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CONNECTICUT GENERAL ASSEMBLY SENATE

PROCEEDINGS 2017

VOL .60 PART 5 1580 - 1989

May 25, 2017

CONNECTICUT GENERAL ASSEMBLY

SENATE

Thursday, May 25, 2017

The Senate was called to order at 12:35 p.m., the President in the Chair.

CLERK:

The Senate is in session.

THE CHAIR:

Thank you. At this time, I'd ask the members and guests to please stand and let's direct our attention to Rabbi Lazowski as he leads us in prayer.

PHILIP LAZOWSKI:

Thank you, dear.

Our thought for today is from the Book of Ecclesiastes, Chapter 9, Verse 17, "The quiet words of the wise are more to be heeded than the shouts of the ruler of fools."

Let us pray. Merciful God, shed Your bountiful blessing on this circle of the Senators, that they may give careful thought to the proceedings of this day. Make them ever mindful of the awesome responsibility that is given to them to do their best for the people of the State of Connecticut.

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Grant humility in their hearts and wisdom in their minds to meet the challenges that face us.

Bless and preserve and keep our leaders in Your care. Hold our defenders of freedom in Your loving arms and bless all the inhabitants of our state with Your goodness. Hear us as we pray, and let us all say, Amen.

THE CHAIR:

Thank you, Rabbi, very much. And since we've already done the Pledge, now I'd ask if the -- Mr. Clerk, do you have any business on your desk?

CLERK:

In addition to today's calendar, Senate Agendas Number 1 and 2, both dated Thursday, May 25, 2017. They've been copied and they're on Senators desks.

THE CHAIR:

Thank you, sir. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move that all items on Senate Agenda 1 and 2, dated Thursday, May 25, 2017, be acted upon as indicated and that the agenda be incorporated by reference to the Senate Journal and transcript.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

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

THE CHAIR:

Senate will stand at ease. (Chamber at ease)

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I'd like to mark some items go, please.

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 19, Calendar 243, Senate Bill 271, go. On calendar page 17, Calendar 221, Senate Bill 76, go. On calendar page 17, Calendar 220, Senate Bill 975, go. On calendar page 16, Calendar 219, Senate Bill 945, go. On calendar page 13, Calendar 175, Senate Bill 849, go. Madam President, on -- I'd like to -- on the following Judicial nominations that are single starred, I'd like to ask for suspension to mark those items go, please.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 1, Calendar 496, Senate Joint Resolution Number 48, go. On calendar page 1, Calendar 497, Senate Joint Resolution Number 49, go. On calendar page 2, Calendar 498, Senate Joint Resolution Number 50, go. On calendar page 2, Calendar 499, Senate Joint Resolution Number 54, go. On calendar page 2, Calendar 500, Senate Joint Resolution Number 52, go. On calendar page 2, Calendar 501, Senate Joint Resolution Number 53, go.

On calendar page 3, Calendar 502, Senate Joint Resolution Number 51, go. On calendar page 3, Calendar 503, Senate Joint Resolution Number 55, go. On calendar page 3, Calendar 504, Senate Joint Resolution Number 56, go. On calendar page 3, Calendar 505, Senate Joint Resolution Number 57, go. On calendar page 4, Calendar 506, Senate Joint Resolution Number 58, go. On calendar page 4, Calendar 507, Senate Joint Resolution Number 59, go. On calendar page 4, Calendar 508, Senate Joint Resolution Number 60, go.

On calendar page 5 -- 4, Calendar 509, Senate Joint Resolution Number 61, go. And on calendar page 5, Calendar 510, House Joint Resolution Number 117, go. On calendar page 5, Calendar 511, House Joint Resolution Number 118, go. On calendar page 5, Calendar 512, House Joint Resolution Number 121, go. And on calendar page 5, Calendar 428, Senate Resolution Number 13, go. On calendar page 6, Calendar 456, Senate Resolution Number 14, go. On calendar page 6, Calendar 466, House Joint Resolution Number 112, go.

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On calendar page 6, Calendar 467, House Joint Resolution Number 113, go. On calendar page 6, Calendar 468, House Joint Resolution Number 114, go. On calendar page 6, Calendar 469, House Joint Resolution Number 115, go. On calendar page 7, Calendar 470, House Joint Resolution Number 116, go. Again, Madam President, on all those items that are no starred or single starred, I ask for suspension to take up -- mark those -- have those items as marked go.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On Senate Agenda Number 1 and Senate Agenda Number 2, I ask for suspension on items -- judiciary items and I think that's it. Judiciary items that -- for the purposes of marking them as go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. So House Joint -- on Senate Agenda Number 1, House Joint Resolution Number 119 is go. House Joint Resolution -- on Senate Agenda Number 1 -- House Joint Resolution 120, go. House Joint Resolution 122, go. House Joint Resolution Number 124, go. House Joint Resolution Number 124, go. House Joint Resolution Number 125, go. House Joint Resolution Number 126, go. House

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Joint Resolution Number 127, go. House Joint Resolution Number 128, go. House Joint Resolution Number 129, go. House Joint Resolution Number 130, go. And on Senate Agenda Number 2 -- I don't think there are any. Thank you, Madam President.

THE CHAIR:

Senate will stand at ease for a moment. (Chamber at ease)

The Senate will come back to order please. Mr. Clerk, will you call the first bill on page 19, Calendar 243, Bill -- I think that's backwards.

CLERK:

On page 19, Calendar 243, <u>Senate Bill Number 271</u>, AN ACT CONCERNING MANUFACTURING FACILITIES AND INTERRUPTIBLE NATURAL GAS SERVICE. There are amendments.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. Pursuant to Joint Rule Number 15, I ask leave of the chamber to recuse myself for the potential appearance of a conflict of interest.

THE CHAIR:

Thank you, sir. Senator Kissel.

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SENATOR KISSEL (7TH):

Good afternoon, Madam President. Under our joint rules number 15, I also would like to recuse myself.

THE CHAIR:

Thank you, sir.

SENATOR KISSEL (7TH):

Thank you, Madam President. We'll wait for you to leave the chamber.

Senator Formica. Good afternoon, sir.

