employers in the private industry where necessary or where it's most

efficient, but relying on our good resources of the state, which we have many and very abled-bodied people that can carry out a program, so I think we've left this program. It's not vague or unconsidered. It's really actually very -- has been very well thought out, and I think that it contemplates making sure that we have the opportunity to take either approach.

I will point out that there is no state that is completely privately run. In New York for instances, there is the state insurance fund that certainly is used for part of the benefit program. For those parts of it that are contracted out to private insurers by employers, there's a great deal of regulation and it can be costly and cumbersome to oversee and make sure that we are protecting employees and employers from -- in the way the state is responsible for to protect against fraud or abuse, and so the regulation piece of it in New York is extremely well developed. It emerged over many, many years, and for us to take that approach in building a new system could be quite costly to the state, so all of these considerations have been made, and I think in taking the approach that we are we're being very careful to give ourselves flexibility at the same time to make sure that we're building a good strong program that will survive and will be strong.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. Through you, Madam president. With her eloquence, it just brought up another question for me. Through you, Madam President. What was the thinking to move from the federal mandate of 75 employees in the state program of 50 to 1? When we talk about a state that needs to energize small businesses and know and understand and appreciate the struggle of small businesses to survive on the heel of raising the minimum wage and the other possible costs that may be imposed on, why did we make the transition down to a single employee rather than giving the 50 employee minimum?

Through you, Madam President -- Mr. President.

THE CHAIR:

[Laughing].

SENATOR HWANG (28TH):

Welcome! What a transition. Good to see you, sir.

THE CHAIR:

Thank you. You -- you blink, your eyes and things change.

SENATOR HWANG (28TH):

Thank you, Mr. President. Yep.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Mr. President. I'm glad you asked that question because there was a lot of thought and consideration given into what size employer, and one of the things that I learned in this process is that the other states provide the wage replacement benefit to all of the employees, to everyone who's contributed and everyone contributes. What they don't always have is job protection, and this bill when you say it's one employee or more, that pertains to the section of the bill that provides for job protection for every employee, and you know, I talked to a lot of small businesses when I was contemplating this bill and thinking about the different ways to approach it, and what I heard from small employers is we have a very tight relationship with our employees, we're like family, and when somebody gets sick, we take care of them. We take care of them making accommodations to take time off, sometimes small employers try to pay them, but that's probably the biggest, hardest part for them is coming up with some wage replacement, and -- but

they were very happy to learn that for a very small premium their employees could get wage replacement at a level that they couldn't provide. You know, and sometimes in this debate I feel like the issue of small employer versus large employer has been flipped upside down because this bill provides job protection. It says if you are a single employee working with an employer you can't be fired because somebody in your family gets sick. The wage replacement comes from the fund, comes from the premiums, and most small employers don't fire people when they get sick or when somebody in their family is dying. What happens is the big employers do that, and they have a policy that's inflexible, often times, not every big employer in the state by the way. We have some wonderful big employers [Laughing] in the state. Some of them right down the street from me.

But I think what we're saying is that everybody should have their job protected and that means even if you're small, and I think small businesses see this as an opportunity where they can compete. You know, when you do look at wage replacement that is given now for employees who are taking family leave, it typically is from the large employers. One on my street who because it's an international global company based in Germany they actually provide very generous benefits to their employees because it's

part of their worldwide policy, but a small business can't compete with that. So, in fact in many ways, I feel like this program and the way we've structured it will allow a small employer to compete because they're not going to be paying for that wage replacement out of their pockets, but they will have the comfort of knowing that someone who is taking care of a sick family member or they themselves sick have the -- have the ability to call on this insurance program to get some wage replacement, and those are the guys that aren't firing people for getting sick, so you know, we might have a few bad apples amongst them who would fire someone when they get sick, but this bill will protect those jobs.

THE CHAIR:

Thank you, Senator Kushner. Senator Hwang.

SENATOR HWANG (28TH):

Welcome back, Madam President. Through you, and -- and I appreciate the good proponent's point on wage security and job security. Those are important elements to -- to anyone's employment outlook. This bill I clearly in reading addresses a lot of those concerns, but my question is for a small business of one, two, three, four, and if those individuals -- and -- and according to this bill if it is a couple that feel it's necessary to concurrently take leave -- you lose literally half of your organizations

ability to deliver goods and services and do business. Where is the consideration for small business owners who bear the brunt of the risk, who bear the brunt of meeting payroll that have of their skilled and valued employees can take that time with no recourse? I think that is where my concern in looking at simply one or more employees rather than looking at what was the federal mandate of 75, and our states look at 50 because there were thoughts and consideration that larger organizations could possibly absorb the loss of valued employees, but when you look at a company of four employees and if a husband or a family member concurrently go out, you lose half -- half of your ability to compete in a competitive marketplace. What recourse do we have for them? Ultimately, I know that this bill makes a decision. It makes a decision that the rights of the employee far outweighs the risks and the rights of employers. I believe that there should be balance. I believe there should be fairness. Sure, are there bad actors on both sides? Absolutely. But I feel in this bill we have tipped the pendulum too far to one side at the risk of hurting the equal partner in a successful business endeavor in our state. I'll reserve judgement and hear more of this debate, but again, going back to my first experience three and a half or four years ago, ultimately, my support of this bill because it provides important human respect and element values to care for your

loved ones. With that being said, the fundamentals has not changed from those days. The math doesn't add up. The viability and sustainability of this program does not add up, and if we go forth with this with a lot of actuarial ifs, we may put ourselves at risk, and I hope we follow the suit of Washington State and say under available appropriations for us to implement a program as ambitious as this.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Senator Kushner.

SENATOR KUSHNER (24TH):

So, I do want to return, through you Madam President, I do want to return to the issue of the math doesn't add up because the math has been done, and it isn't questionable, and it isn't in doubt. We had the ability to look at both the wage base of our workers here in Connecticut and also look at what has been experienced in other states. And, for instance, in California that has been -- this program as was pointed out earlier by my good colleague, Senator Anwar, has been in place for more than 10 years, and during that time, we've had ample opportunity to study the program, study the average duration of leave, study who takes the leaves, and

how much money is necessary. In California, they charge considerably more than we charge -- than this bill contemplates. This bill contemplates a half of one percent contribution premium to -- to get the wage replacement, but we've also limited the amount of time that a person can take leave to up to 12 weeks. In California, for instance, if you yourself are out, you could get up to 52 weeks of wage replacement. In California, there's a higher cap on the maximum amount of the wage replacement. It's over \$1000 dollars -- over \$1200 dollars compared to this bill contemplating at a \$15-dollar minimum wage, \$900-dollar cap.

So, I think that we have been really conservative in looking at what would it cost to provide these benefits, and I believe the math does add up. I think it makes good sense, and it's very sound thinking, and we came in with a benefit that was below the half percent, and we were very cautious not to put anything into jeopardy.

I also want to just comment briefly again on I mentioned that I think there a lot of good small employers in this state, and I know those small employers, I know those small businesses, I know what they've gone to protect employees, what they've done to protect employees when they're out on leave, but I also want to say they're really good employees, and I forgot to mention that, and

employees also work with their employers. They also consider themselves family and work together to make sure that they are -- when they have a need and when they have a problem that they are able to address and be flexible and meet the needs of the employer as well, and I am confident in both our small businesses and our employees of small businesses.

Thank you, Madam Chair.

THE CHAIR:

Thank you. Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. I rise to speak in support of the bill. I want to begin by thanking Chairwoman Kushner and Chairwoman Porter for the work they've done to get us to this point. I know a little something about that. I had the opportunity once as Chair to be able to make the attempt but failed, so again, I want to thank them and thank them both for allowing me to be a person who in a sense has been a confidant during the period of trying to get here. So, because I have the experience that I have, I also have spent a little bit of time in this building on some of the more controversial, more important -- if you will -- bills, and I recognize that often times deep thought and eloquent words go into building a path to

getting us to know, and I don't know that I'm going to be deep or eloquent, but I know that I have some stories to tell about why while some of us can't say yes, I can't say no to this bill. And, those stories that I'm going to tell are the stories that built the shape that you see before you, the person that you see before you, and there are two particular stories that are important. And, I guess what I've realized through those stories is that often times when you're going through it, your pain feels unique in that moment of the pain itself, but then you live a little and you learn that other people have shared your pain in one way or another and you recognize your connection to those people, and that's why whenever we debate these kind of things I don't talk as much about facts, I talk about the stories that connect me back to other people.

So, one of the stories I want to tell is a story of -- and I've told various pieces of the story -- the story of my mother's passing. My mother spent a lot of her life ill, and in 2010, she began her process of dying, and it was an unfortunately two-and-half-year process, and I spent a lot of time -- I was in the legislature. I have another job like many of us. I spent a lot of time going back and forth between the hospital and Long Island and either my place of work or this place. A very difficult time,

but being there was more important to me than I could have possibly known at that time because part of who I now know that I am comes out of the experiences that I had, being able to spend that time with my mother as she died. I came to know that something that I think many of us as children probably never expect, and many of us never hear that I was a hero to my mother. That's an experience that should I not have been able to be there I would not have had. And, let me say it's not that I had paid family leave, it's that in the middle of the night I would drive to Long Island and make my way to the hospital. It is not that I had a little bit of time off so I could go and sit with my mother the way I would have liked to, it is that I would give up sleep, and I would take away from my marriage so that I could go spend time with my mother.

I learned the story that I've learned a lot more about in the last few months. So, I've told the story about my mother's name and how her name related to why she thought I was her hero. I'll tell it again briefly. My mother was named Armenta [phonetic] who was a daughter of Harriet who was a daughter of Armenta. Those names are the names that collectively make up the names of Harriet Tubman, and my mother was very interested in the issue of getting people free and being able to be involved in

that, and she was very interested in that but had not in her mind the ability to do it. So, when she saw the work that I had been doing -- first as an activist and then as a legislator who still thinks he's an activist -- she was not only proud of that, but she came to see me as a hero in her mind.

Fast forward a little bit. I guess I wasn't going to tell this part of the story, but fast forward a little bit, I discovered that that curious thing that happened with the names is more curious than I know because very recently -- I don't know a lot about my family history -- but very recently I was trying to figure out some things, and I realized that name goes back further than we thought. So, my mother passes and the stories that I otherwise would not have known become a part of who I am in a way they never could have become, but they become precious to me because they are what I have left of her. Now [Crying], if you're a parent and I hope you've never experienced this, you've experienced the loss of a child. It is perhaps one of the most painful things you could experience. I've experienced that pain, and when my current wife said she was pregnant, I wish I could have been happy, but I was afraid. I didn't know if I could lose another child. I didn't know if I could literally deal with losing another child. And, so when I went to the doctor with my wife and the doctor said

there's your baby and there's your other baby the level of fear increased because I know that the possibility of having twins and what might happen increases the possibility that the outcome is not what you would want it to be. So, when my kids came -- they were early -- they had to go to the NICU, and it meant that as parents we needed to be there with them, but what I discovered when we went to the NICU was that my son for whatever reason just would not eat unless I was in the room.

So, when you are a parent whose child has come early, whose in the NICU, the thing you want to do is get that child out of the NICU, but I didn't have paid family leave. Now, it didn't matter that I didn't have paid family leave because I would have figured out how to work at any job possible so that I could be there giving up the job that I had, but I know every single day that I was struggling to be there in that NICU so that he could eat, so that he could come home like his sister who had already come home. That fear that I had ratchet up. That's what paid family leave is about, and I know that we're gonna talk about every single number. I know we're gonna talk about public versus private. I know we're gonna talk about all of that stuff, but what I know is that these stories that connect all of us, these are the things that that bill is really about. And, if this bill passes, thank God it passes. But

if it doesn't pass, those who say no, those who have butts, every single one of them have the ability to put in a bill, whatever flavor of bill they want. If this is as important as we all seem to be saying it is -- the majority of us at least -- then we should be making an effort to pass a paid family leave, but right now in front of us is the ability to help people so that they are not walking around trying to figure out what it is they can do to be able to see their daughter, their son, their mother, their husband. I know that pain and because I've shared that pain that others have shared, I rise today in support of this bill, and I hope that as many people in this Chamber as possible can rise with me to support this bill.

Thank you.

THE CHAIR:

Thank you, Senator Winfield. Will you remark further? Senator Logan.

SENATOR LOGAN (17TH):

Thank you, Madam President. I stand in opposition to the amended bill before us. The amended bill before us would be another tax on Connecticut workers. The amended bill before us would be another payroll tax, which most Connecticut workers would be forced to pay. The amended bill before us

is essentially a half percent tax on the income for most Connecticut workers except union state employees. One of my top priorities as a legislature is to do all I can to make Connecticut more affordable for individuals and families living here in Connecticut. Therefore, I am reluctant to vote in favor of any bill which makes Connecticut significantly less affordable for people. I am not inclined to vote in favor of the amended bill before us because it raises taxes, and I believe it hurts people.

In addition, the amended bill before us would be another reason for businesses to desire to move their business operations out of Connecticut. I believe the amended bill before us would be yet another reason for companies, businesses to want to stay out of Connecticut, and this is significant. This is important because we here in the state of Connecticut are in a financial crisis, and we need policies and plans, and a sustainable way of getting out of this financial fiscal crisis that we have, and I believe we need to do that by way of encouraging businesses to stay here in Connecticut, encouraging business to come to Connecticut. We need more people working, more people paying taxes, and so as we continue this trend here to create burdensome regulations, to make Connecticut less affordable by tax increase after tax increase, we

are actually doing the opposite and we are actually hurting the very people that this bill is intended to help. I believe in the concept of paid family medical leave, but I do not support the amended bill before us. This amended bill effectively increases taxes and goes too far too quickly in terms of adding employee benefits that we as a state cannot afford at this time. We need to work on ways to improve our state economy, and we need to work on ways to lift our state out of the current financial crisis that we're in. This amended bill would ultimately hurt the very people it's intended to help because it would result in making Connecticut less affordable for people. This amended bill will make Connecticut less attractive to businesses, to companies, and as a result, this amended bill will hurt Connecticut workers by ultimately reducing job opportunities.

I believe in the existing Family Medical Leave Act. Folks should have the option and opportunity to take time off from work to help loved ones. We as a community, as a society we look out for one another. We look out for those that are closest to us, and many times there are people within our close-knit group whether it's family or friends that have limited friends and family there to help them, so we should encourage folks to help each other out. I believe in the concept of paid family medical leave.

However, I do not throw my support out at any bill simply and only because of the title. The details of this bill -- this amended bill or any bill -- the details matter, and the collective details of the amended bill before us are bad for Connecticut workers. The amended bill before us now will ultimately hurt individuals and families, and it will hurt Connecticut business. The amended bill before us now will further damage Connecticut's economy by deepening Connecticut's current financial crisis. I believe that there are other viable alternate options available, which would meet the objectives and would meet the concept of paid family medical leave without hurting the very people it's intended to help. I believe that there are other viable options to enact the Paid Family Medical Leave policy that does not discourage the business community from operating in Connecticut. I support the concept of paid family medical leave; however, I do not support the collective language of the amended bill before us and for these reasons, I plan on voting no on the amended bill before us.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Logan. Will you remark further on the bill? Senator Haskell, to be followed by Senator Martin.

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SENATOR HASKELL (26TH):

Thank you very much, Madam President. I am incredibly proud to support this legislation, and I urge my colleagues to do the same. First and foremost, I want to thank the leadership of the Labor Committee, both Senator Kushner and Representative Porter for their tireless work on this issue and in particular, this bill. I also want to thank the leader -- leaders of our caucus, Senator Duff as well as Senator Looney, for prioritizing this issue and making this bill SB 1. I think that that sends a real message to people across Connecticut.

Madam President, I believe that those who write our history books are watching this Chamber today. Should we decide in this circle to bring paid family leave to Connecticut will turn the page in Connecticut history and begin a brighter, better, fairer, and most importantly healthier chapter. A fundamental question that constituents asked me when I knocked on their door this summer is why should Connecticut citizens be left behind when our neighbors and our friends in Massachusetts, in New York, in New Jersey, in Rhode Island, in California, in Washington, and in D.C. are given an opportunity to have a fulfilling family life without suffering in their professional pursuits. Of course, Madam President, it's not just Connecticut residents being

left behind. This is happening across the country. The U.S., as I'm sure you know, is the only OECD nation without paid family leave. A recent UN study found that 183 out of 185 surveyed countries offered paid family leave. The two that were missing were us, Madam President, and Papua New Guinea. I think that my friend, Senator Anwar, said it best, "This bill won't change the number of people who get sick, it won't change the number of people who have children", but what it will change is it will resolve that impossible dilemma that too many workers face when they encounter these inevitable circumstances. It will give parents more time to bond with their child, which study after study shows improves cognitive development. It will give parents more time to vaccinate their child, which study after study shows improves childhood health outcomes. It will prevent people from going back to work when they're still sick. It will prevent them from putting themselves and their co-workers in danger.

From an economic development perspective -- and we've heard a lot about what's best for the business community in this Chamber today -- Madam President, studies show us that the next generation of work life balance when they decide where to start their careers, so I ask to my colleagues in this Chamber, what message does it send to young people when they

can get a job in New York and Massachusetts or New Jersey where they won't have to choose in advancing in their career and starting a family, but in Connecticut, their job, their workplace is going to be stuck in the 20th Century.

As I press the green button today, Madam President, I think about my own mom, a single, hard-working mom who had to go back to work just two weeks after I was born, and she's not alone in that. That's true for 25 percent of American moms, but it shouldn't be. Today, we begin to fix that. Madam President, in 1990, long before got here, this Chamber passed paid family and medical leave -- of course, it was unpaid -- and the national government followed. Just three years later they brought family and medical -- the FMLA to the U.S. Congress. I think that once again, Madam President, this is an opportunity for Connecticut to lead the way, for our moral convictions to stand unabashed in saying that this is a state where no one is going to be forced to make that impossible choice.

So, thank you, Madam President. I'm excited to support this bill today, and I urge my colleagues to do the same.

THE CHAIR:

Thank you, Senator Haskell. Senator Martin, good afternoon.

SENATOR MARTIN (31ST):

Good afternoon, Madam President. Madam President, I think you know most of us in the Chamber here all agree that the family medical leave is important. You know, I heard some good idears today regarding this Family Medical Leave and perhaps it should be portable in allowing individuals to bring it from -- from state-to-state. That might make it more acceptable, but there are concerns and I think the solvency of the -- the program itself is always on top of people's minds, and you know, here we are with questions regarding the solvency -- the future solvency of the program and how many times do we -- this body pass legislation that costs us. We don't know what the outcome is and what the expenditures are going to be. We just passed that legislation and to find out gee we're running in a deficit, and then we've gotta raise taxes, I guess down the road to offset those expenditures, but decisions that I'd like to I guess start making better sound fiscal decisions so we can get our fiscal house in order, but regarding the solvency of the program, I -- I do have a couple questions for the proponent of the bill, and from my understanding, the collection of the program will start in January 1 in 2021; is that correct?

Madam President.

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THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. That is correct.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam President. The benefits portion of that will start one year later in January 1, 2022; is that correct?

Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. That is correct. I should point out I think it's clear in the bill that there's a little bit of leeway built into it to provide for, you know, making sure that we are able to do everything, you know, well and appropriate, so I think there's a monthly weight built into that.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Is there a reason, Madam President, through you, that this program is not starting in 2020 -- January 1, 2020 rather than 2021?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President, through you. We are starting it a year and a half from now to give us the time to put all the pieces in place that will make it run smoothly, make sure that we have adopted all the guidelines that are necessary, engage in the public education that is necessary, put the team together on the ground that is necessary to make sure that we're covering all the bases, so you know, it's customary. In the other states, it has also been -- it has been implemented some period of time after passing the bill. I would say that one of the things that give some reassurance is that we have some good neighbors right next door who are creating a very similar program to what we're establishing here in Connecticut, but they are a little ahead of us, so Massachusetts is implementing a bill. they've already passed a bill. It's been signed into law by -- their governor signed it into law,

and they are working through the implementation now, and I've had the ability as others have within state government here in Connecticut to talk to some of those folks who are responsible for that program, and I think they're doing a great job and we have a lot to learn from them, and it will make our job easier, but we still want to give ourselves the time that's necessary to make sure everything is put in place and done correctly.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair. The startup program itself -- how many employees are we talking about?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam Chair. There is a fiscal note on this that lays out the number of employees that they anticipate would be hired initially to start the program up, and I'm just looking through my papers here. Give me one minute. It says on page 2 of the fiscal note that the DOL would be hiring between

four and eight additional staff -- two principal attorneys, a five-staff attorneys, and one administrative assistant. It goes on to say there would be other start-up costs that are enumerated on page 3 of the fiscal note, and I do want to point out I'm sure you've seen this, but that the cost of the start-up is required under this bill that the cost up start are to be paid from the fund within the first year of paying wage replacement.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair. Do we anticipate an increase in employees from 2021 to going forward? So, once the program is started, how many employees do we anticipate on having?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The number of employees that would be hired would really be depend on which aspects and which elements of the program are maintained in house versus contracted to an outside vendor, so again, on that issue though, the actuarial assumptions that were built into this

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program is that any cost for either the employees of the authority or for the use of employees or the use of existing employees in fact by one of our departments like DOL or DRS, those would have to be -- those costs would be paid back to the state for any services provided by a state department or agency.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So, if I under -- understand that it is the program that will be paying for the cost of the employees?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. That is correct. The program will pay for itself including the cost not just of the wage replacement but for all of the costs of the implementation including staff.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair. Are there -- has there been or will there be any bonding involved in the start-up portion of this program?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

We have not put any bonding requests into this -- through you, Madam President. I apologize. We don't have a bonding request in this bill. It's not anticipated in this bill that there will be bonding necessary. However, I will point out that the budget does provide for bonding for various applications that could include portions of this implementation.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair. And, how much in the budget is that amount?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

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We have -- through you, Madam President. We have not put in a specific amount in this bill because, again, it would depend entirely on which portions of it were implemented through an outside vendor in which were fulfilled internally to the current state agencies and departments.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair. So, if we do hire an outside firm, a third party, we may have to use some of the funds that are allocated or appropriated through the budget to pay for those services?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam Chair. Could you repeat the question?

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So, through you, Madam Chair. So, if we are going to use the outside service or a third party, and well obviously we would have to pay for them, so there's a chance that we would be using the allocated or appropriate budget amount to pay for those outside services?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I believe the fiscal note does anticipate that there could be start-up costs. It doesn't specifically say through bonding, which was your original question, which is what my hesitation was, but there could be start-up costs that would, for instance, require spending money for information technology, and that is in the fiscal note, and that was anticipated.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So, just to -- we're all clear I guess -- so, is any portion of that money bonded?

Through you, Madam Chair.

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THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. There is no specific intent of this bill to bond any portion of it.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

However, it is in the budget from my understanding that the good Senator said previously.

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. It is entirely dependent on which portions or if we do decide to hire out any of this work, and so that has not been determined.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair. So, should there be bonding money used? Is it the intent of the program and the authority to pay back those bonding funds?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam Chair. I do feel like I can answer that question. It is our intent -- that's an easy one [Chuckling] -- because it is our intent that all the costs for start-up and all the costs to -- ongoing costs of this program is intended that they are paid back by the fund.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam. The program tax is about half a percent on wages up to a Social Security amount that's limited to I think \$132,000 dollars a year, and should the fund be I guess heading towards insolvency, I would assume that the authority will be looking to increase that threshold. Is there going to be a limit to that -- how much that amount would increase to so those that are currently capped

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at \$132,000 dollars, will there be a percentage tied to that or will it be unlimited?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Actually, the bill is very clear that you cannot raise the percentage of either the premium or the amount of income on which people pay, so it is tied to the Social Security earnings level, and that right now is \$132,900 dollars -- it's \$132,900 dollars right now. If that threshold of the Social Security earnings level went up, then obviously it's pegged to that, but there is no provision in this bill. There would be no way in which you could raise the amount of income on which somebody pays above the Social Security level. The way that any concern about insolvency would be addressed is provided through the ability of the authority to reduce benefits.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So, that is the sole -- I guess -- option that the authority has?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. That is the sole opportunity to address any financial concerns regarding the fund balance.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

I would think though legislatively we could come back here and change that?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I am aware that you can always change legis -- you can almost in every instance legislate something different.

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THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam Chair. Earlier, there was a question regarding the deduction of the portion -- that half a percent -- so, that I'm clear; is the income that is deducted for the fund, for the program, is it exempt federally?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. My understanding is that the contribution is not -- that -- that an employee would not be making is not exempt from federal taxation.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

And, I thought I understood that the state is -- it would be exempt from the state income?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. It is my understanding the intent is not to apply state taxes to the premium that employees would be paying.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So, that would be a deduction on the state income tax?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I don't -- I'm -- I'm not -- I can seek counsel on that, but I am not familiar with how that would be accounted for.

THE CHAIR:

Senator Martin. [Pause].

SENATOR KUSHNER (24TH):

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Thank you, Madam --

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. These are not intended to be pre-tax dollars. These are contributions that would be made after a person's already paid whatever taxes they are obligated to pay on their income.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So, it sounds like that both federally and state income tax it is the -- we are -- they are not exempt from tax -- from being pre-taxed?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Yes. You know, if I had any confusion it's sometimes because we're thinking about the -- the weekly, you know, wage replacement versus the actual premium contribution.

SENATOR MARTIN (31ST):

So --

SENATOR KUSHNER (24TH):

They are not intended to be pre-tax dollars.

SENATOR MARTIN (31ST):

Thank you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you -- thank you, Madam President. So, basically, we're paying taxes on that \$260 dollars as the annual payment?

Through you, Madam President. As an example.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. We would -- yes. The premium for this insurance program would come out after a person had already paid taxes on their income.

THE CHAIR:

Senator Martin.

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SENATOR MARTIN (31ST):

Through you, Madam President. So, if someone receives a benefit, is out for 12 weeks, and they receive the maximum -- whatever they qualify for -- then would they be paying taxes on those monies that they received of that benefit?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. My understanding is that those -- the wage replacement would be subject to federal taxes.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

And, through you, Madam President. What about the state income tax?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. My understanding is that that would not be the case.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So, going back to the federal income tax, then we would be paying taxes on that?

Is that correct, Madam President?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I'm not a tax attorney, but I have had some conversations with folks to understand this, and because this is an insurance premium that is paid for by the employee, not the employer, I believe that is -- goes into the calculation of why that would be not pre-tax dollars, and so you are paying on it, and then the federal government in other states has determined that they do -- they have require taxes out of the wage replacement benefit.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So, it sounds like we're paying taxes when we earn it and -- when we first earn it, pay taxes, and then now we've paid the premium, and we take 12 weeks, we receive the benefit of the maximum amount -- whatever it may be -- and, now, we're paying taxes on it again. So, it sounds like double taxation.

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. And, you know, I believe we're basing this understanding on what we've seen happen in other states in terms of the federal taxes. Obviously, we don't have any control over how that decision is made in the federal government. I would hope that since there has been a lot of discussion about having a federal program of paid family and medical leave, that's one of the issues that I hope they would address. It would also address the portability question that others have been concerned about because [Laughing] if we had a federal program, which I think we would all really like, we wouldn't have some of the portability questions that have been asked by some of your earlier colleagues.

Thank you.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. One last question. And, that is will there be individuals who will be contributing to this program and not receiving a benefit?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This insurance program is like any other insurance plan. You -- you kind of hope that you never need the benefit because you can only use that benefit if something happens to you or your family members, and so you hope you'd never use it, but you know we know from other experiences that most people in their lifetime at work get seriously ill or have a family member that gets seriously ill, so you know, when I was talking to people I had sometimes an older worker say, well, I'm retiring next year so this is never going to happen for me, but then you think about

their child who might have to take off and take care of them and being 66 years old that used to be my response to them is I that I want to know that if I get sick my kid can get paid family leave and take care of me, so you know you hope you wouldn't use it, but it's like any other insurance program. Everyone pays in but you know you can't guarantee that everyone in their lifetime will use that benefit.

THE CHAIR:

Thank you, Senator Kushner. Senator Martin.

SENATOR MARTIN (31ST):

Madam President. Thank you. I've got no further questions. Thank you.

THE CHAIR:

Thank you, Senator Martin. Senator Slap, to be followed by Senator Champagne. Senator Slap.

SENATOR SLAP (5TH):

Thank you, Madam President. I appreciate your time and good evening. I guess it is technically evening, so good evening to you.

THE CHAIR:

Indeed, it is. Good evening.

SENATOR SLAP (5TH):

I do rise and stand in support of the bill, enthusiastically in support. I want to thank Senator Kushner and her Labor co-chair, Representative Porter in the House, and certainly leadership in the Senate here, Senator Duff and Senate President Looney for their leadership in making this bill Senate Bill No. 1.

You know, I spoke last week when we were debating the minimum wage bill, and I said that that is an important piece of the puzzle when we're talking about strengthening our economy and making the economy fairer for all folks including and especially women. We know that there's a significant gender-wage gap, and last year we passed this pay equity bill to help close the gender wage gap, eliminate the pay history question. That's an important piece of the puzzle and that passed bipartisan, and now, this year the minimum wage bill is another important step forward as we know that 60 percent of -- of those who make minimum wage are women.

And, now, we come to this bill, and this bill is so critical for many different reasons, and I want to just highlight a few of why I am so excited to vote -- to vote yes for this important piece of legislation. One, it's important for working women.

One in four women return to work within two weeks of giving birth. That's a national statistic -- one in four. And, 70 percent of mothers with children under the age of 18 months are actually in the labor market. This bill's gonna do something about that and help women stay -- right -- in the home longer to care for a child, if that's what they decide that they want to do. We know that where this bill has been enacted -- and California is one example, we've discussed that in the circle -- that this improves outcomes for young children. It reduces infant mortality rates by up to 10 percent where's there's paid family leave, it increases birth weight. Statistic show it actually even increases high school graduation rates. So, it's good for women, it's good for children, it's good for business too. You know, in California, the statistics show that 87 percent of businesses said that there were no increased costs with the plan, and in fact, about 10 percent said that there were reduced cost, less churn that reduce cost, actually less training, increased productivity, and as you said, less turnover. And, if you think about it, most businesses are not going to fire an employee who has to leave because they're sick or they have cancer or they have to go out on leave, and many of the businesses, as it's been mentioned, will bear the burden, will bear that cost themselves right now, but when this legislation passes, they won't have to

do that. In the conversations I've had with constituents, some actually just 20 minutes ago on my computer right here via email -- great dialogues back and forth about what this would mean, and I think the more we talk through it with businesses they understand that this can actually be a cost saving for them, and it's good for -- for their employees.

Finally, I would say that this is good for men. All right. We heard Senator Winfield's very powerful description of how he would have been helped if there was this type of a program available. I could say that I would have been too. Not exactly the same circumstance, but I remember when I had my first child, Maggie, who's 14 now, and when I first found out that we were pregnant, I started grinding my teeth at night. I was so stressed about the finances, and I think that might be true with many new parents, and when Maggie was born, I took four days off from work. I still hear about that from my wife, by the way, and that was 14 years ago. I didn't feel that I could do more because of financial concerns, and while that is a regret that I still have, and it may seem like that's kind of an anecdotal argument, it is rooted actually in real statistics. Because, again, if we look at California, we see that the number of men who utilize the program to take time off to bond with

their new child nearly doubled, so we know from stories and we know from statistics that this type of program is good for women, it's good for children, it's good for a business, and it's good for men.

So, I do have a message to our governor. I know that Governor Lamont has indicated that he is going to veto this bill, and I have great respect for our governor, and I am a supporter of his. I would urge him to think twice before he does that and to listen to our stories, to listen to Senator Winfield's story -- that powerful story of how important this legislation is, and you know what, there's gonna be a lot more of these stories down in the House. Many hours of them I'm sure. So, I would urge our governor, stay at the table, work with us. If we need to make tweaks, we can do that. We have time, but I know we share the same values, and we want to see this get passed. I know our constituents voted for us because they don't want us to be Washington D.C. All right. They want us to get things done, and they want us to help the economy and make it fairer and make it stronger. This bill is going to do that, and I urge my colleagues to support it.

Thank you very much.

THE CHAIR:

Thank you, Senator Slap. Senator Champagne, to be followed by Senator Cohen. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I have a couple questions for the proponent of the bill.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Please prepare yourself, Senator Kushner.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President, through you. Do municipal employees who are part of a union have to pay into -- or have to pay the one-half of one percent income tax increase?

THE CHAIR:

Senator -- Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President, through you. State employees would only participate in this program and pay premiums if through collective -- municipal employees -- let me start over because I'm -- I was a little distracted. Municipal employees would only participate in the program and pay premiums if they

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through collective bargaining negotiate to be included in the program.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you. Through you, Madam President. Do municipal employees who are not part of the union have to pay in the one-half of one percent income tax increase?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

[Laughing]. This bill does not require municipal employees who are not represented in collective bargaining to participate in the program and pay the premiums.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President, and through you. Do state employees who are part of a union have to pay the one-half of one percent income tax increase?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. Let me go back for a minute and clarify my response. A municipal employee who is not covered by collective bargaining could be required to participate in the program should any bargaining unit in that municipality through negotiations between the municipality and the union representing that bargaining unit decide to negotiate to inclusion in the program. In such case, a municipal employee who's not that municipality -- an employee of that municipality who's not covered or not represented through collective bargaining, would then be required to participate in the program and pay the premium, and -- so that -- I -- I apologize. I was literally answering the question, but I wanted to make sure there was a clear understanding.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, and through you, as a followup question to that. So, if -- if a municipality -- a union member decides they want to join and pay that one-

half of one percent for the family medical leave, then the nonunion employees would be required to join at that point?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. So, it -- it's never quite that simple that an employee can decide to participate in it in that way. A union member in a municipality would have to -- the bill is very clear it would have to be negotiated, and through negotiations, that's a two-party negotiations between the employer, the municipality, and the union, and so it is simply not one-sided decision by a union member or even the union that represents those union members, and so in that sense, the municipality makes a determination through negotiations they participate in. they have some opportunity to oppose the program if they choose to. Once the program is negotiated, then in fact, all of the non-represented employees of the municipality would be required to participate in the program and pay the premium.

THE CHAIR:

Thank you, Senator Kushner. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President, and through you. State employees who are part of a union; do they have to pay the one-half of one percent income tax increase?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. State employees would have the option who are represented by a union, would have the option of negotiating into the program into the same -- with the same -- in the same way that I just spoke about municipal employees.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President, and through you again. The same question -- would the state employees who are not part of the union?

Through you, Madam President.

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Thank you. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This bill does require state employees to participate in the program. Those who are not represented by a union do not have collective bargaining rights would be under this bill that we as a legislature would be adopting and the governor would be signing would have the obligation of participating in this, and they would have all the rights afforded to participants and receive the benefits from the program that we are creating here.

THE CHAIR:

Thank you, Senator Kushner. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President, and through you. If these employees have a -- a sick time bank, are they still required to take part in this program?

THE CHAIR:

Senator Kushner.

SENATOR CHAMPAGNE (35TH):

Through you, Madam President.

SENATOR KUSHNER (24TH):

Through you, Madam President. If an employee has -- would be -- employees of the state would be required under this bill to all of the other obligations that are covered in this bill including paid time off, they would be allowed to retain up to two weeks of paid time off. Amounts in excess of that would have to be used before getting the weekly replacement.

THE CHAIR:

Thank you, Senator Kushner. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you. Through you, Madam President. And -- and I guess it goes back to the exact same question. Would the sick time bank -- they would still be required to pay the one half of one percent though?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Employees whether they work for the state or whether they work for a private employer unless the employer -- it's up -- let me start over. It's really up to the employer under this bill because the employer can allow someone to -- to take time off without using their paid time off. They can require up to two -- they

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can require to use all of it except for two of your weeks.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Yeah. I just don't think I got my answer. Through you, Madam President. If they're in a sick bank, it's donated by multiple employees, that would give them the time off that they needed. So, the question is if they're in a sick bank, do they still need to pay the one and a half to one percent and be in the program?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The bill applies the same way to state employees as it would to employees of a private employer, which is that the employer determines how much of paid time off they require an employee to use before they can use the benefit program provided under this fund, so they can only retain up to two weeks of paid time off, so if the employer determines that they want them to use their paid time off prior, they are -- they would be required to do that.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Same question. I'm still looking for the answer. Are they still required to pay the one half of one percent to be part of the program even though they have the sick bank?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Every employee participating in the program would be required to pay the one half of one percent.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you. If the -- if employees have large numbers of vacation days, large -- I'm sorry. Through you, Madam President.

THE CHAIR:

No worries.

SENATOR CHAMPAGNE (35TH):

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If employees have large numbers of sick times that they bank for many years, they have large numbers of vacation days, can they file for an exemption to not pay the one half of one percent and join the program?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. There's no provision in this bill for an exemption. That would be in the determination of the employer.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. From what I'm understanding, union members -- public union members can basically never join if they don't want to, so they can never be forced to pay the one half of one percent that the rest of the state is paying?

THE CHAIR:

Senator Kushner.

SENATOR CHAMPAGNE (35TH):

Through you, Madam President. Sorry.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Could you restate the question?

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Yes. Public -- public unions could never be forced to join this and pay the one half of one percent income tax increase?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I don't believe that was a question, but I think I know what you're trying to ask, and so I would say you could not force public employees to -- to participate in any other manner than through collective bargaining.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. So, we said equitable. Somebody mentioned equitable in discussing this program; yet, we have exempted potentially hundreds of thousands of people from the program, and to be frank, that's not too equitable in my eyes. An insurance program that because we keep talking about this premium that's being paid out, it is a -- you're paying for something that you can use; yet, you're required to use your sick time, your vacation time, your earned time all the way up and it leaves you two weeks left. Under this program, some people -- a large number of people are going to be paying premiums -- well, I'm sorry -- the income tax because that's what it is. If you can't -- a premium is something you can pay for and receive, but if you have these large numbers of sick days, you're part of a sick bank, you are part of a union that is protected under this, or you are another entity that -- that maybe comes from out-of-state to into state to work, then -- then the equitable goes away. There is no equitable across -- across the state.

I guess I have one more question, through you Madam President.

THE CHAIR:

Please proceed.

SENATOR CHAMPAGNE (35TH):

Are -- are -- you said this was a negotiation between the union and the employer. Are private -- are unions that are not public unions, are they required to pay the one half of one percent of income tax increase to join this program?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. All employees including those in private sector who are represented by a union are required to participate in the program. How that would be handled would depend on their collective bargaining agreement and their -- any negotiations that might engage with their employer. There could be other conditions in their collective bargaining agreement that might impact that, but they would be required to participate in the program and pay the premium.

THE CHAIR:

Thank you, Senator Kushner. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you. Through you, Madam President. So, basically, one -- one contract in the -- for unions

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on the private side they automatically have to pay; yet, we're gonna follow the collective bargaining for municipal and state employees? Can you just describe the difference between the two?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The difference is in the bill, and it's covered in the eligibility and covered employee language. It's actually right up fairly early on in the bill about covered employees and covered public employees, so that definition is written into this -- that description of how you would go about participating in the program is a part of the bill covered under lines 23 to 39 for public employees.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I have no more questions, but I do -- just want to finish my statement. You know, the word equitable was used, and I just want to point this out. I mean we're treating unions different, we're treating employees across the state of Connecticut different. You

know, some people will never get to use this benefit because they have to go through all of their sick time, they have to go through all of their vacation time except two weeks, which with some people that's quite a bit; yet, they're going to continue to pay this income tax increase, and make -- you know, there is no -- there is no difference in what we're talking about here. This is an income tax increase. This is not a premium. A premium is when I pay for something, and I can actually take advantage of it, and because everybody can't take advantage of it and not everybody's required to pay into it, it is not equitable across the system, and I do have a problem with that.

Thank you.

THE CHAIR:

Thank you, Senator Champagne. Senator Cohen, to be followed by Senator Formica. Good evening, Senator Cohen.