SENATOR FORMICA (20TH):

Good afternoon, Madam President. Nice to see you.

THE CHAIR:

It's great to be seen. Same here, sir.

SENATOR FORMICA (20TH):

I move acceptance of the committee's joint favorable report and passage of the bill, please.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR FORMICA (20TH):

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Thank you, Madam President. Yes, Madam President. The clerk is in possession of an amendment. I'd ask to call LCO 7548, please.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 7548, Senate "A" offered by Senator Fasano.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

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

THE CHAIR:

Motion is on adoption. Will you remark?

SENATOR FORMICA (20TH):

Thank you, Madam President. Yes, I will. This bill utilizes a state statute that provides the opportunity for a manufacturing facility that may experience job losses due to their energy costs, a special writer on their natural gas rate to bridge our state's economic competitiveness gap. It is narrowly tailored to protect jobs and very simply, I urge the chamber's acceptance, Madam President.

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THE CHAIR:

Will you remark further on Senate "A"? Will you remark further on Senate "A"? If not, I'll try your minds. All those in favor of Senate "A", please say "aye".

SENATORS:

Aye.

THE CHAIR:

Opposed? <u>Senate "A" is adopted</u>. Will you remark further on the bill? Will you remark further on the bill? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I just wanted to -- I had a question on the -- I guess the fiscal note for the explanation. I guess it's on -- from the Office of Fiscal Analysis. I'm trying to understand the bill a little bit more on how it would affect rate payers throughout the State of Connecticut and if the good senator could expand on his explanation a little bit, I'd be appreciative.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you very much, Madam President. Thank you for that question, Senator. The bill -- the amendment moves to describe and define the definitions of a

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manufacturer, the definitions of a manufacturing facility, and the volume of gas that that would be applied to. The interruptible rate are defined by times in which they would apply and it would allow the opportunity for the business to move to an alternate fuel in the event that their fuel didn't happen.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I just — on the — is this something that is — happens in other places of Connecticut or is this one that is for something that is very narrow and specific because I'm — again, kind of going back to the questions I had — my opening statement. I'm trying to see how this might impact ratepayers who are not part of this interruptible service and understand how this might impact other companies besides maybe a few that may be — may use this. Through you, Madam President.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you. I don't see where there is a fiscal impact. According what I'm reading, the fiscal note -- no fiscal impact to the state or municipalities as it pertains to manufacturing facilities, but

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other businesses -- in answer to your other question, have utilized interruptible rates.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, does - is this impact at all -- or could this impact at
all, the state or municipalities or large industrial
customers, cause I think that's the question. I'm
just trying to understand whether or not this will
have some sort of an impact on the state or
localities or even large industrial commercial
customers.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. This is specific.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

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

THE CHAIR:

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The Senate will stand at ease. (Chamber at ease) Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. On the fiscal note, I don't know if I'm granted permission to read this, it says that it is uncertain to the degree to which state and municipalities qualify for large commercial or industrial customers and so this could result in increased utility costs to the state and municipalities as ratepayers, however, it is uncertain to the degree to which state and municipalities qualify for large or industrial customers.

So I'm just trying to figure out how this might impact that according to the fiscal note and just have some reassurance that it's not — this bill, which I think is well intended and I know has been changed, and I certainly appreciate the work that's been put into change this, to alleviate the concerns that some folks had that we're not fixing one problem but creating another problem right after that. Through you, Madam President.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. No sir, this is for one company. This is one application.

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Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. So again, I just want to determine, I guess, whether the fiscal note may be not -- I don't want to say inaccurate but since this is just geared towards one company, that Senator, that you don't expect this to have any negative impact on the state, municipalities, or large commercial users in the rest of the state in order to fix the problem, for one, which is fine, but we're not then creating a rate increase for other companies to state or municipalities. That's not what you would expect and that's not what this is -- the bill is designed to do. Is that correct? Through you, Madam President.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you. Thank you very much, Senator. That is correct. This will not impact the -- a broader community. Thank you.

THE CHAIR:

Thank you. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. That's all the questions I had. I appreciate the good Senators

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answers to that. I appreciate the work that's been done and I certainly urge support of the bill.

THE CHAIR:

Thank you. Will you remark further on the bill? Will you remark further on the bill? If not, I'm gonna have to ask for a roll call vote on the bill. Mr. Clerk, will you please call the roll call and machine will be open.

CLERK:

Immediate Roll Call has been ordered in the Senate.

Immediate Roll Call has been ordered in the Senate.

[Pause]

Immediate Roll Call has been ordered in the Senate

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

THE CHAIR:

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

CLERK:

Senate Bill Number 271.

Total number	voting	32
Those voting	Yea	31
Those voting	Nay	1
Absent and no	ot voting	4

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The Bill passes. (Gavel) Mr. Clerk. Oh, I'm sorry. At this time, I'd ask if there's any points of personal privilege? Senator Somers.

SENATOR SOMERS (18TH):

Thank you, Madam President. And thank you for this moment of personal privilege. I'm excited to introduce to you three young ladies from Sterling, Connecticut who have come up to the capitol today. They are the winners of the 6th, 7th, and 8th grade essay contest for picking the most patriotic Connecticut person that they wrote about.

And I have them with me today and I'd like to introduce them. First I have Olivia LaRose. Would you like to come in on the inner circle? Julia Proulx. And Olivia Young. Right up here, against here. Yup. And these are our bright, shining female stars from Sterling, Connecticut and I would ask that the Senate give them a warm senate welcome. [Applause]

THE CHAIR:

Now that you girls wrote about history, now you should go out and make history. Thank you very, very much for being here. Mr. Clerk, will you call the next bill?

CLERK:

On Page 19, Calendar -- I'm sorry. Page 17, Calendar 221, Substitute for Senate Bill Number 76, AN ACT CONCERNING THE POWER OF THE COMMISSIONER OF TRANSPORTATION TO CONDUCT A MILEAGE TAX STUDY WITH STATE FUNDS. There are amendments.

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THE CHAIR:

Senator Boucher. Good afternoon.

SENATOR BOUCHER (26TH):

Good afternoon, Madam President. Madam President, I move acceptance of the committee's joint favorable report and passage of bill, S.B. 76.

THE CHAIR:

Motion is on acceptance and passage. Will you remark?

SENATOR BOUCHER (26TH):

Yes. Thank you, Madam President. This bill prohibits the transportation commissioner from using state matching funds to determine the feasibility and implementation of a mileage tax on motor vehicles operated in and on state highways. Madam President, I move passage of the bill and I also would like to say a few words after move passage.

THE CHAIR:

It has been moved, Ma'am and you just have to continue if you're speaking on the bill.

SENATOR BOUCHER (26TH):

Yes. Thank you, Madam President. Madam President, on August 30, in 2016, the -- Connecticut was awarded a federal grant to launch a pilot mileage tax program so long as the state invests \$300,000

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dollars. In fact, Connecticut was among a group of Northeastern states to do this and as a member of the Transportation Committee -- and others were very surprised that they had to learn this from an article in the Washington Post and not from the DOT.

In fact, it was when we were out of session and there was no legislative notice and it was not something that we had passed out of committee or approved. Although, there had been some discussion in the prior year about this being one of many, many other possibilities through a transportation panel - financing panel that was convened. However, it was one of those that was immediately taken out of consideration.

After a very huge public outcry, I must say, we heard that many of the leaders and the DOT that originally were supporting a pilot study started to deny that they planned to actually implement a mileage tax. But if this were true was the big question that was raised, then why in the world would we be investing \$300,000 dollars in taxpayer funds to study it. The actual application, when we were looking into it, made it very clear that this was no little study. That in fact, it was something that those applying were very serious about and the administration was willing to spend taxpayer dollars to make it happen.

We learned very quickly that this was a issue that raised public anger more than even the toll bill that was being proposed. The mileage tax had touched a very serious nerve among Democrats and Republicans alike, like no other issue that I had seen before in such a short period of time, given the number of phone calls and emails that we

received. It truly fired up taxpayers of all ages from both parties who were fed up with tax hikes and tax trial balloons. I even have the midnight emails to prove it, that the frustration level was at an all-time high and many of us in this room shared in that frustration.

So as I said, if we thought the idea of tolls was unpopular and maybe we'll get a chance to debate that as well, just try to tax Connecticut residents for every single mile that they drive, every day. The tax would have hit drivers every day. It would have hit them anywhere they went, even if you were driving to a hospital emergency room and the questions were raised, what happens if you go on vacation out of state? The thought was that the state needed to prioritize how it spends taxpayer money and direct that money into the right places instead of a very unpopular idea like this that really produced a stinging response from the public.

As I said before, this was an idea that was floated back in July, 2015 at a meeting of the governor's transportation finance panel and as I said, it was not very popular but it was something that was considered at a time when we were discussing the \$100 Billion dollar governor's transportation plan over many years. The report, however, discussed how Oregon's voluntary mileage tax user fee pilot -- when they had actually recommended it -- that it possibly at that point, could replace the state fuel tax as a manageable tax system and that was one of the reasons that they were actually trying to consider it.

One of the strongest opponents that came to our committee, in fact, during this year was the

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trucking industry and they immediately weighed in and was one of the many reasons, by the way, you should note, that when this proposal that was introduced by our own state senator Len Suzio on our Transportation Committee actually passed out of committee that prohibited the use of these funds with by the way, the votes of several Democratic representatives as well.

The trucking industry said that they weren't aware of any government in the entire world, state or federal, that levies a per mileage tax on vehicles in its jurisdiction. And that Connecticut was probably not in the best position to experimenting with funding mechanisms at this time that was untried. They raised the concerns of how the mileage would be tracked. How would it account for Connecticut residents and businesses traveling out of state?

There were so many areas where Connecticut residents and businesses do business out of state and how would they get any of this mileage tax revenue from out-of-state drivers coming into Connecticut? A lot of things were raised and the bottom line is that it was thought through the transportation committee that we didn't need a study of something that the taxpayers were so far and against. People by and large, felt that this would be an unacceptable intrusion and would make absolutely no sense to spend this money on something they felt would be undermining their daily life.

It would also be an enormous burden and severe potential hardship on many of our workers that is highly regressive, touching those that have to drive for a living in their daily jobs, probably more than

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any others because quite frankly, those that commute locally in Fairfield County, sometimes only have a 10 or 15 minute drive to their offices, whether it's in Norwalk, Greenwich, or Stamford. It's a quick drive to the train station. But how about those people, the vast numbers of people, that drive over 60 miles or more round trip to work every day?

In fact, how about all those in our own Senate? Our own House that drive over 70 miles every day to get here to work. That's not even round trip. It could be over 100 miles round trip. So I think that we can be very clear that this is a kind of proposal that we did not want to see go forward into the future without legislative oversight or approval or at least going through the process. That's the reason that we're entertaining this bill here today.

The good news is there's bipartisan support to make sure that this type of endeavor, this type of proposal doesn't happen again without us knowing about it first and having it go through the normal channels so that we can weigh in on it, discuss the pros and cons, instead of spending money going forward. So in an effort to prohibit that, I think we're going to be having a good bipartisan discussion on putting in place good language that might help us going forward so that we can -- when talking about additional taxes on our commuters, that we do it in a good, responsible and bipartisan manner. Thank you, Madam President.

THE CHAIR:

Will you remark further on the bill? Will you remark further on the bill? Senator Suzio.

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SENATOR SUZIO (13TH):

Thank you, Madam President. I rise up in strong support of the proposed legislation and the amendment, which I know will be forthcoming shortly, the amendment itself that will be proposed I know has all 36 senators on it which is an unusual action and it's certainly testimony to the fact that the Senate can and will act in a bipartisan and collegial way for the good of the people of Connecticut.

As Senator Boucher was saying a few moments ago, back in 2015, the commissioner of the Department of Transportation committed to spending \$300,000 dollars of taxpayer money to participate in a socalled study of a mileage tax -- a tax for every mile a Connecticut driver travels. That would be in addition to the gas tax and the petroleum gross receipts tax. In my opinion, the department overstepped its authority. It committed to pay not for a study of ordinary transportation issues, but rather, it committed to pay for a study of a brandnew tax.