SENATOR COHEN (12TH):

Good evening, Madam President, and thank you. I rise today as a mother, a daughter, a sister, a wife, and more -- most importantly perhaps in this conversation a business owner, and I want to rise in support of this bill. I believe whole-heartedly that this is a benefit that would benefit so many

across the state. It is one that I wish that I could provide to my employees now. Sure, we have sick employees. That happens from time-to-time, and in the past, we've worked with these employees to establish some sort of plan by which they can take time off. We've even had circumstances where we have worked out a payment system with them. However, you've heard me speak time and time again out in the public and even in the Chamber about the rising cost of health insurance, and it's a big problem for folks across the state. You've heard me talk about people with \$1600 dollar-a-month premiums paying \$16,000 dollar a year deductibles -- huge deductibles. These people are valued by their employers, their team members. They want to take time. They want -- these employers want to be able to give their employees time. They are unable to do so, and so what happens is you've got the sick individual that needs to take time off from work, and yet, they have these huge insurance premiums to pay. They have to meet their deductibles, so they have to stay at work. They have to continue to make ends meet. They have to continue to collect that paycheck, so they go to work distracted. They go to work ill. They go to work unfocused, and they muddle through or perhaps they don't muddle through, but either way, it's a bad situation. And, this is the reality. This is the reality we are faced with every day. Employers are faced with this situation.

Employees are faced with this situation. In fact, I'll share with you a story with my husband's permission. When he was 7 and when he was 9, my husband had open heart surgery, and his parents were divorced, and they were not wealthy. In fact, they were dirt poor, and my husband was very ill, obviously, and they were trying very hard to make ends meet. In fact, my husband recollects living in an apartment in Connecticut where they had to skip steps because the steps hadn't been replaced and some had been rotted out, so very living with very, very little, and he was in the hospital and had to stay there for a long time. And, his parents, again, had to make ends meet and could spend very little time with him in the hospital as a result. So, I -- I know what that must feel like.

It really tugs at my heart strings. As a parent of three children, I can't imagine not being able to spend every moment that I possibly could with my children if they were ill and in the hospital or ill at home trying to recover, and I think of that mother or that father who wants so badly to be there, but knows that they won't be able to pay the bills for their other children that are still healthy and still trying to go to school and still trying to eat, that they won't be able to pay the rent. They'll be evicted, and they'll have nowhere to go, and so they make a choice, and they make a

choice that they have to go to work and leave their sick child in the hospital, and that little boy is very scared and wants his parents, and his parents can't be there because they have to pay the bills. So, his parents took very good care of him, and I don't want to make it sound like they weren't there for him. He -- he thinks very highly of his parents, loves them very much, and appreciates all that they did for him, but he struggles -- he struggled because he couldn't have his parents with him at every moment. He couldn't have his mom crawl in bed with him when he was scared, and he was trying to heal from these very serious surgeries.

So, I urge my colleagues to remember that we are talking about human beings here -- fellow humans. The point is that with or without this program people get sick. Family members become ill. There are major life events, but the difference is they can't take the time that they need to take to spend with their loved ones.

So, I urge my colleagues to support this legislation. This is good legislation, and it's about doing the right thing for our fellow human beings. So, I just want to thank Senator Kushner and Representative Porter for all of their hard work and the time they've put into this, and again, urge my colleagues to vote yes in favor of this bill.

Thank you.

THE CHAIR:

Thank you, Senator Cohen for your remarks. Senator Formica, to be followed by Senator Berthel. Good evening, Senator Formica.

SENATOR FORMICA (20TH):

Good evening, Madam President. Thank you very much. I rise for a few questions, and then a few comments for the proponent of the bill.

THE CHAIR:

Senator Kushner, prepare yourself. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Good afternoon, Senator. Thank you for your -- your passion on this. I have some questions with regard to kind of the body of the bill and some of the certain line items if you have that available in front of you. You mentioned a few things, and I'll start -- this is an insurance. You've used that term and through some of your other comments, the half of one percent as a premium. Is there contemplated the dollars collected used to buy an insurance plan and act as premium for some type of insurance plan through another provider or is this going to be a closed

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fund, and those -- those are just the terms you used to talk about how that fund is?

THE CHAIR:

Senator Kushner.

SENATOR FORMICA (20TH):

Through you, Madam President.

SENATOR KUSHNER (24TH):

Through you, Madam President. It is contemplated that this will operate as an insurance fund with regard to people paying a premium, which is up to one half of one percent, and then receiving a benefit if they qualify for that benefit. Whether or not it is all done through the state or whether it is done through a private insurance company is not determined, it is contemplated in this bill that there could be portion of this that would be then contracted with a private insurance company or a vendor to provide services.

THE CHAIR:

Thank you, Senator. Senator Formica.

SENATOR FORMICA (20TH):

Thank you very much, Madam President. And, thank you, Senator. So, as -- as I read this bill, I don't necessarily see that opportunity. What my

understanding of this would be that employees around the state with the exemptions so noted by the previous speaker would be required to pay half of one percent of their paycheck from anyone -- any employer who has one employee or more would -- would have to have that done, and that this would be basically a self-funded plan with those dollars building up over a period of time, and then being redistributed back to the employee upon notification or sign up or something that indicates that yes they are ready to take their portion of this 12-week or all of the 12-week or whatever -- however, they notify whoever they notify. I don't know that that's spelled out in here either. Would that be correct?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. First off in terms of the closed fund versus -- I'm not sure exact -- I want to make sure I understood your question. It is a closed fund in that it is self-sufficient. It is self-sustained. It is not part of another insurance program or another fund of the state, but going to your question -- your second question about -- and I

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do want to point out it is up to one half of one percent, so the authority could determine that we don't need to charge the full half of one percent to provide the benefits, and that is allowed under this. It is up to the authority to determine how much that -- what I've been calling a premium would be up to one half of one percent.

With regard to -- could you restate the last part of your question?

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you. Well, the last part was simply what that one half of one percent or the qualifying payment -- whatever it is as determined as you said by the authority -- that aggregate that it accumulates over time -- I understood it to be that's what we're working from. When you first opened our conversation, you mentioned that there could be contemplated private insurance plan that would supplement or maybe take all of the -- the liability of this plan. That's kind of -- I want to make sure that I understood the plan first, which was the payroll deduction to -- to an aggregate amount that gets redistributed back to those employees who ask. And, then how is that

different, if it is, from the potential self-insurance fund -- self-insurance premium or plan or stop loss plan or any other insurance plan?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. So, absolutely you're correct in reading this that certain portions of this could be contracted out to an insurance company, but it would be for a modular part of it like initial claims processing. So, in that regard, which isn't uncommon even with self-insured plans, you can contract out some piece of it and not necessarily all of it, so that is what we're talking about in this bill, but I do want to -- I do want to comment on part of -- the way you framed that question that kept distracting me is that someone could just get this benefit or imply that there are specific requirements in the bill that you have to meet one of the qualifying events, so you have to have a serious illness or one of the other qualifying events, and -- and I do want to make sure -- I'm sure you know this, but just to make sure that we have a common understanding that under the Family Medical Leave Act that currently exists for the state of Connecticut, it's almost entirely the same kinds of qualifying events. I think we've

added a bone marrow donor, but there would be -- there are going to be those criteria are well established, and they are going to be -- you're going to have to meet one of them. In addition, the bill does spell out that you can be required to meet medical certification to receive the benefit, so I just wanted to make sure that people don't think that this is just like somebody says I want to take 12 weeks, and you get 12 weeks. You have to have a qualifying event, you have to have a certified, there are notice provisions that you have to provide to the employer. So, I think it's a pretty well-regulated program.

I don't know if that's what you were asking me, but you made that comment, and I didn't want to -- I didn't want to leave that sitting there.

Thank you. Through you, Madam President.

THE CHAIR:

Thank you, Senator Kushner. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. And, I think, you know, we're moving along and having this good conversation about what -- what were in it, and I think you've qualified that the wonderful sunny June, July, and August wouldn't qualify for 12 weeks off under this plan unless it happened to coincide with one of the

qualifications that were listed that you say mirror the current plan, which is unpaid or unreimbursed I guess is -- but -- so, if we get -- and, thank you. So, if we get to the -- to the bill on line 77, there's been some conversation. I think it was Senator Miner who talked about the authority, and I just want to clarify shall not be construed to be a department, institution, or agency of the state. That's what it says in the bill or I guess in the amendment, which has become the bill.

And, then we move to the following page 5, line 131 indicates that on or after 1 January, 2022, the employees of the authority shall be considered state employees for the purposes of performing jobs and executive branch bargaining, and etc., etc. So, I want to get to the authority is a group of volunteers as appointed by -- the way it's outlined in here -- certain people have certain appointments, and they become the 15 members that will oversee this. They're called the authority, which is indicated on line 77 that is not a state agency, not to be construed to be a department, institution, or agency of the state; yet, the employees I imagine that will be working for that authority, the authority will direct the employees on -- on how to manage. The authority has certain obligations that it will do to set up the plan such as bylaws and opportunities to -- to implement the plan, etc.,

etc., and the employees on line 131 are -- are said to be considered employees of the state, and have all the bargaining rights. If you go to line 163, officers and all other employees of the authority shall be state employees for the purpose of group welfare benefits, retirement including but not limited to those being provided under the Connecticut General Statutes.

So, I'm trying to understand the mechanism of these things. I'm a process guy, and I'm trying -- you know, we've appointed these 15 people. We've -- we've dictated that every employer in the state of Connecticut unless you are a sole proprietor or a single unit LLC where you have no employees, everybody else is pretty much mandated to participate in this plan, and so in my case, in my example, I have 53 currently employees, and they would -- they would have to participate in this, and somehow I would have to count that half of one percent would have to go somewhere, into some fund in a bank, and then once a week the way we pay our payroll we would have to electronically fund transfer that probably to some -- I think what's being called is the insurance trust premium fund; or am I close to that? And, then that would have to be redistributed back at a time when -- when the employee qualified for this -- this program, so I'm trying to figure out how -- where those employees

are, and who pays the capital expense for the software programs and the job stations and -- and the other necessary items that would -- would be included in the operational portion of that distribution of those dollars -- collection and distribution of those dollars?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The bill does address the issue of the family and medical leave insurance authority, which describes on line 74, 75, 76 to be a bodied politic incorporate and shall constitute the public instrumentality and political subdivision of the state created for this essential public and governmental function. There would be employees of that authority and the authority -- you asked who would -- you asked through Madam President who would pay for those employees and their desks and their -- whatever they need, equipment to process and carry out the business of the authority. That would be paid from the fund. The initial start-up cost would be provided by the state, but the bill requires that those start-up costs -- any start-up costs paid through the General Fund have to be repaid to the

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General Fund within one year -- less than a year of the wage replacement being -- happening, and that would be October 1, 2022.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. And, I know the good Senator who sits to my left is working on the budget that came out of Appropriations, and -- and we'll I imagine hear that at some point, and in that budget that came out of Appropriations, there was \$5.2 million dollars that was included in the Department of Labor Agency budget. My understanding was \$4.8 million dollars of that \$5.2 million dollars was related to 35 or 40 employees with an average salary of about \$80,000 dollars plus fringe for a partial year to set up this plan. This bill doesn't seem to recognize that, and that those dollars were the seed money to pay for the employees going forward, but it was specific that they would work for the Department of Labor, and whatever the mechanism of management in the Department of Labor, those employees would fall under that. The authority doesn't seem to be spelled out here what mechanism -- who would manage the employees. I wouldn't think that the -- the one person appointed by the Majority Leader of the House

of Representatives or the Minority Leader of the -- of the Senate would be the one to manage the employees. There -- there would have to be people doing that, so there would have to be things set up, and there would have to be dollars and numbers contemplated for that; has that been thought through or how or -- how are we going to say how many employees we think we're gonna start with?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This bill does contemplate that there would be employees hired from the authority to carry out the functions of the plan -- you know, the implementation of the plan. However, it doesn't specify how specifically that would be done because it does leave open the option that we would contract out with private vendors for various modules that are articulated as well as any other modules that are determined by the authority be necessary for the implementation, so I think it's contemplated there would be a certain number of employees hired initially, but that the process of the RFPs, you know, that's -- that's intended here would determine whether or not would be wiser to

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hire those folks and employee those folks through the authority to do these different functions, or whether it would make more sense and be more cost effective to contract that out to a vendor.

THE CHAIR:

Thank you, Senator Kushner. Senator Formica.

SENATOR FORMICA (20TH):

Okay. Thank you very much, Madam President. Thank you for that answer, Senator. The line 154 talks about the executive branch authorized and empowered to negotiate on behalf of the authority with the employees of the authority covered by collective bargaining, so it would seem to me that would be the same process that exists today where there's an undersecretary -- I believe is her title -- of OPM who is in charge of the labor contracts. We've seen 11 of those so far. My understanding is we have a number more still to come, and they would -- OPM would then be responsible for negotiating those contracts, and -- and --

Through you, Madam President; is that correct?

THE CHAIR:

Thank you, Senator Formica. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. That is contemplated here that if there are employees, and they are part of a collective bargaining unit, then they would -- then OPM or the executive branch would have the authority to negotiate. I believe that is a practice in other quasi-public and other authorities that we have here within the state.

SENATOR FORMICA (20TH):

Thank you, Madam President. Can I just assume you thought that? That -- through -- instead of waiting for you to say -- through you, I apologize.

THE CHAIR:

Yeah, no worries.

SENATOR FORMICA (20TH):

I jumped the gun. I jumped the gun. [Laughing].

THE CHAIR:

No worries, Senator Formica. Please proceed.

SENATOR FORMICA (20TH):

So -- so, you said if there -- Senator, you said, if there collective bargaining. This bill seems to say they will be covered by collective bargaining and treated with all of those benefits that incurred by the collective bargaining, so my point with this is that the OPM negotiators that I have seen come

before Appropriations and that we have talked about here have really, in my view, not negotiated those contracts. They've kind of just said, it's the SEBAC agreement. Everybody's on board. You get a \$2000-dollar cash bonus. You get raise over two years between 6 and -- I'm sorry. Eight and 13 percent, and then you move on. So, it would seem to me that's what's being determined here, and that that's what probably is going to happen so that we can figure out how much we're gonna have and when that is feathered in over the next few years as additional state labor employees.

The line 169 talks about the compensation of the members of the board and necessary expenses, which I'm assuming would be some kind of mileage or -- or anything like that. Would that be correct?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Yes. Line 171 says with the standard travel regulations for all necessary expenses that may incur through service on the board.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you very much, Madam President, and then on page 8 on the very bottom, 237, it said paid family medical leave insurance program to provide up to 12 weeks, etc., and it -- it talks about a trust fund that -- that is there. Is that something that will not be part of any kind of budget process or a sweepable event or a lapsing policy or anything that's gonna be connected with anything here? That will be a strictly separate account and apart from the budget process?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. That is my understanding. This would be a separate fund that would be only used for the purposes of paying out the benefits and paying for the expenses of the implementation of the program.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. That is with the -- the budget items that, you know, they kind of begin and end with the fiscal years, and this plan would seem to me would have to -- you'd have to kind of carry things over, right? Because if I'm not taking the 12 weeks this year and you are, there's still dollars left over there, so -- so I would think that it would be a little bit different than what -- than what we're doing, and I just wanted to get the legislative intent on that record that that would be the case.

It talks about, on line 247 -- I'm sorry, 258 -- 247 to 258, where the authority shall be responsible to publish information with regard to the amount of contributions collected and benefits paid during the previous fiscal year, as well as the total amount for administration and what's remaining expected future and expenditures and contributions, and then it goes on in line 264 to talk about if at the close of the year the previous fiscal year is less than or greater than the target fund balance each November 1, thereafter; the authority may announce a revision to the previously established contribution rate provided that the revised rate does not exceed one and a half -- it does not exceed one half of one percent. I think you indicated that -- maybe I'm -- maybe I'm assuming you didn't think it was going to start out to be half of one percent. You thought it

could go anywhere from 0 up to half of one percent. But once it hits one half of one percent, this seems to indicate that if there is a problem then what happens? If there is a shortfall in this fund, if we're at one half of one percent, does the authority have the opportunity to revise the previously established rate?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The authority -- if the rate has already reached one half of one percent, the authority does not have the ability to raise the contribution rate higher. It does, however, have the authority to reduce the benefit, and it says specifically in the least amount necessary.

SENATOR FORMICA (20TH):

So, that goes to my next point, which would --

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Oh, I'm sorry, Madam President.

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THE CHAIR:

No worries. [Laughing].

SENATOR FORMICA (20TH):

Thank you, Senator. Thank you, Madam -- Madam President. You know, lines 284 talks about a state collection agency being involved and if -- if that's necessary; 314 to 322 talks about the -- the percent, but to your point that you just made with regard to reduction, 323 says notwithstanding if an employee contribution at the maximum allowed determines the contribution are not sufficient to ensure solvency the authority can reduce the benefit. So, it would seem to me that that wouldn't really be what people are signing up for. If we have a formula here that says you make X, you can get Y, you contribute this, and then all of a sudden we're contributing a half of one percent, we might get up to \$1000 dollars a week for a few hundred dollar contribution would seem to me that solvency would be probably an issue at some point in time if everybody decided to take this thing, and now this provides for the opportunity to kind of renege on the deal and -- and go backwards, so I have some concerns with that.

The next 333 talks about two spouses employed. I -- I have the unique situation in my business where we have 10 couples who have met and married there over

the period of time that we have -- we've actually had the good fortune of doing a few of those weddings. It's been kind of cool. I feel like a grandfather and uncle and all of that at the same time. But line 333 talks about two employees, two spouses, and they can take that at the same time? So, if I have a cook who's a dad and a bookkeeper who's a mom, and they give birth to a beautiful child -- this happened a couple of weeks ago -- the both -- they both are entitled to take that at the same time? Or is there an opportunity to restrict that?

SENATOR KUSHNER (24TH):

Through you, Madam President.

THE CHAIR:

Senator Kushner, I apologize.

SENATOR KUSHNER (24TH):

[Laughing]. That's okay.

THE CHAIR:

Please respond.

SENATOR KUSHNER (24TH):

The bill is very clear that they get the aggregate of 12 weeks. They don't get to take 12 weeks each. They do get the benefit for their full 12 weeks, but

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they don't -- the employer does not have to release them for 24 weeks. They get the aggregate of -- when there's two spouses with the same employer, they only get up to 12 weeks. I do want to point out something though that just so there's no misunderstanding. You had mentioned previously in your comments that they could get a benefit of \$1000 dollars a week, but under this program, it -- the benefit would be capped at 60 times the minimum wage, which on a \$15-dollar minimum wage is \$900 dollars. Just -- I just didn't want to let that go.

SENATOR FORMICA (20TH):

I rounded up.

SENATOR KUSHNER (24TH):

Yes.

SENATOR FORMICA (20TH):

Thank you for that.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. So, \$900 dollars a week. So, to understand your answer, they -- they expand their family, and they're both entitled to 12 weeks off at the same time?

THE CHAIR:

Senator Kushner.

SENATOR FORMICA (20TH):

I take 12, she takes 12, the next 12 weeks we're off together, right? And, both people because they've paid in they get to collect?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I -- I want to be clear they do not both get 12 weeks' time off. The employer does not have to give them 12 weeks off. They have to give them in the aggregate 12 weeks, which means that if one of them takes 6 weeks, the other one can take 6 weeks. If one of them take 9 weeks, the other one can take 3 weeks, so it is in the aggregate. It's combined. Their protection -- their job protection relates to when there're two spouses working for the same employer, the employer does not have to give them each 12 weeks of leave. He has to give between the two of them a combined amount of 12 weeks.

THE CHAIR:

Senator Formica.

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SENATOR FORMICA (20TH):

Perfect. Thank you very much for that clarification, Senator. And, then I just a couple of notes. Line 366 says there -- this authority can acquire real and personal property as part of implementing this plan. I think we've talked about solvencies on line 4. Well, I guess we've covered that in a way that we've been able to talk a little bit, so pardon me while I catch up here a little bit, Madam President and Senator. The memorandum of understandings that are listed on line 466 and 475 with the Department of Revenue and the Department of Labor indicate sharing of costs, and I wonder with the Department of Labor on line 470 what those sharing of costs might -- might be?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. If the Department of Labor were necessary through memorandum of agreement to release information, they might have a cost to -- for instance -- collect that information and put it in a form that could then be released. The cost of performing that service to the authority would -- it would be required that the authority compensate the

General Fund or the Department of Labor for those costs.