A tax that doesn't exist and didn't exist in Connecticut and it hadn't been debated or even authorized by the legislature. In other words, the department was entering into an area that is the purview of the legislature without the permission of the legislature. The notion of a tax on miles driven, once the scheme was exposed to the public, was loudly and roundly rejected by the public. Without exaggeration, I can say hundreds and hundreds of people communicated with me and expressed their alarm and their objection to this scheme.

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This bureaucratic overreach really needs to be responded to and S.B. 76 and particularly, as amended, does that. The bill makes it clear that the commissioner is not authorized to spend any money directly or indirectly on a study, conferences, or any activity related to a potential mileage tax. If he does that, he will have to come to the legislature where he should have come in the first place which has the authority to grant approval if it so deems it wise.

Without that approval, the commissioner cannot act. So I want to reiterate my strong support for the bill and the amendment that will be introduced shortly and to thank everyone in this circle. Every one of my colleagues on both sides of the aisle for their bipartisanship and the strong support for this very important piece of legislation. Thank you, Madam President.

THE CHAIR:

Thank you, sir. Will you remark further? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I rise for the purpose of an amendment.

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

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Thank you, Madam President. If the clerk can now call LCO Number 7785.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 7785, Senate Amendment Schedule "A" -- it's offered by Senators Looney, Fasano, et al.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move adoption.

THE CHAIR:

Motion is on adoption. Will you remark, sir?

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I offer this amendment in conjunction and in cooperation with all 36 senators around this circle, to basically — to ensure that the study that we know is never gonna happen, really never happens. [Clearing throat] Once and for all. We have — I think we have slayed this dragon a number of times and somehow the dragon keeps resurrecting and we're now saying once and for all, through the actions of — unanimous state senate, that this study — which

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was never going to happen, will never happen, the end. [Clearing throat]

We have been -- many of us have been, on both sides of the aisle, have been very clear since 2015 that we did not think that this was a good idea. That we understand that -- and we have embraced and I'll speak for some of us -- have embraced the governor's \$100 Billion dollar transportation plan, Let's GO CT. I know others have embraced the transportation plans as well. I think we all acknowledge, transportation is a major issue for our economic growth in the State of Connecticut and that we must address those issues in order to grow our economy. We have to make sure that we are dealing with the roads and the bridges and the mass transit and bikeways and walkways and ways in which we can get people back and forth to work.

When I speak to CEOs in my district, they say we need a reliable and consistent transportation system. We need people who can get from the trains to the buses. We need people who get to the airports consistently and reliably. We need to make sure that people aren't sitting in traffic all day, every day, and that our highways -- especially down in Fairfield County, aren't clogged up 24 hours a day, seven days a week. So we all understand we have to do something about transportation. And in the course of that, means that sometimes ideas need to get -- need to come forward.

Now we're not all gonna agree on those ideas and in fact, I think we have all been very clear about this idea as not being one in which we need to pursue. But that's not in the absence of saying that we shouldn't address transportation in our state in the

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long-term. So I commend the governor and lieutenant governor and transportation -- commissioner of transportation for the issues that they brought forward on transportation and this legislature for also recognizing that transportation is a very important issue for us in the State of Connecticut.

But again, I think in the -- in a bipartisan way, we have all said in a way that we should not be studying this issue on a mileage tax. The -- but make no mistake, this is not an issue that was born out of Connecticut. This was not organically grown in this state. This came out of the federal government and the federal government was looking for ways in which many states would do this study in cooperation with each other. So it's not an idea that I don't think any Democrat or Republican in the State of Connecticut has dreamt up but it will be something that all of us finally say we're not doing, once again.

So again, Madam President, on this amendment, I'm pleased that all 36 of us have made the bold statement -- again -- that this is something we're not going to do and that we do all acknowledge that transportation is a vitally important issue in our state and must be addressed but we need to find other ways in which we fund our transportation system. Now we have taken some of our sales tax money to do that. We have our special transportation fund as well, and I would argue the we have spent more money over the last six or seven years, in transportation than probably in any time previously. And that's a good thing.

But we also know that our special transportation fund is also having some problems as well, which is

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why we dedicated some of our sales tax to it. But we will address those other issues at another time than right now, but I think right now, we all can say affirmatively, that the mileage tax study is not one in which we want to go forward on. We want to say that in a collective, bipartisan way, we want to send that very strong message as our good senator sitting next to me said, to the public in the State of Connecticut that we will not go forward on this issue. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you, Madam President. Madam President, I rise to support the amendment. I commend the distinguished senator majority leader of the Senate and in particular, his clarity with regards to the position that we've taken on this issue but more importantly, and I hope he's still here in the chamber because I would like to clarify a part of this language, which I find excellent. In fact, it is even better than the underlying bill from the standpoint of outlining a process for us. And so through you --

THE CHAIR:

Senator Duff, would you like to respond to Senator Boucher? She's going to be asking you a question.

SENATOR BOUCHER (26TH):

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Thank you, Madam President. Madam President, just to clarify for everyone here, what I see is excellent language. In fact, I think language that should be a model for some other bills that we have. If we could clarify the process of approval which I find so good in this bill and that it specifically - if I'm reading that correct, and through you, Madam President.

To make sure that we clarify this in that in order to move forward with a request for proposed expenditures that in fact the general assembly would be approving by a majority vote, if we're in session, and must do so under a specific period of time, I think within 30 days, and also from what I'm reading in this amendment, that it would also require that if we are not in session, which is one of the reasons for this bill — because this happened while we were not in session, that in fact, that we would have to wait for an approval until we were in session.

That the request would have to be submitted within 10 days and that the legislature would have to approve it within 30 days or it's not deemed approved. Which is sort of different than the normal process we have. It's deemed not approved if action isn't taken. So through you, Madam President. If the good senator would elaborate on that and clarify.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

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Thank you, Madam President. Senator Boucher is correct in the way this bill is written. We certainly want to accommodate the -- all folks in the circle here, which is why the language we have is here. So I appreciate the good comments and they certainly are accurate.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you, Madam President. And I thank the good senator for his explanation. Again, I stand here strongly supporting this amendment. I am grateful that every single person around this circle has — is an introducer of this important legislation and it certainly shows that we're very serious about this issue and I would strongly suggest we all vote in favor, since we all decided to do it.

THE CHAIR:

Thank you. Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. I rise in support of the amendment as well as the underlying bill and this is being a strike-all, hopefully it will become the bill and I want to give accolades to my cochair, Senator Boucher and all -- of course, Senator Suzio and my house chairman and all members of the Transportation Committee as we debated this issue. And I just want to talk a little bit about the previous history and it was framed quite well.

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When this issue first became public, it became public outside of the normal session and as chairs of the Transportation and members of the Transportation, we were unaware of it as well. But it was a request by the federal government to conduct a federal study in the Northeast region in the New England states to see how the transportation needs of the area were changing and what possibly could be done, needed to be done -- in terms of to address the changing landscape of transportation infrastructure overall.

And obviously, the -- part of that study included the vehicle mileage tax and I think that's what everyone saw and focused on. But when it came to the transportation committee during our sessions and during our public hearings and meetings, we tried to flesh out exactly what this was or was not and we asked a specific questions of the commissioner to say was this something that was gonna happen, were they gonna study it, were they gonna implement it?

And what I heard was it was something we needed to study in terms of finding out how we could address our transportation needs, our declining ability to address those transportation needs, due to our infrastructure no longer where it is or where it needs to be, especially with the funding mechanisms. It needs to pay for all our infrastructure and I think it's been clear that everyone has addressed and acknowledged that not only is the infrastructure crumbling our ability to maintain and keep up due to fiscal constraints and otherwise, manpower and resources are just not there.

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The ability for our -- the normal transportation funding mechanism due to the gas tax across the country is not keeping pace, not only in Connecticut but in other states as well, hence the Northeast region study. And as we move further and further into technology -- and we've talked about technology coming on the scene. We had a great bill that we worked on in terms of autonomous vehicles and what that may mean for the future.

There are other technological companies coming forward in terms of T&C's and electric vehicles that are gonna change the landscape of our driving infrastructure processes and how we act as users of the system and so the moneys are just not there because of the better gas mileage on these vehicles or electric vehicles that don't even use the gas tax and hence no money's being deposited into our special transportation fund. So the idea and the goal was to create a study and get federal dollars that are so crucial to be able to address not just the State of Connecticut's needs but all the states. Not -- the states just cannot pay for all their needs without federal assistance.

So when we debated the bill in the committee, it was very clear that no one supported the VMT tax. And I didn't support it, the leadership didn't support it, our chairs didn't support it, and we wanted to see what the study could potentially give us in terms of other ideas so we would have had recommendations and it's good that we had that public debate. Right? Very good that we had that public debate we really need to have the public understand what we are confronted with and if that's something that they don't want then we as representatives have to listen to their needs.

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And so this is an item that as mentioned, all 36 members are on this amendment to oppose this view for the right reasons. It's not something that anyone wanted, but at the same time, we do need to move forward in identifying other ways to accelerate our infrastructure needs and our infrastructure capabilities to maintain those needs and I think we'll have those debates and concerns moving forward as we need to but in this case, it was clear from the beginning that no one wanted the VMT tax and that is why we support this bill here in this chamber and this legislature as a full body and I'm hopeful that that does send a clear message that this is something that we should not be looking at.

There are other ideas and other avenues to explore and hopefully other federal funding mechanisms to assist us in doing so. So I would urge my colleagues in support of the amendment and hopefully the -- as it becomes the bill. Thank you.

THE CHAIR:

Thank you. Will you remark further on the amendment? Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. You know, there is a way and I think that there are many ideas out there that show the way. In fact, there's a product that the Republican side of the legislature put forward called prioritize progress which addresses a lot of the concerns that are being bantered about and spoken about, around this very circle. And there's no pride of ownership. We've shared that with

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anybody who's asked to take a look at it and I hope people have had the opportunity to take a look at it, delve into it, research it, run some numbers.

We can fix our infrastructure. We can address rails, our ports, our bridges, our streets, traffic — all within that document. It's very encompassing. But sometimes when we said that we are here today to do something that was never gonna happen, there was a proposal. That's what brought us here and there was money behind that proposal. So let's not kid ourselves to say that it was an idea of somebody's. It was a proposal. It was a line item in a budget. When we're scrambling for dollars and telling people that we can't afford something yet we want to look at a mechanism to tax you based on how much you drive in the State of Connecticut — well of course that sends red flags out to people.

Cause they're taxed out enough as it is. How many times do we have to keep talking? Taxing is not the way out of this issue. And I'm glad all 36 of us agree with that. And I personally want to thank Senator Suzio who's been doggedly fighting this fight since it was first proposed. Before he was a —— even a member of this circle. He was shouting at the rooftops cause his constituents said to him, no way. We cannot afford this. Cause what's next? You're taxing me on my way to work?

You're taxing me on my way home, taxing me to get to the grocery store, taxing me on my way home from the grocery store -- and we already have the highest gas tax in the country. One of the highest. Yes, I agree, that because of the wholesale price of the gasoline, we're collecting less but that doesn't

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change things. And sometimes things take on a life of their own and I think that's what actually happened here with the vehicle mileage tax. All of us and our respective districts said, don't worry, it's not gonna pass. We don't support it. But the media wouldn't let it go.

And then sometimes people get so occupied and preoccupied in their daily lives, just trying to get through it, they just hear a snippet that, oh the general assembly wants to tax you on your way driving your car, depending on how many miles you drive. But there was never an intention and I think this as Senator Duff correctly says, solidifies the fact that we will not entertain such a proposal. And I'd like to say now or in the very near future, unless it comes before this body and we make it an affirmative vote and affirmative action that this is a direction that we want the State of Connecticut to go in.

So I thank each and every one of you for allowing your names to be put on the amendment. I think this is a direct -- the direction that the State of Connecticut should go in. I think this finally puts this issue to bed and when it's hopefully passed down in the House of Representatives, it'll go to the governor's desk and he can bring it into the hall of the house and we can all be surrounding him as he signs it into law. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the amendment? Will you remark further on the amendment? Good afternoon, Senator Looney.