SENATOR FORMICA (20TH):

So -- so --

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. So, thank you, Senator. So, it would be almost an event that the authority may say I want a contract with the Department of Labor because they have the opportunity to have this information, just as they might, as you indicated, contract with another service outside that or another insurance agency. Is that my understanding?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. My understanding is that those things are not referred to as contracts but probably for some legal reason they're called memorandums of understanding, so -- but I think in essence we have the same understanding that there

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would be a requirement that the DOL would basically charge the authority for its costs. This plan is intended to be self-sufficient.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. And, thank you, Senator. I appreciate that answer. My concern is -- and I don't think I'll have any further questions -- but I thank you for the generosity of your responses. My concern is the comingling of the authority and -- and how the employees of the authority will -- will be housed and how they will be paid, and the -- the information that they receive, and is that separate and apart from these other agencies that are listed in the bill -- the Department of Revenue Services for Collections, the Department of Labor for information? I just I'm encouraged somewhat that you have indicated that there might be an opportunity for private sector involvement in this, and it might be a better mousetrap for the implementation of this plan.

And, Madam President, I think I will begin my closing remarks the way I did when we talked about minimum wage. That we are not up here opposed to employees at all -- at least I'm not. I'm up here

talking about the economics in the state of Connecticut, and I want to defend my right to be able to provide benefits to my employees that they want, that they've been used to having, that they want to continue to have, and so that I'll be able to be affording of that opportunity to continue to do that in spite of all of the mandates that are coming out of this assembly that are putting pressure. If you remember, I talked about a prime cost in the minimum wage debate that are putting pressures on those prime costs for me to operate. And, while this may seem to be a program that may not have pressures because the employee is going to contribute one half of one percent, there seems to be some kind of float we're depending on for those benefits to be paid because it doesn't seem to be a cash-on-cash return that will sustain those benefits, but yet, the employer would have to find a way to manage to get of the 50 some odd that I may have, as an example -- I have to figure out how my bookkeeper is going to track those half of one percent per 50 people, and then get that via some type of Excel spreadsheet or something to the -- to the authority for them to park somewhere and distribute one at a time as they get there once the fund becomes active. We have to figure out -- and I know I believe Senator Miner talked a little bit about deductions. You know I have a number of deductions that come out of our employee's

paychecks. I pay 50 percent of their health insurance, they pay the other 50, so the health insurance is deducted each week out of their paycheck. Some people decide to get supplementary insurance such as an Aflac program that comes out of their paycheck every week, the portion of the monthly payment. The employee pays the weekly portion of their premium, and then I as an employer am responsible to pay Aflac or to pay the insurance program at the end of the month as I collect and manage those dollars.

There are a couple that we have wage garnishments that we have to measure that people are getting caught up with their past obligations, and so those wage garnishments are a weekly event that we take off, and there are some employees that ask for cash advances and loans, and you know, as a good employer, we want to make sure that our employees have the opportunity to move forward, so those things are deducted through there. Some employees say, you know what, I like to get more money back at the end of the year so I want you to take out an extra \$25 dollars or \$50 dollars a week to pay against my income tax. All of those things come out of the paycheck every week, and if the employee then takes 12 weeks off and they're being paid by the authority, I don't know how the authority is going to collect all of those dollars as deductions and

distribute them in the areas to which they need to go or whether for 12 weeks those deductions stop in which case that would be problematic to the employer who would either have to shoulder the balance of that cost or I guess find a way not to deal with that obligation, so I'm -- I'm a little concerned about the mechanics of that.

I'm concerned about training the people that are going to take the place of the valued employee for 12 weeks. That's going to be an extra cost, and we'll have to figure that out, and then during the 12 weeks when the employee's -- the substitute employee is working, I don't see where I read that we have to hire back the original employee, but I'm assuming that that would be the case. Even if we prefer the substitute worker -- what if the substitute worker decides that they're a much better worker than the one we replaced? I'm gonna end up paying unemployment one way or the other. Either for the substitute worker or for the worker that is -- is taking the 12 weeks, and certainly, I'm being facetious when I talk about replacing the worker with the substitute on a permanent basis.

But those are costs that I think are going to be incurred by a number of employees -- employers, and certainly, the larger employers will be able to achieve those costs or incorporate those costs a lot more than some of the small employees for one or two

or three employees who would have a very difficult time adhering to this program and still maintaining the quality of the small business that they're doing. We have heard, Madam President, the talk about employees who work 80 and 90 hours a week to survive. I want to just get on the record that there are small businesses who work 80 and 90 hour weeks to survive to make sure that they have the funding necessary for the capital infrastructure where the employees come to work every day, that the employee support that they get be it the percentage of uniforms or the benefits that they get or the places that they can sit and enjoy the opportunity to do their work and provide product support not only to the employees but to the customers. There are many employers who -- who are up late trying to figure out how to manage those things, especially given the amount of pressures that are being put on businesses here by this General Assembly, so I believe that a lot of my employees are going to be faced with what benefits that I can continue to provide them in light of what the state is deciding that I should provide them, so I think there should be market conditions. I am somewhat encouraged by the good Senators comment that she or the bill would contemplate and be open to private sector participation. I think that that is the answer in a lot of way, and I think could be the win/win solution out of this whole deal, something that

employers could live with and something that employees could benefit from. So, I'm grateful to have the opportunity to have the conversation today. I'm grateful that the good Senator put this forward for that conversation; although I think there is a lot of work left to be done.

And, I will close just by mentioning that if you recall my comment with regard to the fulfilment company at the minimum wage debate who did those 15 to 20-million packages a year. The day after that debate I got an email saying that their cost went up as a result of that debate by \$300,000 dollars, and that some employees would suffer no doubt in order to make up that \$300,000 dollars, but that they work on a very slim margin, and places in Nevada and North Carolina are much more competitive with their warehouse space or their other payroll or other overhead costs that are here in Connecticut, so this just -- these conversations that we're having and these bills that we're passing and should the governor sign that into law will force that fulfilment company to be looking at other states to move their 10,000 -- 800,000 -- however many square feet of warehouse and employees they have here in Connecticut to friendlier states. So, I'm hopeful that as we have these discussions, Madam President, we're mindful of the effect on main street, and that as we wind down the last few weeks of our session

and we talk about how we can move the state of Connecticut forward, let's have a double-sided conversation. Let's not have conversations about a dozen new employee contracts and benefits or increases wages and benefits that are dictated by the state to small businesses on main street and large businesses throughout the state of Connecticut, but let's find a way to make sure that those businesses could benefit and prosper because as those businesses benefit and prosper they pay increased taxes who help pay for the lights in this building and who help make sure that municipalities get property tax payment and increased capital infrastructure so property taxes increase, and they provide those employees who volunteer as board of education members locally or little league coaches. Those are the people that come out of small business. That's what community is about.

So, as we move forward and close these debates, I ask my colleagues on the other side of this issue to make sure that we're mindful of small business, and I know that we heard about one Senator who is a small business owner that likes this idea, but can't afford to provide this idea without this government program, and I would submit that that is the essence of our argument.

Thank you, Madam President, and I appreciate the opportunity. And, thank you, Senator for your kind --

THE CHAIR:

Thank you, Senator Formica. Senator Berthel, to be followed by Senator Flexer. Good evening, sir.

SENATOR BERTHEL (32ND):

Good evening, Madam President. Thank you. I too rise in opposition to the bill as amended. Once again, I find myself standing before the members of this circle with some deep concerns. I once again stand here questioning the action we are about to take in this Chamber, and I once again fear for the future of this great state. You know, when proposals like a statewide paid FMLA are well intentioned and as my colleague, Senator Formica, just spoke to, we are not recognizing or acknowledging what the effects of implementing such a program would be on our already fragile economy, our already fragile workforce, and our already fragile business climate. We are not California and we are not Washington State. Paid FMLA allows employees to take paid time off in order to heal from an illness or care for loved ones or close family friends, and this is an important consideration that we should offer. I firmly believe that paid FMLA is an important program, but

the proposal that is before us calls for the program to be funded by a half percent payroll tax and -- to start, and the math really doesn't add up when that rate goes up because the program is underfunded at some point in the future, and I am hoping to ultimately support an FMLA program for individuals who need it, but I cannot support the current proposal before us, and the largest issue for me is that the overwhelming majority of my constituents have said they would not be in favor of an employee payroll tax that is automatically deducted from their paycheck to fund a state-run paid family leave program. They simply cannot afford another tax.

They are dually concerned that the new \$15-dollar minimum wage will drive the cost of everything we purchase and consume in Connecticut upward. We had a long debate on that just a few days ago. We already suffer some of the highest gasoline taxes in the nation. We collect sales tax on just about everything and have seen proposals this year to increase again the number of items we collect sales tax on. And, as announced yesterday, we will go into a special session later this year to address some form of tolls on our highways. When you add all of these things together, the majority of the people that I represent state emphatically that they cannot afford yet another tax even a half percent on their wages. They cannot afford it, and the

legislation as currently written allows the commissioner of Labor to increase the tax deducted from one's paycheck in the event that the half a percent is not enough to fund the program. Madam President, I fear that mandating this program on employees as a payroll tax funded mandate will burden those who may never use paid FMLA, and would force Connecticut's businesses to carry the burden of growing government regulation and expense. To me, it seems that we put the employer, the businesses that provide jobs, benefits, and opportunity to the people second to these discussions. It just doesn't make sense to me.

Connecticut should allow businesses to treat this benefit like an insurance product and offer coverage if their situation allows them to do so. Senator Formica spoke to that a moment ago with products like Aflac. We should not mandate its use, but should instead empower businesses to make their own decisions and give them options. The people of Connecticut, the businesses small and large cannot afford the provisions of this legislation, and as I have said before, we continue to toxify the economic environment in which we live, the economic environment in which our businesses exist. We need stability, not new challenges. And, while we all generally agree that a paid family medical leave is important, with this legislation, we once again find

ourselves on the edge of another dangerous decision. One which I cannot and will not support. Just like with our minimum wage legislation, this legislation only adds to the economic crisis and disaster that is upon us in Connecticut. Our focus should be on making business climate more friendly in Connecticut, not more difficult. we should not be imposing new mandates on our employers. Our focus should be making living in Connecticut more affordable, not more expensive. We should not be imposing a new payroll tax on our employees. I stand by the position that I stated a few days ago that once we have addressed these issues, once we are providing the best opportunity for people to be successful and for businesses to be successful, only then should we consider legislation in this form. We should not be adding burden. We should be concentrating on making Connecticut more affordable with a true promise for the future.

Thank you.

THE CHAIR:

Thank you, Senator Berthel. Senator Flexer. Good evening.

SENATOR FLEXER (29TH):

Good evening, Madam President. Madam President, I am so grateful, excited, and happy to be standing

today in support of Senate Bill 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and to know that for the first time in this Chamber we won't just be debating this proposal but actually having a vote on it. Madam President, one of my favorite parts of the job that we're all so lucky to do here as state Senator is -- is talking with young people, and they often ask me what's the best thing you've ever done or what's the thing you're most excited about that you ever got to do, and I -- I think when we're done with this debate here today and -- and as our good colleagues in the rest of this building debate this proposal and move forward with it, I'm hopeful that in the very near future I'll be able to respond to those students by telling them about this major piece of legislation that's before us.

Madam President, as -- as I've talked about when we debate a lot of issues in this Chamber, my viewpoints on things are greatly shaped by the life experiences that I've been privileged to have and those of my -- my parents, and I have been lucky to be working on this legislation for the last five years with many of my colleagues in this circle and colleagues in the House, and -- and previous colleagues in the House and Senate on this, and -- and one of -- of the first experiences I remember in -- in my family in my lifetime was an experience when my dad was very ill. He was in a very serious

motorcycle accident, and my mother had a two-month-old baby and a two-year-old, and my father was incapacitated in the hospital recovering from very serious life-threatening injuries for -- for several weeks, and I think about what a difference a program would have made for her at that time. How challenging it was for her to find a way to make ends meet, to find money for diapers and other essentials that she needed for my sister and I while not knowing whether or not my father was going to live or die, and the -- and the stress of that, and that -- that experience is not unique. The experience of my mom and dad -- or my mother really in that moment, and I have to give credit to her. My mother is the strongest person I know who's endured more in her lifetime than most people should ever have to endure -- but getting through those months with a two-month-old, a two-week-old, and my dad so gravely ill, I don't know how she did it in retrospect. But too many people experience moments like that in our society, and it happens often, and that's why we're debating this proposal here today.

Unfortunately, in our family, we experienced a similar moment when I was an adult. My dad was once again in a very serious motorcycle accident -- I'm grateful he doesn't get on a motorcycle anymore -- but when I was an adult working one of my first jobs out of college, my dad was very seriously injured,

and we did not know whether he was going to -- to live or die, and at that time, my income helped contribute to the family's expenses, and I was incredibly blessed because I had an employer that said the moment I called and -- and said that my family was going through this crisis, don't you worry about your paycheck, you go take care of your family, and we'll sustain you for as long as we can. And, I can't tell you what a difference that made. That made sure that the bills in our house were paid while we were able to -- to take care of my dad, and make really critical decisions for his health that were able to thankfully sustain his life. And, we have heard so many stories like this as we have been working on this legislation for the -- the -- the last five years, and you know, the debate here today I think has been really compelling, and I hope that my colleagues will -- will focus on the real human face of this proposal and understand that our country is so far behind the rest of the world in a way, and that you know almost every country in the world has some form of -- of family leave except for this one, and every single one of our neighbors either has or is in the process of implementing. Our neighboring states all have a system of paid family and medical leave, and I think we've heard a lot of talk today about, you know, whether or not this is good for Connecticut, and I think you know the reason that it's good is obvious, and we should

be making sure we're supporting people in their time of joy or in their time of crisis, and ensuring that people can take care of themselves or their loved ones in these sorts of situations, but it's also the sort of thing that does make Connecticut more competitive, and some of my colleagues have already talked about here this evening young people make a decision about where they're going to live and where they're going to work based on whether or not an employer or a state has this kind of program. This is a way for us to express our Connecticut values and make our state more attractive and ensure that when young people in our state are deciding where they want to live, where they want to start their careers, where they may want to start their families that they will do so here in Connecticut. That is why it is so essential for us to move forward with this legislation.

I have friends who have made decisions about where to -- where to live and where to take jobs based on whether or not there is a paid family and medical leave program. I have a friend who actually stayed working in the state of New York. Now, luckily she resided here in Connecticut, but she kept a job in New York instead of taking a job here in Connecticut because she knew that she and her husband wanted to expand their family, and having that benefit was really critical to the financial stability of their

-- their family. Now, this legislation before us isn't necessarily all that those of us that have been working on this legislation for a long time wanted. We wanted perhaps a slightly different definition of family, more generous benefit, but what's before us today I think represents a more reasonable compromise, and a really important step forward for our state. We cannot sit back any longer and not do the right thing by people in our state to make sure they can take care of our families in a time a joy or in a time of crisis, and we can't sit back and let Connecticut be less competitive than our neighboring states -- again, Rhode Island, Massachusetts, New York, New Jersey, all have enacted paid family and medical leave. We cannot let another year pass by where we're not being competitive.

And, finally, Madam President, because we have been working on this legislation for so long, I do want to take a moment to -- to thank a couple of people, especially the leaders here in our Chamber on -- on our side of the proverbial aisle, Senator Looney and Senator Duff, who have made an act concerning paid family and medical leave Senate Bill 1, recognizing for the last three years that this is the top priority of the Senate democratic caucus, and I'm grateful to their work on this. I am also incredibly grateful to all of my colleagues here in

the Senate who will support this legislation today and who have worked to make it better, and especially to Senator Julie Kushner for her tireless advocacy on this work, listening to people all across our state and I know in her own district, and understanding what was the best way for us to build this program in Connecticut, and trying to find compromise with our colleagues throughout this building to make sure we had a piece of legislation to go forward. I'm grateful to her and her tenacity on this issue, and I -- I really hope that all of my colleagues here in the Senate will -- will think about the stories of their own constituents and the moments -- the moments when a crisis has derailed their families, has made it so they can no longer keep a roof over their head, has made it so that they chose not to have another child because they simply couldn't afford it. This program will make all of the difference in the world, and I want to thank the advocates who have been working on this legislation for such a long period of time, looking at other states, figuring out what's worked in other places, and how we can build a strong program like theirs.

And, I believe it was the first time we had a public hearing on this legislation a young woman from Killingly came forward, and she talked about her father -- her father who was suffering from cancer,

and she and her mother took turns and did what they could to stay with her father while she -- while he was enduring treatment and as he -- his health was continuing to fail, and I remember in that hearing in the Labor Committee she told the story of how the day -- the days and weeks when her -- her father was sick her mother needed to continue to work, and -- and couldn't be with her husband as much as she wanted to, and her -- her father passed away while her mother as working. That's just wrong, and this legislation will ensure that families like Danielle -- like Danielle's will not have to endure those kinds of heartbreaking choices in the future.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark, Senator Lesser? To be followed by Senator Bizzarro.
Senator Lesser, good evening.

SENATOR LESSER (9TH):

Good evening, Madam President. Madam President, I rise in support of this bill as well, and I had a long list of remarks, but Senator Flexer as she often does stole many of them, but I -- I do want to echo much of what she said, and like Senator Flexer, this is an issue I've worked on for many, many years, and I could not be more grateful that Senator

Kushner has taken up the mantle, is moving forward with it, and will hopefully lead it to passage tonight. You know, as I think about why this bill is so important to me, why I think it's so important to the state, why I think it's so important to who we are, I like other people who have spoken before us I'm thinking back to the stories I've heard from my constituents.

You know, Madam President, we share a constituent from Middletown, the Cameron family -- the Cameron family -- Jan and Brenden Cameron, and Brenden is a Gulf War veteran. He served his country in uniform, and he has come home with a lifelong disability. He has Gulf War Syndrome, and he worked for a while after coming home, and then he -- as his condition progressed, he found it harder and harder to work and had to take more and more time off, had to have more and greater medical issues and complications. His wife, Jan, worked for a small nonprofit, but because the size of the nonprofit was below the cap in our existing unpaid family medical leave program, her employer chose to terminate her. They have moved into a house they were able to between the two of them cobble up enough money to buy a home, to build a house -- to buy a house to live together, but when she lost her job, that pushed them not just into distress, that pushed them into foreclosure. This is a family that had given everything we ever

asked of them. Brenden Cameron fought for our country. He has a service-connected injury, and yet because of our failure to guarantee paid family medical leave as a right that people can earn in this state, we pushed them into poverty.

So, yes, I support this bill because of Jan and Brenden Cameron, but I also support it because of me. When I was 29 years old, I was in the Chamber right below this one. I was in the House of Representatives, and I got a call from my doctor, and the call was this -- that I -- that the pathology results had come back and I had tested positive for cancer. It was the toughest news I'd ever gotten, and then the days ahead I went through -- I had some very tough decisions to make. We went and saw experts at centers of excellence, and fortunately, I was able to make a full and complete recovery, and I gotta tell you folks, that was the toughest thing I'd ever gone through. I can't think of anything tougher than that, but one of the things I didn't have to worry about, one of the few things I didn't have to worry about was whether or not my check as a State Representative would clear because we as state legislators give ourselves unlimited paid family and medical leave, and the same privilege that we give ourselves I think it's only right, only decent we should allow 12 weeks to be earned by our constituents, the people we work for.

You know, we look around the world. We heard from Senator Slap earlier. Senator Slap talked about all of the other states that have done this -- you know, California. You know, people say this is bad for business, and you surveyed businesses in California, and they say, no, this has been great for business. You look at the states around us, every single state having adopted a program of paid family medical leave, we are the outlier here. You look to every other country in the world, every competitor of ours -- you look to China, you look to India, you look to every single country of the European union, and they have all figured this out -- that people get sick, that women have children, that we need to take care of one another. That is not a dollars and cents issue, that's about who we are as human beings. That's a question about what it is to be a society. It's a question as old as the founding text of our civilization. Am I my brother's keeper? Are you your sister's keeper? Do we honor our mother and our father? That's what this is about. This is about taking care of one another. That's what we do in this state. That's what we will do with this bill.

And, that's why I have no doubt, Madam President, that this is the most important legislation I will be voting on in my career as a State Senator. I urge adoption.

THE CHAIR:

Thank you, Senator Lesser. Senator Bizzarro, good evening.