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SENATOR LOONEY (11TH):

Good afternoon, Madam President. Speaking in support of the amendment. [Clearing throat] This is -- I think as our majority leader said, a reemphasis, a doubling of emphasis -- it's in effect, adding suspenders to a belt to point out that in fact, we are as a body, vehemently opposed to the concept of a vehicle mileage tax. However, that doesn't remove the fact that we are going to need some revenues for transportation if we are going to meet the needs of an ambitious transportation plan such as the one that the governor I think put out in a way that really was visionary and does point out the real needs of the state as well as others who have pointed to that need, so it will not be a mileage tax but we will have to engage in a difficult discussion about what will be the way in which we will fund those transportation needs because of the fact that our gasoline tax as currently configured -- both of our gasoline taxes -- both the wholesale tax and the per gallon tax that people pay at the pump, is not projected to increase at a rate to sustain those future needs because of actually some positive policy changes that as more people are driving fuelefficient vehicles or electric vehicles, that will affect the arc of what the gas tax revenues will be so I for one, think that -- that tolling has to be part of the answer at some point. But clearly, the vehicle mileage tax as proposed will not be and I think that an amendment sponsored by all 36 members of this chamber will indicate clearly without ambiguity what the strong sense of this body is and certainly hope that the House of Representatives

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will join us in an equally unanimous verdict on this issue. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment? Will you remark further on the amendment? If not, I'll try your minds. All those in favor, please say "Aye".

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment passes. This time -- machine --

SENATOR DUFF (25TH):

Madam President.

THE CHAIR:

Yes, Senator Duff.

SENATOR DUFF (25TH):

If there is no objection -- might we place this item on a Consent Calendar?

THE CHAIR:

Absolutely. Absolutely. Thank you. Mr. Clerk.

CLERK:

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Also on Page 17, Calendar 220, <u>Senate Bill Number 975</u>, AN ACT CONCERNING MUNICIPALITIES AND UNMANNED AIRCRAFT.

THE CHAIR:

Good afternoon, Senator Cassano. Senator, can you hold your microphone, please? Thank you.

SENATOR CASSANO (4TH):

Thank you. I rise in the coldest room currently in the State of Connecticut [Laughter] to move acceptance of the Joint Committee's favorable report, passage of the bill, and waive its reading, seek leave to summarize.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR CASSANO (4TH):

Yes. Madam President, I believe the clerk has an amendment, LCO 7355.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 7355, Senate "A" offered by Senator Cassano.

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SENATOR CASSANO (4TH):

Yes. This is a strike-all amendment. The bill --

THE CHAIR:

Would you like to move to --

SENATOR CASSANO (4TH):

-- and I would move adoption of the amendment.

THE CHAIR:

Motion is on adoption. Will you remark sir?

SENATOR CASSANO (4TH):

It's an act concerning municipalities and unmanned aircraft or commonly, the term drones only this is involving what is called commercial drones. If you'll recall they had a bill last year dealing with personally-owned drones. This is a totally different area. It's for business purposes, supported heavily by the business community throughout the State of Connecticut as we have seen with our correspondence. It allows businesses to do things safely and quickly.

As an example, an insurance company doing an appraisal of a burned building can use a drone to do that without sending somebody into ashes. To be able to circulate and go around through that entire area -- through entire properties and so on. Roof works and things like that can be done a lot quicker and a lot safer. It still is going to be regulated by the federal government, FAA has control over the

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use of drones throughout all of the 50 states and this complies with the rules of the FAA.

It also complies with the rules that are in place for the protection of water companies and the Connecticut Airport Authority rules and regulations. It is a good bill. It is a bill that means safety. It means economics and I would urge passage of the bill.

THE CHAIR:

Discussion is on the amendment. Will you remark on Senate "A"? Will you remark on Senate "A"? Senator Logan. Good afternoon, sir.

SENATOR LOGAN (17TH):

Thank you, Madam President. I rise in support of the amendment. I urge my colleagues to support the amendment as well.

THE CHAIR:

Thank you. Will you remark further? Remark further? If not, I'll try your minds on Senate "A". All those in favor, please say "Aye".

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate "A" passes. Will you -- Senator Cassano -- [Crosstalk]

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SENATOR CASSANO (4TH):

[Crosstalk] Madam President, I ask to be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection. It's <u>moved to the Consent</u> Calendar.

SENATOR CASSANO (4TH):

Thank you.

THE CHAIR:

Mr. Clerk.

CLERK:

On Page 16, Calendar 219, Substitute for <u>Senate Bill</u>
Number 945, AN ACT CONCERNING THE SOUTH CENTRAL
CONNECTICUT REGIONAL WATER AUTHORITY.

THE CHAIR:

Senator -- oh, I'm sorry. Senator Logan.

SENATOR LOGAN (17TH):

Good afternoon, Madam President. I move acceptance of the committee's joint favorable report and passage of Senate Bill 945.

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And the motion is on acceptance and passage. Will you remark, sir?

SENATOR LOGAN (17TH):

Thank you, Madam President. This bill allows the Southcentral regional water authority to invest in non-core businesses for example, renewable energy and real property associated with the renewable energy project. It should reduce additional revenue which can be used to minimize rate increases. This is a Special Act that amends said water authority's charter.

THE CHAIR:

Will you remark further on the bill? Will you remark further on the bill? Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President. As co-chairman, I fully endorse the proposed bill. It's a good bill for the rate users. It's a good bill for the city of New Haven.

THE CHAIR:

Thank you, sir. Senator Logan.

SENATOR LOGAN (17TH):

Madam President, if there is no objection, I would move that this bill be <u>moved to the Consent</u>
Calendar.

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Seeing -- oh sorry. There is an objection. At this time, Mr. Clerk, will you please call for a roll call vote and the machine will be open.

CLERK:

CLERK:

Immediate Roll Call has been ordered in the Senate.

Immediate Roll Call in the Senate.

THE CHAIR:

All members have voted, all members have -- oh no. Senator Fasano, you didn't. Okay. Well, okay. There's gotta be a change in the -- Senator Fasano -- voted. So we can change it -- no. I didn't close the vote. So you can change -- well, we gotta get rid of -- no. Nothing has been locked. You should be able to change it, so hold on a minute. Senator Fasano, will you vote? Thank you.

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

CLERK:

Senate Bill Number 975.

945

Total n	umber	voting	35
Those v	oting	Yea	34
Those v	oting	Nay	1
Absent and not voting			

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The Bill passes. (Gavel) Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, next item, calendar page 13, Calendar 175, Senate Bill 849 -- I'd like to place that item on the foot of the calendar, please.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

It enjoyed its life, but -- thank you, Madam President. Some markings now.

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 7, calendar 84, Senate Bill 824, I'd like to move that item to the foot of the calendar. On calendar page 7, Calendar 85, Senate Bill 825, I'd like to move that item to the foot of the calendar. On calendar page 8, Calendar 94, Senate Bill 857, I'd like to place that item on the foot of the calendar. On calendar page 15, Calendar 207, Senate Bill 285, I'd like to recommit that item back to the Environment Committee.

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On calendar page 16, Calendar 209, Senate Bill 515, I'd like to refer that item to the appropriations committee. On calendar page 18, Calendar 239, Senate Bill 959, I'd like to refer that item to the Commerce Committee. I'm sorry, I'd like to refer that into the Appropriations Committee. On calendar page 20 -- Madam President, I apologize. On calendar page 18, Calendar 239, Senate Bill 959, would not like to refer that item to the Appropriations Committee. Keep that in the Commerce Committee please. Just where it belongs. Thank you, Madam President.

On calendar page 23, Calendar 288, Senate Bill 1035, I'd like to place that item on the foot of the calendar. On calendar page 26, Calendar 323, Senate Bill 39, I'd like to place that item on the foot of the calendar. On calendar page 27, Calendar 331, Senate Bill 451, I'd like to place that item on the foot of the calendar. On calendar page 27, Calendar 332, Senate Bill 552, I'd like to place that item on the foot of the calendar. On calendar page 44, Calendar 452, House Bill 6356, I'd like to refer that item to the Judiciary Committee.

On calendar page 48, House -- sorry -- calendar 480, House Bill 7069 -- I'd like to refer that item to the Judiciary Committee. On calendar page 57, Calendar 329, Senate Bill 442, I'd like to place that item on the foot of the calendar. On calendar page 59, Calendar 109, Senate Bill 895, I'd like to take that item off the foot of the calendar -- and refer that item to the Judiciary Committee.

On calendar page 60, Calendar 211, Senate Bill 994, I'd like to take that item off the foot of the calendar and mark that as PR. And on calendar page

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60, Calendar 227, Senate Bill 731, I'd like to take that bill off the foot of the calendar and refer that to the Appropriations Committee. That is our markings for today and to clarify, once again, on calendar Page 18, Calendar 239, Senate Bill 959, we are not referring that item. It is staying in the Commerce Committee. Thank you --

THE CHAIR:

Sorry. Sorry. Would you clarify that? It is being referred to the Commerce Committee?

SENATOR DUFF (25TH):

It is a Commerce Bill. It is staying in the Commerce Committee. I'm not referring it at all.

THE CHAIR:

But --

SENATOR DUFF (25TH):

I mistakenly referred it to the Appropriations Committee, which is wrong.

THE CHAIR:

Thank you.

SENATOR DUFF (25TH):

Thank you, Madam President.

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Mr. Clerk.

CLERK:

On Page 1, Calendar 496, Senate Joint Resolution Number 48, RESOLUTION CONFIRMING THE NOMINATION OF BARRY F. ARMATA, ESQUIRE, OF SUFFIELD TO BE A JUDGE OF THE SUPERIOR COURT.

THE CHAIR:

Senator -- I'm sorry. Senator Kissel.

SENATOR KISSEL (7TH):

Good afternoon, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and adoption. Will you remark, sir?

SENATOR KISSEL (7TH):

Barry Armata resides in Suffield with his beautiful wife and two children. He currently practices law with Brown, Paindiris & Scott in Glastonbury with the focus on family law. He is a magna cum laude graduate of Boston College and received his Jurists doctorate from Syracuse Law School. A member of the Connecticut, Massachusetts -- Massachusetts and federal bars as well as distinguished author of A Practical Guide to Divorce in Connecticut.

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He serves as chairman of the Collaborative Divorce Lawyers Association, past president of the Connecticut Counsel for Divorce Mediation, past chair of the Hartford County Bar of Family Law Committee as well as the Connecticut Bar Family Law Section. I would urge my colleagues to support this resolution. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not -- Senator Kissel --

SENATOR KISSEL (7TH):

Madam President, I would like to ask for a roll call on this nominee and resolution.

THE CHAIR:

A roll call will be called. Mr. Clerk, will you call for a roll call vote on this resolution? The machine is open.

CLERK:

Immediate Roll Call has been ordered in the Senate.

Immediate Roll Call has been ordered in the Senate.

THE CHAIR:

I'm sorry. Those -- you can't take pictures in the chamber. I apologize. Thank you. You can't take pictures in the chamber. Thank you.

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If all members have voted, all members have voted. Please -- the machine will be closed. Mr. Clerk, please call the tally.

CLERK:

Senate Joint Resolution Number 48.

Total	number	voting	36
Those	voting	Yea	31
Those	voting	Nay	5
Absent	and no	ot voting	0

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, without objection, I move that we move this -- transmit immediately to the House of Representatives.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

Also on Page 1, Calendar 497, <u>Senate Joint</u>
Resolution Number 49, RESOLUTION CONFIRMING THE
NOMINATION OF THE HONORABLE MARIA ARAUJO KAHN OF
CHESHIRE TO BE A JUDGE OF THE APPELLATE COURT AND A
JUDGE OF THE SUPERIOR COURT.

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Senator Doyle. Good afternoon, sir.

SENATOR DOYLE (9TH):

[Clearing throat] Good afternoon, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and adoption. Will you remark?