SENATOR BIZZARRO (6TH):

Good evening, Madam President. Madam President, I rise not to offer support for this bill nor to pontificate about the many reasons why I think this legislation is flawed. I rise simply just to remark about certain things that I understand and things that I don't understand about the things that we do around this circle and in this building. I do understand, Madam President, why we would want to help employees who are impacted by family and medical issues. I understand, for instance, when -- as the Senator -- my good friend, the Senator from the 5th was talking about earlier why we would want to help fathers to be able to be there for the birth of their children and spend time with their children. Regrettably, as a solo practitioner, each time -- I have three daughters -- and each time my wife gave birth, every single time, I was bouncing in and out of the hospital, spending a couple hours in the hospital, running back to the office, another hour in the hospital, off to meet clients, and each time I would say to myself tomorrow -- tomorrow I'm gonna spend the whole day here, and then when they came home I'd say tomorrow I'm gonna spend the whole

day at home, and I regret to tell you that 11 years later I still find myself making those same promises -- tomorrow, tomorrow, tomorrow. When you're a solo practitioner, it's hard. So, I understand that.

I understand when my colleague, the good Senator from the 26th, was talking about having a healthier -- promoting a healthier workforce, and rushing back to work prematurely. In the past 10 years, I've had three major surgeries and each time, the doctors advise me that I needed to stay home for either several days or several weeks in once instance. Each time, Madam President, I was back at work that very same day, hours later -- not sitting at a desk, just looking at emails -- but sitting down with clients conducting real estate closings, going through documents with them, things of that nature. That's what happens when you can't have paid time off, so I understand that. I understand why we'd want to help employees who find themselves in that situation. I understand -- unfortunately, for me, I understand the pain that the Senator from the 10th district was talking about earlier. I understand that too personally.

Here's what I don't understand. What I don't understand, Madam President, is why we are constantly looking for ways to expand the state employee workforce in everything that we do in this building -- every single thing that we do. I don't

understand it. We are telling municipalities that we can't fund our obligations to teachers so they have to do it. We tell our existing state employees that we can't meet our pension obligations to them. We tell our municipalities there's no money for municipal funding. We tell all the residents of the state and residents of other states that we have no money to fix our roads, so we need to implement tolls. We've got no money for education funding. No money for school construction. No money for any of our seniors who are struggling. And, yet, we're going to incur millions of dollars to create high-paying government jobs, which we are going to have to figure out a way to subsidize as soon as this fund becomes insolvent, which by my estimation is going to be the second that this bill passes and assigned into law. So, that's what I don't understand, Madam President.

Thank you.

THE CHAIR:

Thank you, Senator Bizzarro. Will you remark further? Senator Sampson. Good evening, sir.

SENATOR SAMPSON (16TH):

Good evening, Madam President. One thing I hear when I talked to some of my friends back in the district is that sometimes they'll tune into us debating

legislation in the Senate here, and they're at kind of a loss because they come in in the middle or even the very first speaker doesn't really address what the bill before us does, so I want to start with that. I want to make sure that we all understand exactly what we are voting on.

I'm gonna speak a little bit about the process that's contained in the legislation before us, and then I will talk more substantively about the policy, but the very first thing I want people to understand is what this bill actually does. There is an existing state law, and there's also a very similar federal law that requires that businesses provide for family medical leave of someone's significant other is somehow unable to -- to work or has an illness, something like that, or a pregnancy so that they are allowed to take time off to spend with them. That policy extends on a state level only to businesses that have more than 75 employees and on a state level to only businesses that have more than 50 employees, and I have asked numerous times to try to get an answer about how we navigate that inconsistency, but that is about to become irrelevant with the bill before us.

What this bill proposes to do is to take that existing structure that provides for the time off and essentially tells a business owner that regardless of your desire or your business practices

that you must accommodate this person when they ask for their time off based on family medical leave, and we are going to change that law to expand it so it now affects businesses all the way down to having one employee. Surely, the state and federal government in the past when they considered the original policy recognized the damage it would cause to small businesses if we were to limit it to very, very small businesses that have only a few employees, so much so that they actually made the limits 50 and 75 respectfully -- respectively. But this bill creates that mandate.

The other thing this bill does is it creates a giant bureaucracy -- another government bureaucracy that we will pay for. It is laid out in a way to be interpreted as what is being referred to as a quasi-public agency, and I'm gonna go through the bill in just a minute because I have some concerns about the way that is set up because I believe they are being given very, very broad powers, and I think it is dangerous in the way they are less accountable to the citizens of our state and their representatives, which is those of us in this room. The next thing it does is it inserts the state government in-between employers and employees. When an employer hires an employee to do a job for them, that is a private contract. That is a relationship between those two people. It doesn't involve anyone else.

It is an agreement between the employer to pay the employee a certain amount of compensation for the work they're going to perform, and in our society, that contract is a private contract made by consenting adults. When the state government or the federal government or anyone inserts itself in-between those two parties and demands that we must provide an additional benefit beyond what their agreement is, I believe we are missing the core principals that make and have made our country great in the past. There is not just such a mandate to require this family medical leave though. There is also a new requirement, and that is on the employer to provide time off even when it could be a tremendous inconvenience that damages their business because they can't afford to lose employees, but also on the employee in the form of a payroll tax. As I said, this is a relationship between the employer and the employee. It's no one else's business, and it is certainly not our business to come in-between them and demand that they provide us 0.5 percent or any other amount.

I submit to this body -- whose money is it? It's not our money. That is the money that belongs to the employee because they made an adult private contract arrangement with their employer. It's not our money. I'm gonna go through the bill a little bit, but I'm gonna come back to that concept in a

minute. On line 16, it describes who is a covered employee, which is essentially who is the folks that become eligible for this program, and it's pretty straightforward. It says that someone as soon as they earn \$2325 dollars. I found that to be interesting because under the federal law that doesn't provide for any payment during this period of leave, just the ability to have the leave, the requirement is 1265 hours. I don't know exactly what that equates to at the minimum wage in Connecticut, but it is say, way, way more than \$2325 dollars, which I would say is a relatively small amount for someone to earn -- to be eligible for this program. And, by my count based on the half a percent, which we've been told today is the maximum that could be charged, they would have only put in \$11 dollars into this program to be eligible.

There's also a question on line 18 or 19 whether or not this applies to people that are even currently employed. Also, interesting in the next paragraph we stipulate that there is a difference between a covered employee and a covered public employee, and I'm curious to understand why that is. I get the notion that in this bill right now we are essentially carving out public employees. They are not going to be covered under this plan, which means they are not subject to the five percent payroll tax either. They would have to -- if they chose to --

collectively bargain for that privilege. I can't imagine anyone collectively bargaining for the privilege of having another tax taken out of their paychecks, and that's exactly what this is. I've heard this described in so many ways today, but the simplest way to understand this is the state taking a tax out of your paycheck by force with no opportunity to opt out whatsoever, and you getting an insurance product for exchange for that.

If you move down that page, you get to the first major mandate I already spoke of which is that this applies to businesses that have as little as one or more employees. The other concern I have about the process is the way we're creating this so-called quasi-public entity. And, I noted that on lines 77 and line 78 this bill actually reads the authority -- which is created to manage this program -- the authority shall not be construed to be a department, institution, or agency of the state, so we're essentially saying this is a separate entity all together. It is a private entity. But if you go on and read some of their broad powers but also the way we connect them back to the state when it's convenient, I think it's worth noting.

On lines 139 through around 143, it essentially says that they have the opportunity to hire whomever they want to, and they do not need to comply with the policies and procedures of the Department of

Administrative Services or the Office of Policy and Management with regard to approval for the creation of new positions. I don't know of another state agency that has that power, and I can certainly say that we shouldn't limit a private entity, but who exactly is funding this besides the taxpayers of the state of Connecticut? It goes on to say that those -- the authority that is created can collectively bargain with the State of Connecticut, and it goes on to say that the executive branch is authorized to collectively bargain with the employees of this authority. Well, if it's not a state authority, I don't understand how they have the right to negotiate with the state. It goes on to say that the officers and other employees of the authority shall be state employees only for certain purposes. This seems like a lot of twisting around to accommodate this so-called quasi-public agency. It goes on to say on 173 through 176 that each member of this board shall take the oath to our United States constitution and our state constitution. I've never heard of such a thing. These people are not elected officials. They will be appointed to this board to manage it.

On lines 207 through 211, it talks about some authority that is granted to this board. No member of the board or officer agent shall directly have any financial interest in any corporation, business,

trust, etc. that is contracting with the authority, and I'm curious whether or not there is any oversight from this body or the office of say Ethics as would happen in very similar process if this really was a state agency. So, in some ways, we're excluding them from oversight but we're giving them great authority in other respects.

If you read the paragraph starting at line 251, this kind of lays out the responsibility of that board, and I'll just read lines 257 to 262, which basically says that after this program has been in existence for a year, they're gonna come back and they're gonna review all of the claims made and all of the money taken in, and then as it says in the bill in light of such totals and of expected future expenditures and contributions, a target fund balance sufficient to ensure the ongoing ability of the fund to pay the compensation and to limit the need for contribution rate increases or benefit reductions due to changing economic conditions. So, the board is going to have this broad power to be able to determine what the future of this fund is.

I noticed that in previous iterations of this legislation we actually had an idea of what that target fund balance would be, and it was 140 percent of the claims paid. That is omitted from this language, and I'm curious to understand why. There is an additional mandate on employers that reads

from lines 273 to 280, which essentially requires employers to handle the payroll deduction for the wages that are being taken by the state for this program.

On lines 314 through 322, it lays out what the benefit of the program is and many of my colleagues have done a really good job of speaking to the significant amount of the benefit versus the amount of money that is being collected, and whether or not the math works. But I also noticed that in line 314 it specifically says this weekly compensation offered to covered employees shall be etc., etc., and I noticed it did not refer to covered public employees.

Through you, Madam President, I'd like to ask a question to the proponent of the bill and just get for clarification sake whether or not the term covered public employees was omitted from this section or addressed in some other way?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. A public employee would be a covered employee under this bill.

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THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I appreciate the lady's answer, and I would assume that also. I just found it odd that we would have gone through the trouble back on the early lines of the bill to specifically identify a covered employee versus a covered public employee, and then not identify whether their compensation was the same in that paragraph, but I understand that may simply be a drafting error.

I noticed also in lines 323 to 328 it says the authority shall reduce the benefit for covered employees by the minimum amount necessary in order to ensure the solvency of the program, and I've heard this repeated several times today that if we run into trouble in this program we'll just reduce the benefit. It even says reduce the benefit in here. I find it odd that we would repeat the word reduce the benefit over and over again when it sounded to me like there was an expectation that the fund might increase, and I wonder if this precludes us from ever increasing the amount of the benefit assuming in the future there is financial trouble and the benefit is reduced at some point, can it actually be increased again without the law being changed?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The bill does not provide for an increase in the benefit except in that the maximum weekly payout is tied to 60 times the minimum wage, so in that regard, the percentage would remain the same but as people earn more money, the benefit could go up for that individual, and the maximum amount allowed under this program would increase with the minimum wage.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President, and I thank the lady for that answer. So, I guess just following up on that does my question about whether or not if the fund is reduced -- if the benefit is reduced at some point because the fund is in trouble and in order to maintain a fund balance, they need to reduce the benefit and that situation improves, would this bill allow us to increase that benefit again since it simply says that the authority only has the ability to reduce the benefit, not to increase it.

Through you, Madam President.

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THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. My -- my belief is that the intent of this bill is to allow the authority -- it says that they could reduce it in the least amount necessary, and I believe the intention there and what that would mean is that if the funds were there they could not reduce it, which to me also says that if the fund were then to have enough money to pay the benefit that is specified in this bill that they would have to -- the authority could -- would have the responsibility to do that, so that is my belief in the intent of the drafting of this bill.

THE CHAIR:

Thank you, Senator Kushner. Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. And, I appreciate that answer. I would assume the same, and the reason why I ask is because that's not what it says. It's very clear that they only have the authority to reduce the benefit, and part of me thinks that's a Freudian slip because I believe there is an expectation even by the proponents of this legislation that they are

going to run into trouble very early on in having an inability to pay these claims. The next paragraph is about what happens with two spouses that have to work for the same or happen to work for the same business and what their benefit is, and I found it interesting reading through the bill that everyone is afforded the same 12 weeks with the potential additional 2 weeks depending on if it's a significant illness. This limits spouses only to 12 weeks. In fact, there is an additional section, which I will probably get to just breezing through this bill, that makes it quite clear that they can never exceed the 12 weeks. so, through you, Madam President. I'm curious to know why we would say that folks in that situation would not receive the same benefit as other parties. Why would be limiting their benefit to only 12 weeks when someone else might get 14?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This part of the bill does speak to small employers who have -- who might have the happened stance of having two married spouses, and so it's specifically meant to address

that. I do believe if someone was incapacitated during pregnancy the bill provides for that person to have an additional two weeks.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I appreciate that, and again, I think this is another situation where I think the bill is just drafted incorrectly, and if I had the time, I could go through and find the spot to point it out, but I'm quite certain it does not provide for that based on the reading of the language. It says in the case of spouses that you are limited to 12 weeks, both in that section that I just mentioned, which is starting at line 332, and also a later point in the bill, and I'll point it out again if I get there.

On lines 339 and 340, it also says that an employer would have to accept someone leaving even for a part of a day to accommodate this policy. It says a covered employee may receive compensation under this section for nonconsecutive hours of leave. I take that to mean that if someone wanted to take off an hour early or two hours early that -- that the employer would have to accommodate that situation. I point that out not to say that that's not

something that's inconceivable but rather just to point out that this is asking a lot of employers to absorb something that they have no control over, and in cases where they have very few employees, it might be a distinct burden. The next section is about unemployment compensation, and I will ask just one final question of the chairman of the Labor Committee, and that is a question that has occurred to me several times listening today, and that is people that fill in for employees that are out on family medical leave are there for some temporary period of time -- when they are terminated because the person comes back to the job, are they eligible for unemployment compensation?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. A couple things that were said -- that I do want to address -- by the good gentleman is that employees can take off a couple of hours at the end of the day and the employer would have to accommodate that. I think we noted that earlier tonight that there are provisions where for intermittent leave the employee has to work with the employer to work around the schedule,

and so it is not entirely up to the employee to choose that, and so I think the employers do have some role to play in that. Also, in terms of a Freudian slip, it was not a Freudian slip to put in language about insolvency. I think that we were addressing concerns that there need to be protections in the event that insolvency were to occur. We have total confidence that this fund is and the rate that is being laid out in this bill and the -- the weekly benefit is well under the half a percent that would be allowed under this bill to charge for a premium.

As to the temporary employee who is laid off, the language is clear on line 1367. The -- with regard to unemployment, it says no base period employers account shall be charged with respect to benefits paid to a claimant whose separation from employment is attributable to the return of an individual who was absent from work due to a bonified leave taken pursuant to this bill, and I think that that was specifically put in there to ensure that there wouldn't be a cost to the employers and their insurance rate, and I think the unemployment rate -- and I think we're -- like we're really I think taken great care to try and protect particularly small businesses and level the playing field for them at the same time making sure that people have

opportunities to take advantage of this bill -- or of this act I should say.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President, and I thank the lady for her answer. In the interest of time, I will just state that if we go through this language of the bill there are a number of places where I think there is some confusion about the level of broad authority granted to this new paid family medical leave authority that I think we should reconsider before accepting that this is simply the way things should be, but I want to get to the policy more than the process because the policy to me is the thing that we're really debating tonight, and this right here is a bad policy, Madam President. It simply is. I've heard somebody say earlier tonight that the devil is in the details. Well, I think the devil is in this policy idea itself. This is a forced tax on our citizens in our state, and I've heard a few things different -- addressed about this bill in different ways. Given the state of our economy, this is not the direction that we should be headed. I mentioned the other night we were talking about the minimum wage bill, that there is a mechanism to improve the lives of our citizens, and

that is a thriving economy. I gotta tell ya I was dismayed listening to some of the remarks around this circle about what people's opinions are with regard to those that don't support this policy. I heard the word morality brought up several times. I heard people say that other countries are better because they get this and we don't, and I've also heard that, you know, this is what America is about, that this is about who we are as a people and that we should be taking care of one another. Those are all statements that have merit, but forcing a tax on someone to create a government program to redistribute wealth is not the same thing as taking care of one another. It's a bad message. The message we're sending to people is that we need government to take care of us. Responsible people take care of themselves. They plan for things.

You know, on a federal level, they call this plan the unpaid plan the Friday through Monday leave act, and that's without any dollars and cents incentive for people to abuse this program, and I'm afraid that's what's going to happen. It will also further exacerbates this continual effort to divide employers and employees into two separate groups, negating the reality that it is a voluntary agreement between people. Think about all the taxes we already pay by the way. We're paying huge amounts of income tax in this state, one of the

highest in the country. We have some of the highest property taxes, sales tax, gasoline tax, the fees on your cable bill and your phone bill. When you add all that up, the amount of tax that we're paying is exorbitant, and this is just another tax that we're piling onto the residents of this state.

I said, Madam President, that every piece of legislation that comes before this Chamber should be measured on whether or not it is going to improve the lives of the citizens of the state, and I've also said that the best way to do that is to create a thriving economy, and the best way to create a thriving economy is with freedom and opportunity. This is not. This is a forced tax on our citizens for things they may or may not want, and that goes to the amendment that I'm about to call if I can find the number here. Madam President, the clerk has an amendment. It's LCO 9371.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 9371, Senate Schedule B.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

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Thank you for the opportunity to summarize. This is a very straightforward amendment. It strikes the underlying bill, and it creates what I believe to be a better alternative, which is simply a plan that creates a free-market alternative that instructs the insurance commissioner to create a program to offer a paid family leave program that is voluntary and that can be participated in by employers and/or employees with the terms that they agree to, and I move adoption, Madam President, and I would ask for a roll call vote when the vote is taken.

THE CHAIR:

A roll call will be ordered, and the question is on adoption. Will you remark? Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. I believe that a free-market proposal as described by the good Senator, Senator Sampson, is not the way to go in this instance in our state at this time, you know, for many of the reasons that I've already spoken about. You know, I feel that we are implementing a program here that will benefit all of the State of Connecticut, and I don't know if it's appropriate, Madam President, but you will tell me if I'm out of order for me to just take a point of personal privilege at this time? I would like to recognize -

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THE CHAIR:

Please go ahead since you do have some guests who are here watching what might be history.

SENATOR KUSHNER (24TH):

[Laughing]. I do want to recognize that we have here today with me my daughter, Rachel Wishhart [phonetic], and her two children, my grandchildren, two of my grandchildren, Shelby Rae Wishhart [phonetic] and Jackson Wishhart [phonetic], and I know for sure that these are some of the people that makes this a great state to live in. I certainly appreciate them being here tonight with us, and being part of this political process. So, thank you very much for the point of personal privilege, and -
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THE CHAIR:

Could we just ask our members to give them a warm welcome? [Applause].

SENATOR KUSHNER (24TH):

And --

THE CHAIR:

Please proceed, Senator.

SENATOR KUSHNER (24TH):

So, we've had a lot of discussion here tonight, and I don't want to belabor the point, but I do believe that we have a good bill -- a great bill before us, and I believe that it would be fully undermined by this proposed amendment, and it wouldn't be practicable, and it would not suit the needs, it would not address the needs of our citizens -- our residents here in the state, so I would encourage and urge my colleagues to vote no on the proposed amendment.

THE CHAIR:

Will you remark further on the amendment that is before us? Senator Somers.

SENATOR SOMERS (18TH):

Yes, good evening, Madam President. Through you, I would like to ask the proponent of the amendment to please go through, if he could, the individual points of the amendment so we can all be clear in the circle.

Thank you.

THE CHAIR:

[Senator Hartley in the Chair]. Senator Sampson, you have the floor, sir.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Nice to see you up there.

THE CHAIR:

Thank you, sir.

SENATOR SAMPSON (16TH):

Yeah, so this is a very, very simple amendment. Unlike the bill, this does not change the existing Family Medical Leave Act that we have in our state in any way. All this does is it sets up a mechanism for the Insurance Department to develop an insurance product that would offer the same benefit in a voluntary manner to employers and employees if they choose to purchase it.

Through you, Madam President.

THE CHAIR:

Senator Somers, you have the floor, madam.

SENATOR SOMERS (18TH):

Yes. Thank you. Through you, Madam President. Could you speak to what the criteria would be as far as what businesses -- would they be required to carry this plan or is that optional and if a business that someone was working for did not provide this opportunity, would an individual be able to purchase -- I -- I'm assuming it would be

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disability insurance on their own? How is that going to work?

THE CHAIR:

Senator Sampson, you have the floor.

SENATOR SAMPSON (16TH):

Thank you, Madam President, and I appreciate the -- the question. As I mentioned, this is a completely voluntary program. The benefits that employers offer in our society are generally a result of their attempt to entice employees, and this is just another option for employers to offer a benefit to their employees if they choose, and it's also an opportunity for individual employees to purchase a benefit that would produce paid family leave if they -- they so choose and they have the leave to take the time off, they can get paid for it just like the underlying bill except this is a choice that the individual employee makes on their own rather than a tax that would be against their will.

Thank you, Madam President.

THE CHAIR:

Thank you, sir. Senator Somers, you have the floor, madam.

SENATOR SOMERS (18TH):

Thank you, Madam President. Through you, once again. So, I just want it to be clear this would be something that could be offered. I know that there was in the -- in the amendment it talks about breaking down the walls or the barriers between states to opt into a larger pool. Is this designed to provide a similar benefit, which is what is available for current employees under certain businesses that offer an extended disability plan where if you go out on leave you get between 60 and 70 percent of your base pay on a disability payment and is the criteria the same to go out as what was offered previously in the underlying bill?

THE CHAIR:

Through the chair, to you, Senator Sampson. You have the floor.

SENATOR SAMPSON (16TH):

Thank you again, Madam President. And, the answer is yes. The bill provides for a mechanism for our state insurance department to negotiate with other states to allow for different insurance carriers to offer different products to residents and employers of Connecticut, and it also accommodates a situation where someone might work outside the state but -- but live here.

Through you, Madam President.

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THE CHAIR:

Thank you, sir. You have the floor, Madam.

SENATOR SOMERS (18TH):

Thank you, Madam President, and through you, again. I just want to confirm. So, this would be completely optional. It's not a mandate, so if you are someone who is going to perhaps retire in a year or two years and you choose not to partake either individually or through a business, you would not be mandated to do so and also there would be options so you could look at perhaps a plan that would cover you if you went out for 4 weeks or 12 weeks, you would have a mix within the plan you would be able to choose from so it's not just one standard plan; is that correct?

Through you.

THE CHAIR:

Senator Sampson, you have the floor.

SENATOR SAMPSON (16TH):

Thank you, Madam President. The language in the bill is -- is -- is broadly written to give the Insurance Department the most latitude to work with the industry to come up with products that are beneficial to the business community and to employees in the state. The underlying bill

provides for 12 weeks of coverage. For some people, they might think that is a lot. They might only want to purchase coverage for six weeks and pay a reduced premium for it. That I believe is the -- the purpose of the amendment, to give that ability for different types of products to be offered and for consumers and businesses in their negotiations to come up with something that works for both of them.

Through you, Madam President.

THE CHAIR:

Thank you, sir. You have the floor, Senator Somers.

SENATOR SOMERS (18TH):

Yes. Thank you, Madam President. I believe that's probably the end of my questions, but I -- I did want to just say that I stand in support of this amendment. I am a free-market person. I believe the fundamental question that we're dealing with here today is whether we feel or we think about any time that a government has run any aspect of businesses better than the private sector, better than private business, and my answer would be never. So, family leave and employees and their care and their time off I believe that's left best to the employer and to the individual employee to make that decision, and if you think about it, successful businesses here in the State of Connecticut. They

figured it out, and I can give you an example in my own small company, that I had a manufacturing company for 25 years. We offered an extended disability plan for our individuals. I've heard in the circle today folks saying, you know, I wish I could offer it. You have every opportunity to do that you just have to be a business that's willing to pay for it. I was a business that's willing to pay for it. My business was primarily made up of women. We had women -- many women having babies. We worked with them for flexible time off to even at times bring their children in. We had individuals that had cancer that we paid because they were part of our community, part of our family business, and that's what successful businesses do, and they do it well. Unsuccessful businesses, they don't, and they are not successful, and they can't retain the employees that are high quality, and the only way that you're gonna keep a good workforce is if you treat them well.

So, I've heard today a lot about businesses and wishing that they could offer this and that, and you have every opportunity to do that, you just have to be a businesses that's willing to offer that, and I think we have a lot of them here in the State of Connecticut. So, I believe that the overall agenda that -- that I'm feeling here that it appears that many people feel that government should be running

and meddling in every aspect of business, and every aspect of Connecticut's economy actually, and many of the people making those decisions have never actually had a business, which is very disturbing. So, what I see here is an overreach in how we want to grow our jobs, what opportunities we offer, what wages should be, what profits should be based on taxation, what advancements certain people have, and what advancements others don't. And, if we look at what's happened to our state over the last 20 years, we have no job growth. We've lost population. We have lost capital. We've lost investment. We've lost large businesses. We've lost small businesses. We have record debt -- the highest in the nation. We have lower property values than -- across the state of Connecticut, so the idea for me that a huge new bureaucracy run by government to essentially manage what a private business should be doing and saying what the conditions should be as far as when somebody can take leave, what they should get paid is absolutely troubling at best. Look at how this state has managed our pensions. So, a private sector plan that is run by the people that actually know their employees, that can offer choices where an individual can make the choice as far as what coverage they want, what coverage they need, what coverage they don't want -- that is the proper way to go. Let's let individuals and businesses -- those are the folks that are employing our people

here in the state of Connecticut -- let them have the choice, not government making the choice for them. And, this amendment -- I believe -- provides the opportunity to have coverage for paid family leave, but it doesn't weaken our already crippled economy, and I ask the circle to try to stop managing people and stop managing businesses because you're managing them right out of business. So, I stand in full support of the amendment.

Thank you.

THE CHAIR:

Thank you, Senator Somers. Will you remark further on Senate Amendment B? Senator Fasano, you have the floor, sir.

SENATOR FASANO (34TH):

Thank you, Madam President. Did you -- excuse me, Madam President, I would yield to Senator Kushner.

THE CHAIR:

And, Senator Kushner, you accept the yield, madam?

SENATOR KUSHNER (24TH):

Yes. Thank you, Senator. Through you, Madam President. Thank you, Senator Fasano. I wanted to be respectful of your role here, but there were a few comments that I did want to address regarding

the amendment. I believe that some of our largest successful businesses in the state and in this country have not done well by their employees, so I guess it is a question of how you regard successful, but in terms of large corporations that are making a lot of money, that's often the way we address success, and I don't believe they always treat their employees well. In fact, there's lots of evidence that they haven't treated their employees well, and you know I think this approach of private -- of creating a private insurance plan that people can voluntary opt into -- you know, it really doesn't do what we need to do in this state, which is guarantee everyone the opportunity to have paid family leave. I think in some ways it encourages thinking this state and employers as the boss' lottery, try and find a boss that has a good benefit plan and go work for them, and not everybody wins in that kind of a lottery, and when it comes to choosing between a paycheck and taking care of a loved one, you shouldn't have to play the lottery.

So I really strongly feel that the marketplace -- the free marketplace that we've discussed here tonight has had a long time to come up with a solution, to come up with a benefit plan that is affordable and that allows people paid family leave, and they have failed to do that, and I think it's our obligation and our responsibility as has been

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done in other states and has been done in a whole lot of countries around the world to provide this kind of protection for our employees, and I think it's our responsibility, and I think it's our privilege and our honor to take this action here in Connecticut, and so I urge my colleagues to vote no on the amendment.

THE CHAIR:

Thank you, Senator Kushner. Senator Fasano, you have the floor, sir.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, first, I'd like to thank Senator Sampson for being one of the architects -- the main architects of the amendment that's before us, and having us take a look at this in a little different light. I'd also like to thank Representative Mike France for his help in the House working with Senator Sampson in bringing forth this piece -- this amendment, and Craig Miner, Ranking Member, on the Labor Committee for his efforts in putting this together as well. Madam President, the amendment that's here before us is something that Senator Sampson has said is really talking about free marketplace.

Look, the issue is as Senator Sampson said, are we going to mandate and take out of people's pockets

because government knows better than everybody what is right for you. By the bill that's underlying, and I will talk about this at the end, this bill says that you as an employee do not have the wherewithal, the competency, or the forethought of figuring out that you may need disability insurance or long-term insurance, and we as a government know better, so we're gonna go in your pocket, we're gonna take out your wages, and we're gonna hold them and force you with your money to buy a policy, which you may not want, which you may not use, or which you may use, but we know better than you. We know better than you what you should be doing with your life, so let us control your life.

And, as I said, I'm gonna get to the bill a little bit more, but I need to say that to talk, to segue into this amendment. This amendment recognizes the change in the environment that we have today. Parents are getting older. Families are getting more complicated, and we need to address that. What this amendment does is to say that we are going to ask the insurance commissioner to create various products, and these insurance products are going to give employees the ability to buy the insurance that matches their needs. If they're part-time employees, maybe they don't need as much. If they're full-time employees, maybe they want to buy a little bit more. If they are greater than 50

employees or 75 for Connecticut, and you get the 12 weeks off by the federal and state law, maybe you want to buy something that long, but not one-size-fits all -- not one-size-fits-all, and what this says is we are going to allow people to individually decide for their own what's best. Some people have argued well the problem with that is that this is a small pool if it's all voluntary. The pool of people for which you choose from are small because the number of people who would probably do it would be limited. So, we said, it's fine. Let's take down the borders between Connecticut and New Jersey, Connecticut and New York, Connecticut and Rhode Island and of some mild consequence, Connecticut and Massachusetts, and by taking down those borders for insurance, all those pools become available for an insurance company to use those pools to help us. what does that mean?

So, let's take a look at -- first, we gotta go back a little bit. New York, New Jersey, Rhode Island, California, Hawaii, and I'm missing one other have the disability or I should say this -- this type of insurance for employees, but they have not the Worker's Comp insurance that we have in Connecticut. They have statewide=disability that employees have been paying in since the 40s, so adding a disability policy such as the one before us for paid family leave is a minor addition to an existing policy.

That's why those states do it. We can tap into that pool. The Hartford Insurance Company -- yeah, the very one that does business in Connecticut -- operates and maintains the New York Paid Family Leave and Disability Insurance. They're the carriers who take care of that. If we partner with them on a voluntary basis with employees given the insurance of the state of Connecticut the right to create these products, they can use that pool in New York to help lower the cost for employees, so an employee can buy a disability policy. I am told that a disability policy can cost as little as \$15 dollars a week. So, that's not a lot of money, and it's up to the employee if they want that. What this bill does is not only does it allow the employee to make the choice, not only does it take down the boarders, not only does it open up to the insurance market in the area and frankly, it's every state that we could look at and partner up with, but in addition to that, it gives the flexibility for an employer and an employee to say, I tell you what, I'm going to do this disability policy, and I'll split it 50/50 with you, and the employee says, okay, take it out of my paycheck, and the employee voluntarily takes it out of their paycheck. I know that at my law practice I had my bookkeeper who recently -- actually, a year ago had surgery that kept her out of the office for three months. Now, I paid for those three months. She only gets two

weeks' vacation, five personal sick days, and -- two weeks' vacation, five personal sick days as the package, but she's been there for a long time, it was mandatory surgery, I paid for three months, but if I had disability policy that I as an employer could talk to my employees about just like healthcare, that would have been in play, and I don't mind splitting it or we pay -- they pay a third, I pay two-thirds -- whatever -- but that's a flexibility that that brings it. I heard some people talk about here that somehow know a business, own a business, operate a business that they'd love to give this to their employees. I did it. I would take full advantage of this, and I know a lot of small businesses would.

If you have an employee who's been there a long time -- I'm proud to say my secretary has been my secretary for 33 years. Those are the employees that we can -- that an employment company would do it for, and this gives that very flexibility to do that, and that same bookkeeper is out again for another serious ailment, and is going to be in and out for probably the next year and a half. I'm gonna cover it, but that's what business does. Let the free marketplace take place. Let businesses make that choice. I've heard some of the conversation on the circle talk about that the millennials coming up like to work from home, they

like a more relaxed schedule. I've got three millennials in my household -- not anymore -- they're off the payroll, but they're around, and they work in a very same type of schedule for their various employment places. There's no reason why the market doesn't react to the behavior as a business market. If you want good employees, then you are going to give a package that attracts those employees, and you know what, if I'm in competition with the business next door and I don't have a package that's gonna attract good business people, they're gonna go to my competitor who's gonna give a package. That's what free market does. That's exactly what makes us an innovative country. The ability to change not by the fiat of government who wants a hand in my pocket, but by the natural progression of economics. People say well that's garbage because the big companies don't do it. Let me tell you, the big companies love the bill that you see in front of you right here because the big companies are saying, I already do this. If I'm a big company, I'm already giving you paid family leave on my nickel. Please pass this bill. Because you know what? Where I'm paying the employee out of my pocket as a big company, now the state is going to have that employee subsidize it. I don't have to do it anymore. That's why the big companies are not here saying this is a bad bill because they know that this is going to take their bottom line and

make it bigger because the employee is now going to pay for their own benefit that they were getting for free from the company. So, who is this going after? Medium and small businesses, make no mistake about it. Make no mistake about it. The federal law give those employees 12 weeks off because they're a big company under federal law, and the companies are paying for that. Now, they are saying, good. Now the employee's paying for it, I can put the money some place else. It's the medium and the small business who are going to say, I've gotta a -- I've got a five-person shop, and I've got to lose two employees. I am down. What am I gonna do? Am I gonna hire a temporary person?

I'll tell you this other thing. Even though you're a big company -- I was talking to somebody at UI, and they said, we're gonna have to hire five to ten percent more people at UI. Why? Because their jobs are not interchangeable. There are certain jobs that have specifications that you can't take a person from this department and move it over there and expect you are to operate, so we're saying I have to add ten or fifteen -- I'm sorry. Ten to fifteen percent more employees to my payroll because I got to make up for people taking this off or taking that off. Now, you say, okay. What's so wrong about that? We're gonna pay for it 'cause they're gonna run the PURA and say, we're guaranteed

a profit on our UI bills. We're guaranteed a profit. My payroll is going up because of this bill. I gotta raise the rates. I have to raise the rates. I'm guaranteed a profit. I gotta raise the rates. That's what the law says.

What this amendment does is say forget all that. Let's let free marketplace take the position. Let's let them employees who want it go get it. Let's open up the door. Let's do something we haven't done in Connecticut, take down those insurance borders. Let's let the insurance pools from the state come in. Let's let individuals make the decisions they want to make, and maybe if you get 12 weeks off in a big company you only want to get paid for 3. Maybe you're a small office and you get under this bill the 12 weeks off, I only want to pay for 2, I want to pay for 6. I don't want an extended family. I just want me, my wife, and my kids. Don't give me the policy that includes everybody under the sun. I just want my three people protected. How much are you going to charge me? That's what it is going to do. It's going to create it's own marketplace, and if there's a need for it, it will happen, but forcing it and thrusting upon people -- and the irony is -- I can't remember if it was this week or last week now -- but we just passed minimum wage increase in this Chamber, so we put money in my right pocket saying we got to give them -- it's hard

to live in Connecticut. We gotta put more money in your right pocket, put more money in that pocket, and then we go in your left pocket, and we say, but we gotta take it out now. Now that you got more money we gotta take it out for this insurance because it's in your best interest. We know it. We're government. So, you raise the minimum wage on one side, and you take it out of the other. I don't understand the logic. Now it's not neutral. The logic is baffling.

Madam President, what this does is open up the doors to allow the marketplace to take place. What it does is allow, which I think is good policy, paid family leave to exist, but allows people to make that choice, and the only thing we're gonna demand is that the insurance company creates those products that will be available so people can take advantage, and then let the marketplace with employees and employers determine what's a best solution, so I fully endorse this amendment.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further?
Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. Rising in opposition to the amendment and would hope that after some additional debate that we will vote in favor of the underlying bill. Madam President, just as it's been said that war is too important to leave to the generals I believe that this matter of protection for people is too important to leave to the forces of the market and should be provided for at a time when people will be guaranteed it. You know, one of the problems we've -- we've seen over the years in other context is that people tend -- tend not to plan. They tend to live without much long-term planning, which is a problem. We've seen that in the area of the pension context of the bill we passed a couple of years ago to pass Pensions For All bill to allow for a payroll deduction for those who don't offer private pension plans. There we found out research has shown that unless there is a payroll deduction people don't save for retirement. This is a somewhat analogous case. The problem is that what the -- the amendment proposes is to leave something to the private initiative for people to plan an individual would have to take action under this to -- upon written request by the employee -- an employer may withhold from an employee's wages an attempt to purchase in whole or in part individual or group short-term disability and family leave income protection coverage for employees. There is no guarantee under this that the significant number

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of employees would participate, which some may very well come to regret to a great extent later on, and I think it's important for us to establish as a public policy that it is -- that this will be a benefit available to all employees, and it is a -- it is a very modest deduction, and for someone even at the maximum income of \$132,900 dollars, which is the Social Security maximum, that the 0.5 percent would only be \$600 and -- about \$660 dollars a year at the -- at the half a percent that would be withdrawn, so I think that again there's a fundamental divide I think that those who believe that things should be left to the market and those who believe that there is an area for government to step in and provide a benefit that -- that people may be grateful for at some point in the future even though it may not be much on their minds at the time it is enacted.

So, for those reasons, Madam President, I would urge rejection of the amendment. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. I'm seeing no further remarks. The Senator has asked for a roll call vote. Will the clerk please announce a pendency of a roll call vote?

CLERK:

Immediate roll call vote has been ordered in the Senate, Senate Amendment B LCO 9371. Immediate roll call vote has been ordered in the Senate on Senate Amendment B LCO 9371. Immediate roll call vote on Senate Bill No. 1, Senate Amendment B LCO No. 9371. Immediate roll call vote has been ordered in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked, and the clerk would please announce the tally.

CLERK:

Senate Bill No. 1, Senate Amendment B LCO No. 9371.

Total number Voting	36
Total voting Yea	14
Total voting Nay	22
Absent not Voting	0

THE CHAIR:

(Gavel) The amendment fails. And, I would just like to address our guests because we always have new people who have come to observe in our gallery, and we welcome you, and we would ask that you please respect the Senate rules, which prohibit taking photographs and videos, but we do welcome you to our Chamber, and thank you for participating. And, we will continue. Senator Moore.

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SENATOR MOORE (22ND):

Thank you, Madam President, and good evening.

THE CHAIR:

Good evening.

SENATOR MOORE (22ND):

Madam President, I stand in support of Senate Bill 1, and I want to thank my colleagues and the chairs of Labor, Representative Porter and Senator Kushner, for the many hours and the hard work they've put into this. I also want to thank Senator Looney and Senator Duff for bringing this bill forward so early. You know, I listened to some conversations, and I thought about Governor Rell. She was diagnosed with breast cancer, and you know, she had the luxury of leaving the hospital in what we used to call a drive through. She didn't stay more than two days in the hospital, but at that time, I had women around me who did not have that luxury, and I think of the 28-year-old woman that I was with who was diagnosed with metastatic breast cancer and who only had young girlfriends around her, but had one young child, and who could not take off time from that job, but her family of friends surrounded her to take care of her during this really difficult time, and she was a counselor at a local community college, but she was so ill and so many people were

trying to help her get through it, she just couldn't get through the journey without losing her job. The chemotherapy was really difficult. She didn't complete all her treatments, so she just stayed home, and we all took care of her and took meals to her. And, I remember when Governor Rell said she was going home. I did a -- I actually did -- a post -- and the Connecticut Post actually wrote an article about I wish everybody had -- what she had -- that someone was going to take care of her, that she would get the best doctors, and that when she went home there was going to be someone taking care of her, but I knew many, many women that didn't have that same opportunity to take care of her. I think about that today, and I think that that woman would still have her job and that all of us could have still rallied around her, but she would have had the support of financial aid while she was doing that, but we all chipped in. I do want to say that woman was diagnosed with breast cancer -- metastatic breast cancer at 28, and is still living and has celebrated her birthdays and is moving forward, so it's a happy ending, but it took the community to do that, and I see us as that community.

The family dynamic is changing. When I was a child, I came home. I had a mother and father at home every single day. My father went off to work. My mother was still there if one of us got sick, but

there also were grandparents around. Today, our grandparents are working in various stores, bagging groceries, ringing cashiers, and just trying to sustain their lives, and it's just different from what it was when I was a child, but I would think we would want everybody to have the same opportunity that if someone fell ill that they would have the support of their family. I've heard is mentioned so many times about people leaving Connecticut. I thought about this today and said, well, maybe this is an opportunity to bring some young people into Connecticut, that if we were doing this it would be an incentive to come to Connecticut, to look on the positive side of this. You know, anyone who is working at a job and has the stress of thinking about someone at home who is ill, trying to do their job, is not going to perform so the business is going to lose out.

I want to share with you my own story, and I think I've shared some of this before when this bill was on the floor and a version of it when I was working about five years ago here. So, my mom who had always been well she got sick at 90 years old. She had an illness, and she had to go in the hospital, and she stayed for about five or six days, and so when she came out, she said to us, you can't put me in a convalescent home because they said she needed to go into one. She didn't want to do that, but I

have five siblings and we all had other responsibilities in job and nobody could leave their job. I had just purchased a house and really could not afford to leave, and my mom said to us, I raised six kids and six kids can't take care of me now. That cuts so deeply. It really did hurt, but she was right. None of us could afford to leave our jobs to take care of her, but I had one sister who decided that she would stay home and take care of my mother, and she was working for the city of Bridgeport. They let her have a couple of days off, but my mother needed some time because she had always been well, and she never had anybody in her house. And, you know, as you see older people, you know they get settled in their ways, they are kind of funny about who's coming in and out of their house, they're not grasping everything that's going on, so my sister stayed home and lost her job. So, you know, I feel bad that I didn't do what I needed to do for my part, but I did what I could, and I continued to take care of my mother who is going to be 104 in July, and every Sunday I spend that with her to give my sister some relief, but I think about what my sister could have done with her life, what she could have done in the way of a career if she hadn't stopped at that point. She's a very loving, caring daughter. I don't think she gave it a second thought about taking care of my mom, but I think that there was an opportunity when I hear what

people are talking about planning for illness, and I heard that and you just -- I just -- it completely threw me when someone said you plan for these things. I just asked my colleague did he plan for this problem he has on his arm. He didn't plan for that. He couldn't control that. When someone comes up with metastatic breast cancer, prostate cancer, or heart attack, they can't plan for those events, but they need family around to take care of them. I think that we need to think also about balance is business and understand businesses, but also understand that those are people behind there. I just looked up Walmart because you know I'm really hard on Walmart. I use them as the child of everything I don't want to -- to be like, but I tell you this -- Walmart is now paying paid family medical leave. I've been to Arkansas, small town. The city is prospering, but it took them so long to get to this point after making billions of dollars to start paying people for paid family medical leave, and I heard the conversation when we were doing the \$15 dollars is that when small businesses grow, they give it back to their workers. Well, not all of them. Maybe some of you good guys do, but there's a lot of bad actors out there who don't, and that's why we're here. We're here to stand up for people who need us to stand up for them, for families who want to take care of their families, who want to take care of their children without the

stresses of life because in the long run we're all gonna pay for it. We may not be paying for it in dollars and cents, but we're gonna pay for it and then other people who are working for businesses that don't show up. I also thought about you know if I had five days' vacation or if I had five days' sick leave, and my mother needed 15 of those days, I'd give them all to my mother, but the other five days I probably wouldn't have to give to her, and I'd have to just probably not go back to work for those days, so I want -- just want to keep the humanity in what we're doing and balance it with business and understand we got to start moving this along. This is not the world we lived in 20 to 25 years ago. We start -- have to start thinking about the families and what we want Connecticut to look like.

When people say that we're a liberal state, I sit back and I say, I'm not really sure we are. I'm really not sure, but I think we're moving in a place if we can -- when we move this bill forward, and I do believe we will pass this bill tonight, that it's a bill moving in the right direction, and I ask my colleagues to support it.

Thank you.

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Thank you, Senator Moore. Will you remark further?
Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. You know, as evidenced by the last vote, you know, support for family paid medical leave is around this table. Getting there is a different story. When we exclude well over 100,000 people and we don't make them pay into this; yet, we make other people who have the ability to take that time off through sick time, vacation time, and earned time because they have plenty of it, but we don't give them a way out, we force them to pay, that is not equal. When you force somebody to pay anything, I believe it's not equal. We gave an opportunity to do this through the free market. We gave an opportunity to go through the other states, to lower that cost, to make it more affordable than the \$15 dollars a week than it really is, and we decided not to do that, but until we include everybody into making these payments, we can't sit back and say this was equal. We carved out a certain group of people, and we shouldn't have. And, I do support the concept. I just don't like the vehicle that it's taking.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Champagne. Will you remark further? Will you remark further? Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. This has been a long afternoon, well into the evening, and I've listened to so many of my colleagues on both sides of the aisle and their comments, and you know, I've been listening to folks for months on this program even before I was elected, and I think we've tried to take everything into consideration and craft a very strong program that we believe will be resilient and will stand for the future generations. What we're doing here tonight, we're not taking this step lightly. We're taking the step in a thoughtful well planned out way. We've looked at all of the facts and all of the figures, and you know what, it does add up. It adds up to a better life experience for workers in the state of Connecticut, and that's what we're here to do. We were elected to represent the people of Connecticut, and I can tell you I've never been prouder to be a state Senator; albeit, I've only been one for a very short while, but it makes me so proud to be able to carry out the programs that we were elected to carry out. You know, we have the good fortune of not being the first state in the country to do this. [Laughing]. We have the good fortune to look at the experience of other states like California that's had this program for

more than ten years, and their experience has been so very positive. When they did a poll and a survey of businesses in California, 90 percent of those businesses reported a positive or neutral impact. This is after ten years of paid family and medical leave. When I talked to folks from Massachusetts, and I've had some ability to talk to folks who are on the inside really working on building this program, and one person in particular who is deeply involved and has a great deal of responsibility for the implementation of the Massachusetts law -- I'm guessing he's probably around my age. He may be a little bit younger -- but I know that he has worked on behalf of working people for many years as an attorney, and he told me after spending several hours just going through step-by-step how they're building this program, I was so happy to hear him say that this has been the best work of his life, and that he is excited every day to go to work and build this program. And, I really believe that's what we're gonna do here in Connecticut, and it will be some of our best work ever.

When it comes to our voters, the people of Connecticut, you know I can look at two things that are really important to me. One is the fact that in 2017 there was a poll done of small businesses, 77 percent of those small businesses reported supported paid family and medical leave, but more recently,

this year there's been so much discussion about paid family and medical leave, and people are really very well-informed about it, but there was a poll done, and a lot of times people say, well, these polls it's all about how you ask the question, and we all know that's true, that there is something about the way you ask a question in a poll, but what I really respect and love about this poll is that when people were given the details of the paid family medical leave act that we're proposing here, the response was overwhelming, and it wasn't just democratic households that were polled. Democrats, republicans, independents, unaffiliated, the poll came at 88 percent in favor of paid family and medical leave. Now, what was even more encouraging was after that question was asked people were informed that employees will be paying for this plan. This will come from a deduction from your pay of a half of one percent like an insurance premium, and when people were told that, they still polled at 82 percent in favor of paid family medical leave.

Now, that's the statistic. That's the poll, but I want to tell you my own survey that I did. Because I didn't have a primary I didn't have to worry about getting elected in August, but I went out on primary day and I went to every poll station in my district, and I took with me a petition for paid family and medical leave, and I talked to voters as they came

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out from voting. I didn't try and stop anybody from going in and voting, but as they came out, I discussed with people paid family and medical leave, and I asked them if this is something they would support and asked them if they would sign a petition, and you know, some of the people knew me, so you know, there may have been more democrats that stopped to talk to me than republicans. There is that possibility there was some screening going on, but what really impressed me was the number of people who signed the petition. In just that one day, I signed 140 people, and what made me so pleased is when I went back and looked at who had signed and compared them to the VAN, to the voting list that we all have access to, I found that 30 percent were republicans. They weren't going to vote for me. They didn't come to vote that day for a democrat. They came to vote for a republican, but they support paid family and medical leave. This has really been my experience throughout the many months. People say I talk a lot, which is true. I try not to talk a lot here, but I do engage in a lot of conversation with folks, and wherever I go whether I'm at a Dunkin' Donuts or whether I'm checking into a hotel or whether I'm at department store, I talk to whoever's working there. And, one of the things I talk about is paid family and medical leave, and the response I have gotten has been overwhelming. People are really excited about

this program. This program gives people hope and faith that the state of Connecticut has their back. This is a program that is going to take care of working families, and there are so many stories. You heard a lot of them here tonight, and I know everybody here has a personal story of somebody they know that didn't expect to get sick and couldn't keep their job because they were sick, and this program will afford them a cushion, an opportunity to get better, an opportunity to take care of a family member, and it directly impacts our economy because the people who are going to benefit the most from this are not going to take that money and go invest it overseas. They're not going to buy stocks and bonds. They're going to take that money and spend it in that small business and go out to dinner in that restaurant and go to that movie maybe now because they have a little bit of money in their pocket to pay their bills when somebody in the family is sick.

So, this bill gives me great hope. You know, last week when we passed the minimum wage, I said it was one of the most thrilling experiences of my life. I felt like I just negotiated a raise for 332,000 people here in Connecticut, and that was thrilling to me. The biggest thing I'd probably ever done, but in so many ways, this paid family leave bill and passing this tonight and voting for this tonight is

my opportunity to say to the people of Connecticut we're doing something for people here in Connecticut. We're going to make it a better place for people to come and work and raise their families, and that's very important and I feel very privileged to be standing here before you all today, and I couldn't be prouder than to be here with our president of our Senate, you know a woman who I know has fought for women's rights and women's equality her whole life. For all my colleagues who have spoken here tonight and supported this bill, for my daughter and my grandkids who came and stood with us, stood with me tonight. I had the benefit when I was pregnant. I got to take off time, take care of my kids when they were little, when they were born, and because my employer paid for it. I had the time when my dad was dying and I needed to be in Nebraska. I could do that because my employer provided paid family leave, but I don't think I should be more privileged than anybody else. I think everyone should have those benefits. I think everyone should be able to take care of their family and not risk their job or risk their paycheck or risk their house or risk their apartment.

We have the opportunity here tonight to move this bill out of the Senate to the House, and I really truly believe that we have a governor who is going to sign this bill, and so I urge all my colleagues

to join with me in supporting the people of the state of Connecticut, and vote yes on this bill.

Thank you.

THE CHAIR:

Thank you so much, Senator Kushner. Will you remark further on the bill that is before us. Senator Witkos, good evening.

SENATOR WITKOS (8TH):

Good evening, Madam President. To begin the wrap-up of the bill, first, I want to thank all the members that stood and spoke today and those that shared their personal stories. I know that's a very difficult thing to do, and it was very moving, and I -- as Senator Kushner just said -- a lot of us have the same type of stories that we could share regarding family members who are in need of somebody to be there with them, and that's so important, and I think often times people would choose they will be with the family member over -- they don't care what their employer says -- they're going. Family first. That's always in my book -- family comes first. We'll figure everything out later on. But I think employers understand that as well, and I found it ironic that the name of the -- the insurance trust fund is dubbed the Family and Medical Leave Insurance Trust Fund when the amendment that we were

talking about really allowed individual members, if those chose, fit to need -- chose the need to purchase such a product -- insurance product that could do so, but it was voted down along party lines, and the stark difference between the amendment that was offered, the bill as amended today is it's a mandate, and this goes down the road of all the other things. We can't look at what we're doing to our businesses both small, medium, and large in our state without looking of the things that we've done historically over a period of time, and the period of time I'm talking about is fairly most recently. We were embarking on passing this today. We just passed the \$15 dollar an hour minimum wage last week. I recall in this specific circle and Chamber us passing a public pension plan. There is conversations about having a public option health insurance plan. There's a conversation or a mandate to provide paid sick days to employees.

So, taken in totality, that is a large strain on employers. In this case, I understand that the employer isn't paying for the benefit, that the employee is, but the employer would be responsible for replacing that employee if they were so -- if they chose to take advantage of the benefit, but what I find unfair -- totally unfair is the fact that unionized state employees don't have to pay into this fund, nor do public unionized employees

have to pay into this fund unless they collective bargain for the benefit. So, if you don't think you would ever use the benefit because you have a great CVA already -- Collective Bargaining Agreement -- which gives you short-term disability. You might have the ability to get 12 or 15 sick days a year, which you can accumulate up to 120 days. You're like why would I want to put half of one percent of my pay into this fund where I -- I'll never use it to go to other people? And, that's just downright wrong. Why would we exclude anybody? If we're mandating some, it should be mandated to all, and I find that inherently unfair.

I also find it unfair when we're talking about those folks that are scraping to get by that they may work two or three jobs. Well, now they're paying up to a half of one percent on every job that they work, so that while they're working to try to get ahead we still taking more of their money, and you could almost say that they're paying one percent of their wages, while those of us that have one job are paying half of one percent, so they're actually paying double the amount of money into this fund. I don't think that's fair. I honestly detest the fact that I'm -- I'm going to have a reduced paycheck if this bill becomes law. My paycheck will go down, and I don't -- can't envision a scenario -- and we never know what's going to happen -- where I may

have to take a leave. I think that it's a benefit that HR departments offer through their employers as an attraction to get qualified candidates. I know when I was looking for different specific jobs, I'd say well, what's the pay and what are the benefits, and given everything being equal, if some employer offered a paid family sick leave and another one didn't, well most likely the employer would probably choose that company, but we're taking an employer advantage away from hiring the best candidates by saying everybody must now have this.

Are we going down -- what will be the next thing that the state will say everybody must offer? It's very likely we could say everybody must -- their employer must provide a cell phone for emergency communications to employs. What happens if a family member has to call them because not everybody can afford a cell phone? What happens if an employer must provide incentives for to getting to and from work, a subsidization of rail trade fair or mile reimbursement. I mean it's never ending. At some point, we got to let the employer offer those benefits. You don't have to work for that employer if you don't want to. You can always get the skills and look for another employer to move on to a different company, and people do that quite often, Madam President. In fact, there's a bill that hasn't been called in here yet about trying to

penalize people from moving from one location to another if they've done it within the first five years, which I think is a direct contradiction to what this bill tries to speak of allowing -- what I say -- employers to offer those types of benefits, and I will say that I'm concerned that the length of time that one can take off -- 12 weeks -- personally, I think that to me is excessive because if I was in a situation -- and I can only speak from a scenario that I would be involved in -- and I had a family member that was harmed or injured or frail or ill of health, I've got to start thinking of long-term care for that individual, that family member, so would I wait until the 12 weeks are up and then start looking? Knock on wood, I've never had to do that.

Everything that I've been involved with was a short-term, and so I was able to cover that with my sick leave time or my vacation time that I'm offered through my private employer, but I would seriously start looking at I've got to put things in place for long term, and care for the loved one that fits under the bill as the family members, so I don't know if the 12 weeks is the right time. When I've been talking to folks that say, Kevin, you've got to support paid family leave. I tell them the scenario and I give them the math, and then they said, well that doesn't make any sense. And, the scenario I

give to them is if you make \$50,000 dollars a year and you have to put half of one percent into a fund. That's about \$250 dollars that you pay in, but you're eligible to get up to \$900 dollars back for a period of 12 weeks. I said, that's relying on the fact that a lot of people won't take advantage of this benefit, but if they do, if a large majority of the people do, the bill says, we're going to reduce the benefit.

So, we really don't care I guess about the 12-week limit because we're saying if we can't get there -- we know the bill won't pass if the -- if the authority can raise up the rate as the percentage of your pay, so we're going to reduce your benefits, and we -- and it doesn't -- but it's not. It's the bill is silent on what will be reduced. If the purpose is to make sure that the person can continue on with the care and their income supplemented, I hope we wouldn't reduce the pay because maybe they're counting on that pay to get by, but the bill is silent on that. They could do a combination. They could reduce the pay and they could reduce the weeks. I wish the bill spelled out which -- which came first if a reduction had to take place because I think most people would rather have a shortened period of time and a larger pay to get them through their period of time than the other way around, so I have a lot of concerns. I think it's a mandate that

a lot of people won't use. They don't have a choice when government believes that they can do the job better than the private sector. That's very concerning to me, Madam President. I am aware of the governor's press conference earlier today, which speaks to the last point I want to bring in is that the authority has the ability to hire the folks necessary to complete this task. We have no idea how many state employees would be hired into this quasi-public agency. We're already scrapping [sic] with \$70 billion dollars in liabilities. We haven't gotten a hold of that yet. We could be on the cusp of hiring hundreds more employees to work on this benefit cost. Mind you, the half of one percent that's being taken out of everybody's paycheck will be used for the training of the employees, the cost of the employees, the cost of their fringe benefits, the advertisement.

I know that there's in the governor's bonding package there's \$20 million dollars or \$40 million dollars every year for that. I mean this is a very, very, very expensive program to initiate. I would have loved to have seen the amendment pass that was provided before. I wish that we could have gotten involved in some of the conversations to try to scale back some of the benefits to really see what is it that the average person would need to get through a difficult time, and I think that something

-- if we incorporated with conversations with the Hospital Association the CEAs of the schools, the superintendents of schools if things happen there, if a child's involved -- we could probably zero down the number of weeks the average individual would need to have time off, and I think that's something that a lot of us could support, and I think we just picked 12 weeks, -- I don't know how we got the 12 weeks. That is the most generous benefit that would be offered in the nation to match other states that had the most generous benefit. Certainly, the 100 percent wage replacement up to \$900 dollars is either the most generous or would match the most generous, and I thin the creation of the authority at the funding level, which is unknown at this time, really creates a burden to -- to all those involved. The fact that you have no ability to opt out, the fact that unionized state employees don't have to pay into this, I'm jealous honestly that they don't have to pay into this. I wish that we could opt ourselves out because I would do that in a heartbeat.

But with those, Madam President, I'll be voting no on the piece of legislation before us today. Thank you.

THE CHAIR:

Thank you, Senator Witkos. Will you remark further?
Senator Duff, good evening.

SENATOR DUFF (25TH):

Good evening, Madam President, and thank you. Madam President, I rise to support the legislation that is before us. Madam President, Connecticut, we like to think of ourselves a lot of times as in the forefront of many important social -- pieces of social legislation, and always a leader in a number of different areas, but in this area, we are not a leader. As a matter of fact, 183 out of 185 countries around the world have paid family medical leave already, and in the United State California and the District of Columbia, Massachusetts, New Jersey, New York, Rhode Island, Washington all have paid family medical leave, and so we're not a leader when it comes to this issue, but tonight, we can join the rest of the pack, and lead ourselves, and lead the residents of this state into really an important piece of legislation and an important policy here in this nation.

While 183 out of 185 countries have gotten it right a long time ago and said, this is the right kind of a policy, this is not some sort of a wild fantasy about some social experience, this is being done all around the world, and now state-by-state in our nation. This is something that other nations have

said, this is good policy, this is good for families, this is good for taking care of our loved ones whether it's a new child or whether it's a senior, a parent. In a number of different circumstances, this is good policy, and so it's high time for the state of Connecticut to join the ranks of 183 other countries in many other states that are doing this because we can do this. This is the right thing to do. Paid family medical leave is an idea whose time has come because it's something that has been said earlier is the people of this state are demanding. They're asking for this. They're saying we need this as policy in the state of Connecticut, so we have -- we have made this, this year, Senate Bill 1 for that reason. This is important policy. This is one where when we know it will give safety and security to so many people across the state of Connecticut, people who I have met around my district over the last many years when we have been talking about this, and especially we've -- we have been debating this and discussing this over the last few years. Last year, we actually brought it up to debate here in the Senate. We didn't pass it, but we had that initial debate, and this year I firmly believe we're gonna have the votes to pass paid family medical leave in this Chamber, and that's really exciting, but I've heard from people in my district and across the state who

have said that we need to make sure that we do and we pass this policy, and I'll give you one example.

I had the opportunity a few months ago to -- to stand -- to sit at a dinner actually with an all community college with a student there, and he's a veteran. He's young. He's in his 20s, he's married, and his wife is expecting their first child. He is a full-time student. He's working full time, and the company that he works for does not offer any kind of family medical leave at all. And, when we were talking at the dinner, and I was introducing myself, and he said, what are you working on this year up in the legislature, and I said, well we're working on minimum wage, we're gonna be working on paid family medical leave, we have a number of other issues that we're discussing, and he told me that his wife was pregnant. He said, you know, I'd really -- that would really be something that would help me. And, so not only is this one of our -- one of our younger people in the state who we want to keep in the state, who we want to keep in Connecticut.

We always talk about that. this is one of our veterans who we always say we will do anything for our veterans, and he said, this is something that would really help me out. This will help my wife and my newborn, and it will help me be a good dad. And, isn't that what we want to do? Don't we want

to make sure that he has the ability to be at home with his newborn, that he has the ability to bond with his infant and help his wife to ensure that together they're helping to raise their child? And, so to me, that just encapsulated all what's important about this legislation -- the helping those young families, helping those who are starting out, or maybe somebody on the other end of the spectrum in the sandwich generation who's taking care of an ill parent, and I'm sure many of us have been in that situation as well. I'm thankful of the fact that my jobs are both flexible in the sense that I have the ability to take the time off if I need to, to take care of a loved one, but I certainly know not everybody has that ability as well.

But the other reasons why this is important because yes, a lot of our larger companies do offer some sort of a paid family medical leave, but small businesses cannot. It's difficult for them to do that, but this bill provides that equalizer for them to do that. This puts them on solid footing with large corporations when it comes time to bringing in talent that they can keep so that that talent will stay with them, and they don't have the cost of retraining new and new people over and over again because they lose them because of benefits like paid family medical leave, so this is good in my opinion

for small businesses, medium sized businesses because a lot of our large businesses are already offering it, and this will help them be able to compete on the same kind of a scale as well.

I think -- also think about my wife and I when we had our first child and our second child. She had paid family medical leave and was able to take 12 weeks off, and let me tell ya, some people may think 12 weeks off is a long time. When you have a newborn, it flies by. At least in the first couple of weeks, I know you're not even sure what day it is. Many times you don't even remember if you brushed your teeth because the days go by so quickly, and then that's terrible, and -- but 12 weeks goes by very quickly. I remember when our first born came we thought oh, 12 weeks, we're gonna have all these -- we have a to-do list like crazy. Next thing we know the 12 weeks ended, she's back at work, and we didn't even -- we didn't even know what happened with all that time, so 12 weeks is I think a fair amount of time even though considering many other countries have much more -- are much more generous than even 12 weeks right now.

And, one reason why I'm so excited about this bill tonight, Madam President, is because -- and I spoke about this on other bills previously in the circle in other years, is that this piece of legislation is one of those bills that is a tangible bill -- a

tangible -- what will be a tangible law. It is a tangible piece of evidence of what we can do in this building that will positively impact the people across the state of Connecticut. Lots of times, we pass policy, and we're not sure sometimes if we -- we do a piece of legislation what it will -- if we do another energy bill when I was Chair of the Energy Committee, and we hope that we pass a good piece of legislation it will help or sometimes there's unintended consequences. I firmly believe that this legislation will be a -- will be tangible and will be positive, and it will have a positive effect on the people of the state of Connecticut. It will help keep our young people here. It will help our families. It will help move the state in the right direction. It will reduce cost for businesses because it will keep people in the same company rather than having them go to another company because those other companies may offer this benefit. This will be a good thing. This will put Connecticut on the map, and other states are going in other directions. This will be one of those -- one of those policies that I think people will say, Connecticut is a good place. This is a place that shares the same values that I have, that shares the values where I can have that work/life balance. I don't have to worry about making those choices between my job and taking care of my family. I can

have that piece of mind. I can have that security in order to -- when I -- when I'm with my family.

So, Madam President, I am very, very excited about this legislation. I really want to urge my colleagues to vote for this. Before I sit down, I just wanted to thank you Senate President for his leadership on this legislation. He has pushed this from day one, and it is Senate Bill 1 because of Senator Looney, and without his tireless support, being an advocate for this, we would not be debating this bill right now, so I want to thank Senator Looney for his work and his stalwart support on this issue and supporting this issue before anybody else even supported this issue, so he has been a true champion for this as well. I certainly want to thank Senator Kushner for her leadership as well. She has worked doggedly over many, many months, juggling many big bills that we've had, but she's been able to do that and do that and listen to various legislators and colleagues and others when trying to come up with just the right type of bill that would be one that we could pass, that would satisfy concerns, that would also ensure that we struct the right balance in a number of different ways. So, Senator Kushner, thank you for -- for your work as well, as well as certainly Representative Porter downstairs. They've been a dynamic duo and a great team also. We have great

staff behind me and our Deputy Chief of Staff who has worked very, very hard on this as well. He has put many, many hours and months of time and laboring in this also. I also just want to thank -- an aside before I sit down -- I want to thank the former administration -- presidential administration. Because when many of us had been to the White House under the previous administration, they were pushing paid family medical leave nationally state-by-state, and they worked really hard to provide us information, to gain support, and they never had the opportunity to see Connecticut pass it before they left, but I've been in touch with them since then, and they are watching closely and very excited that we are on the cusp in this body of passing this bill.

So, there's a number of people obviously who are a part of the success in what I hope will be tonight after we take the vote, but again, there's many hands who have brought us to this point tonight, and I want to thank everybody for doing that, and of course, the advocates who are here tonight in the gallery, and others who may be watching or who will benefit from this. They all had a hand in this as well.

So, Madam President, again, I strongly advocate for those to vote yes on this legislation. This is one of those moments that we will have -- we will make

real tangible effect and a positive impact on peoples lives here in the state of Connecticut by passing Senate Bill 1. Thank you.

THE CHAIR:

Thank you, Senator Duff. Will you remark further?
Senator Fasano, good evening.

SENATOR FASANO (34TH):

Good evening, Madam President. Madam President, I rise in opposition of this bill. Let me just say a few things. First of all, I think it's been said that with respect to the California law, we cannot compare Connecticut to California because as I mentioned since the 40s or 50s maybe California has had the disability insurance for all employees unlike the Worker's Comps. When you add a benefit to the California, you're not creating a whole new system. Madam President, this is going to be extraordinarily costly for the state of Connecticut, one of which I think the bill even recognizes that it's success is somewhat dubious, and the reason why I say that is that they say that if it doesn't pan out we're going to reduce the benefit. The bill says that, so understand when you pass this bill what you're passing may not be in reality what happens a year or two from now, and I think that's why Governor Lamont takes the position that he was going to veto this bill, and he's going to veto this

bill because he has concerns as drafted with a number of state employees. They will be state employees with fringe that are going to be added to this bill that that cost, and don't forget for every state employee, it's 96 cents fringe -- 96 cents fringe. Basically, one state employee equals two. I think Governor Lamont's concern was -- and I think he said this a bunch of times not only privately but publicly if we are going to do this I don't want to have to after two years to come back and say I'm cutting a benefit or I need to take more money out of the employee's pockets. I think that's a fair argument. I think that's a responsible argument. I think when people say, you know what we supported you, we gave your our votes, and now you owe us irrespective of the consequences that it could bring, it's very concerning to me. You may support somebody and believe in 95 percent of what they want to do, but that doesn't mean that you do a bill that could put the very nature of the bill in jeopardy just so you can say I'm on your side, and I applaud Governor Lamont for looking at this bill and saying the economics scare me. I am not going to make a promise I can't guarantee I'm gonna uphold, and I'm certainly not going to make a promise that says I am going to give you these things and then without the discretion of the legislature or the governor some of it may be removed because the numbers don't pan out. That is a legitimate concern, and I respect

Governor Lamont for standing up to this, and his argument was we need to privatize this.

Now why? Why? It isn't to make money for insurance companies. Sure, they're going to make some money. No question about it. That's what businesses do. I know that sounds like an evil word sometimes in this building, but that's what businesses do. They make money, but he's doing it because it's gonna cost -- if you look at this bill, this bill is almost identical to the bill that's in the state of Washington. That computer system is \$80 million dollars just for the computer system, and if you check with Washington, which we did. Now, mind you it's all data. It's back in I think of March of April. They were concerned that as they wrote the bill in Washington the numbers were not panning out the way they thought. They were running into a deficit. That was our conversation with them. That's what Governor Lamont doesn't want to happen, and when you have this group that's gonna hire employees without this legislature oversight, a system that's gonna have to watch this without this legislature's oversight, running by itself without this legislature oversight, all you have to do is look at those quasis across the state, which you've heard me mention a hundred times in this Chamber that I'm going appoint to that have had problems. And, the answer in this bill is they're gonna fix

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that problem without anybody in this circle weighing in. You're out. That's not responsible government. That's not responsible to the people that you made a promise to.

Madam President, we put up an amendment. I know it went down, so no sense going over great of these details of that amendment, but that was the free-market amendment. That was the ability to make employees do what they wanted to do. Madam President, the other problem I have with this bill is -- was mentioned in this circle. State employees are excluded. Nonunion employees in this building get the same benefits as those who join the union in this building. They get vacation days. They get sick days. They can accumulate. I was talking to a staffer today who has 60 days of sick time accumulated -- 60 days. They can take off 60 days of sick time and not once lose a dime out of their pocket. We also have a system in this building, and we used it for one of our staffers years ago where you could donate your sick time to a state employee, nonunion, so that they could go through issues, and we did that in our caucus and I think this building -- not just republicans, nonpartisan staff and partisan staff donated time. But now they're going to be losing money from their pocket unless they unionize so they don't lose the money. Is that by design? I don't know.

We see what happens with the contracts in this building. All the contracts that we're going to be approving and six tomorrow really takes nonunion employees and unionizes them because we made a decision we can't afford those raises, and that's why those contracts came back. We're taking the private union sector that work out their agreements in some bargaining unit, and they work out their time, but they're going to be paying out of their pocket for this. I think the intent of this bill is noble and I support it. I think the reason for it makes sense. And, without getting persona, my family we had an issue where one of a loved one missed several weeks leading up to almost a month and a half because of a medical reason, and to say you don't feel for these people is wrong, but to argue there is another way of doing it is what's important. And, it's not that we don't object or it's not that we object to paid family leave because nobody in this circle objects to paid family leave. It's the manner of which you're going to do it. Either it's going to be forced and mandated and taken out of your pocket, or we're going to let people decide for their own and let the private sector operate.

So, Madam President, I agree with Governor Lamont. I agree that there is a pathway. This is not it, and with that reason, I will be voting no.

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Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further?
Senator Looney, good evening, sir.

SENATOR LOONEY (11TH):

Good evening, Madam President. Madam President, I rise in -- in support of Senate Bill 1. First, I wanted to thank Senator Kushner, who although she is new to this Chamber is not new as an advocate for the working people of this state. She has devoted her whole life and career to that effort both in her former employment and now as a member of -- of this body. Also, her colleague, her Co-Chair, Representative Porter, my dear friend from New Haven, they have both worked tirelessly on shaping this bill in response to the needs of the people of our state, and I wanted to thank you Majority Leader, Senator Duff, who has put in countless hours building consensus in our caucus on this issue in conversation after conversation to help bring us to this evening, and -- and great thanks to him too for all his strategic support and strategy, his wisdom, and his one-on-one approach to bringing members to enthusiastic support of this bill.

Madam President, according to a 2016 Institute for Women's Policy research report entitled *Implementing*

Paid Family Medical Leave Insurance in Connecticut
only 13 percent of workers have access to paid family leave currently through their employment, and fewer than 40 percent have access to personal medical leave through employer provided short-term disability insurance, and according to that report for families with incomes below \$25,000 dollars a year, 62.7 percent of leaves taken are uncompensated completely, and while some workers may be eligible, of course, for the federal benefit of the 12 weeks of unpaid job protected leave under the Federal Family Medical Leave Act -- if they're fortunate enough to work for an employer, but large enough to be required to provide that benefit -- many Connecticut employees are of course ineligible for this unpaid benefit, and the reality is that only a very small fraction of people can afford to go without a paycheck for a month or more, and many cannot afford to go more than a week without a paycheck.

People are living literally paycheck to paycheck in our state. And, in fact, many of them consider themselves middle class or close to middle class but the net beneath them is very tenuous and very frayed, and this is not an abstraction. The needs of people and what they face -- this -- people without this benefit are facing an abyss, an a chasm if something happens to bring them into a situation

where they have a sick child, a sick family member, a sickness themselves, and it is -- it is something that is just so startling and so disturbing as we heard the moving testimony of Senator Winfield earlier about the experience that his mother went through in her final illness and his own fears in the birth last year of his -- of his twins. This is something that -- as I said -- is not something to think about as a -- as a casual benefit that people might like as an add on. The absence of it is a tragedy in many lives, and that's what we're trying to deal with this evening. That it means that there are about 74 percent of Connecticut children live in households where all parents work, and a lack of paid family and medical leave means that parents of these half a million children are unlikely to have the ability to take time from work to care for them without a severe financial loss, so there is the worry and the concern and fear about the health of a child, and the worry, concern, and fear about how the family is going to live if the parents take time off to care for that child.

Connecticut -- we are not literally surrounded by states that do offer this benefit. Massachusetts, New York, Rhode Island, New Jersey all provide this critical benefit to their residents, providing significant not only financial but psychological reassurance to their residents. Many talk in the

circle about and say, well, Connecticut isn't keeping pace economically with some of our neighboring states, and we're not as attractive to -- to bringing young people into work. Well, since these other states have already adopted these benefits, and if we do not, we will fall even further behind in these areas. How are we going to attract young families to Connecticut when they see our neighboring states provide this benefit, and we do not? This is in a way a self-protective measure for us to adopt this measure to keep us competitive in terms of the human benefits of employment with our neighbors. It is critically important that we recognize that, that we are not going to be a pathfinder in this bill. We're not going to be at the leading edge. We're just trying to catch up and keep pace with other states that are enlightened at this regard. As we said, other states have adopted. In Washington State and many of the other states that have adopted this bill, it was a bipartisan effort. It was something that both parties recognize in the interest of the people of the state. In Washington, for instance, one of the prime sponsors was Senator Joe Fain, a republican, who when he was able to stay home for an extended period after his son was born because the legislature wasn't in session and his wife's employer did give a generous leave, he said he wanted other families in his state to have the same

opportunity, and he said, "When I thought about all the things I did to give my son his best start in life, I realized most families don't have that ability to focus solely on their new baby he said. In many cases, dads are heading back to work the next day, and we heard Senator Slap's testimony earlier, very compelling testimony, about the regret he feels to this day that he had only four days to be with his newborn daughter, his first child. So, we know from studies and anecdotal evidence and our own experience as Senator Fain said that it is critical to the family to have that time to adjust and to bond, and Washington's legislation, again, calls on both employers and employees to pay into the system, and many of the other states that have adopted it are doing the same.

So, even in adopting it, we are still doing something less generous and less farsighted than other states are doing, but we are asking this modest effort to forward tonight. The bill does allow employers to alternatively provide benefits through a private plan, so people are not locked in exclusively to the government plan as long as the private plan provides the employees with at least the same levels of benefits under the same conditions an employee costs as the family medical leave program. So, again, it is something that is not an inflexible box that people are necessarily

going to be shoehorned into. There is -- there is an option for employers who would rather manage this on their own through a system that they are able to devise and invest in on their own.

The authority that will be set up to -- to manage the enterprise will have the authority to enter into contracts or agreements necessary to performance duties and execute its powers, will have the authority to issue RFPs if it wants to use an outside contractor services for: 1) Initial claims processing. 2) Website development. 3) Database development. 4) Marketing and advertising. 5) Implementing other program elements and as the developed criteria for evaluating proposals. So, there is an opportunity for private interest, private insurance companies, others to be involved in this system and to -- and to implement it if they are able to put together a winning RFP, so the criteria -- the criteria involved has to be transparency, cost, efficiency of operations, a work quality related to the contracts, user experience, accountability, and a cost-benefit analysis documenting the direct and indirect costs that will result from implementing the contracts. This unbalance is something that is absolutely essential as a minimum that as an enlightened state we offer to our employees here. It is something, as we know, the absence of the benefit is something that can

create a crisis in the lives of families, and not just poor families. We are talking about working families, talking about middle-income families here because the tragedy is that even middle-income families we know don't have much of an economic safety net, and have very little in the way of reserves just as we are increasingly finding that more and more people in retirement are relying more heavily on Social Security for -- to live on because they don't have significant pensions or well-resourced 401Ks. This is something that will provide greater peace of mind, greater stability for our families. At a half a percent, it's a very, very minimal payroll deduction for a very, very significant amount of peace of mind and protection for those who would be in need of this, and the reality of human existence is that one never knows when someone themselves or herself will be ill, a spouse, a parent, a child could very well be healthy one day and fall into a significant need the next where someone would need to take at least 12 weeks off to be able to care for that person in need. Again, these kinds of things in life can strike randomly without warning, and you're living comfortably one day and the next day you're in a crisis, and this bill's passage tonight and we hope by the House of Representatives and eventually be coming into law will help reduce that sense of

crisis and that sense of panic when that terrible moment comes in the lives of families in this state.

So, Madam President, I urge adoption of approval of this bill this evening. Thank you.

THE CHAIR:

Thank you so much, Senator Looney. Will you remark further? Will you remark further? If not, Mr. Clerk, if you would kind announce the roll call vote? And, the machine will be open.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill No. 1 as amended by Senate A. Immediate roll call vote has been ordered in the Senate on Senate Bill No. 1 as amended by Senate A. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked, and Mr. Clerk would you please announce the tally?

CLERK:

Senate Bill No. 1 as amended by Senate A.

Total number Voting	36
Total voting Yea	21
Total voting Nay	15

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Absent not Voting 0

THE CHAIR:

(Gavel) [Applause] Measure is adopted! [Applause].
Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, does
the clerk has Senate Agenda No. 3 on his desk?

THE CHAIR:

Mr. Clerk.

CLERK:

The clerk is in possession of Senate Agenda No. 3,
dated Wednesday, May 22, 2019.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move all items on
Senate Agenda No. 3, dated Wednesday, May 22, 2019
to be acted upon as indicated, and that the Agenda
be incorporated by reference in the Senate Journal
and Senate Transcripts.

THE CHAIR:

Senator Duff, that will be so ordered and so noted. And, I would just ask that everyone in the Chamber give their attention to Senator Duff, and that we have quiet so that we can finish our proceedings. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I'd like to yield to Senator Looney.

THE CHAIR:

Senator Looney, do you accept the yield?

SENATOR LOONEY (11TH):

I do, Madam President. Thank you, and thank you Mr. Majority Leader. Just for a point of personal privilege?

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY (11TH):

Thank you. Thank you, Madam President. Today, is the 30th birthday of one of our beloved staff members, Nick Neeley, Jr. who is 30 years old today spending the day with us [Applause] as he does so many other days. [Laughing]. I remember -- Madam President, I remembered at his birth 30 years ago today how thrilled his parents Nick Neeley, Sr. and

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Sue Iselberg were and still are about all the greatness he has brought into their lives, and their wedding a couple years prior to that was one of the best weddings I ever attended, so congratulations to Nick and to his parents.

THE CHAIR:

Happy birthday, Nick Neeley. Congratulations.
[Applause]. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I think Nick Neeley would like to share a few words with all of us, but the Senate rules [Laughter] -- Senate rules won't allow it. Thank you, Madam President. That concludes our business for today. It will be our intention for the Senate democrats to caucus at 11 o'clock tomorrow and to be in session at noon tomorrow.

THE CHAIR:

And --

SENATOR DUFF (25TH):

And, I'll yield to Senator Witkos.

THE CHAIR:

Senator Witkos, do you accept the yield?

SENATOR WITKOS (8TH):

Thank you, Madam President. Yes, I do. Senate republicans will caucus tomorrow at 11 as well.

THE CHAIR:

Senator Duff. Ah. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. And, yes, as Senator Witkos says, we are caucusing, but I do want to remind the President that we do have a certain decorum in this Chamber, and I just hope from this point forward we continue on with the tradition of the decorum that we've have always held dear to our heart in this Chamber.

THE CHAIR:

Yes. We will.

SENATOR FASANO (34TH):

Thank you, Madam President.

THE CHAIR:

Thank you, sir. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move that we adjourn subject to Call of the Chair.

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THE CHAIR:

Thank you. We are adjourned. Go forth and govern.
(Gavel).

On motion of Senator Duff of the 25th, the Senate at
8:45 p.m. adjourned subject to Call of the Chair.