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Judge Kahn is --was born in Angola. She's a -- she was first appointed to the bench on April 14, 2006. She's currently on the -- was doing part A work, criminal trials in Fairfield and we have -- she's been nominated to go to the Appellate courts so today we're voting to raise this judge Kahn from the Superior Court to the Appellate court, which is quite an honor for any attorney or judge.

She performed very well in the public hearing at Judiciary Committee. Judge Kahn is a graduate of New York University and she graduated from Fordham Law School with a Jurists doctorate. She has a distinguished legal career. She clerked -- right out of law school she clerked for the US District Court Judge Peter Dorsey. She became a deputy assistant public defender and she ended up -- after doing some teaching she was an assistant United States attorney before she became a superior court judge.

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She -- you know, during her tenure she's authored many things. She served the bar in many different groups in the sense of Judge's Education Committee, New Haven Court, really giving back to her community -- also involved in many -- the Portuguese Bar Association, Choate Rosemary Hall, all sorts of entities. So besides her great resume and legal acumen, she's given back to her community and I urge the chamber to approve this appellate court nominee. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Senator Suzio.

SENATOR SUZIO (13TH):

Thank you, Madam President. I happen to know Judge Kahn and her family very well. Her husband is my physician. I've known them for 20 plus years. I can't speak more highly of anybody than I can speak of Judge Kahn and I will wholeheartedly support her nomination to the court. Thank you very much.

THE CHAIR:

Thank you. Will you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I strongly support this nominee and her elevation to the appellate court. Thank you.

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Thank you. Will you remark further? Will you remark further? Mr. Clerk, will you call for a roll call vote? The machine will be open.

CLERK:

Immediate Roll Call has been ordered in the Senate.

Immediate Roll Call has been ordered in the Senate.

THE CHAIR:

Senator Martin. Senator Martin. Senator Martin. Thank you. Senator Gerratana.

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

CLERK:

Senate Joint Resolution Number 49.

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

THE CHAIR:

(Gavel) The bill has passed. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move this item to suspend and to transmit this item immediately to the House of Representatives.

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THE CHAIR:

Seeing no objection. So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President.

THE CHAIR:

Mr. Clerk.

CLERK:

On Page 2, Calendar 498, Senate Joint Resolution Number 50, RESOLUTION CONFIRMING THE NOMINATION OF JOHN L. CORDANI, ESQUIRE, OF WOLCOTT TO BE A JUDGE OF THE SUPERIOR COURT.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR KISSEL (7TH):

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Yes, Madam President. John Cordani lives in Wolcott. He currently practices law at Carmody & Torrance. He is a graduate of Texas A&M with a Master's from Rensselaer and his JD comes from Quinnipiac where he was summa cum laude and finished first in his class.

He has had a distinguished career, first as a chemical engineer and later as a patent attorney and corporate general counsel for several chemical manufacturing companies. He has served on many Waterbury community boards and I would urge my colleagues to support this nominee and vote favorably on this resolution. Thank you, Madam President.

THE CHAIR:

Will you remark further on this resolution? Will you remark further on this resolution? If not, Mr. Clerk will you call for a roll call vote and the machine -- whoops. Hold on.

SENATOR KISSEL (7TH):

Madam President.

THE CHAIR:

Yes, Senator.

SENATOR KISSEL (7TH):

I'd like to move this to the Consent Calendar.

cf Senate

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Okay. Seeing no objection. It will be moved to the Consent Calendar. Mr. Clerk.

CLERK:

Page 2, Calendar 499, Senate Joint Resolution Number 54, RESOLUTION CONFIRMING THE NOMINATION OF WALTER M. SPADER, JR., ESQUIRE, OF NORTH HAVEN TO BE A JUDGE OF THE SUPERIOR COURT.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and adoption. Will you remark, please?

SENATOR KISSEL (7TH):

Walter Spader lives in North Haven. He's a graduate of Fairfield University for both his undergraduate and master's degree and Quinnipiac Law School. He's admitted as a member of the Connecticut, New York, Rhode Island, Massachusetts, and New Jersey bars. He has since admission, practiced with the Marcus Law Firm. Prior to his admission, he worked as communication director for the Connecticut Democratic State Central Committee.

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He has served as a North Haven police commissioner, a constable, a justice of the peace, a member of the North Haven Economic Development Commission as well as a member of several Democratic town committees as well as state central and I would urge my colleagues to support this nominee and the resolution.

THE CHAIR:

Will you remark further on this nomination? Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. Speaking in support of the resolution. Attorney Walt Spader has, as Senator Kissel said, been very active in the North Haven community as a volunteer, serving on a number of local boards and commissioners, has served as chairman of a Democratic Town Committee in North Haven as well as having an active legal practice in a variety ways. Is a very thoughtful and conscientious attorney and I strongly support his nomination. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

Seeing no other comments, I would like to move this resolution to the Consent Calendar.

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Seeing no objections, so ordered sir. Mr. Clerk.

CLERK:

Also on Page 2, Calendar 500, <u>Senate Joint</u>
Resolution Number 52, RESOLUTION CONFIRMING THE
NOMINATION OF SHARI MURPHY, ESQUIRE, OF NORTH
BRANFORD TO BE A JUDGE OF THE SUPERIOR COURT.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President and I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and adoption. Will you remark?

SENATOR KISSEL (7TH):

Yes. Shari Murphy lives in North Branford. She is married and the mother of two, a graduate of Southern Connecticut State University, and Quinnipiac Law School. Since 1998, she has practiced with Keyes & Murphy and prior, worked for Moore, O'Brien, Jacques & Yelenak. In addition, she has taught at the University of New Haven as an adjunct professor and I would urge my colleagues to support the resolution and this nominee.

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Will you remark further? Will you remark further? Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. Speaking in support of the nomination. I've known Attorney Murphy for more than 20 years and she has had a very active trial practice. She began her career doing personal injury insurance defense work and tried a number of cases on the defense side and then became active as a plaintiffs personal injury attorney. So she has had, I think, more trial experience than most of the nominees who come before this body to become judges with the exception of those who have been prosecutors and public defenders, regularly in court trying cases.

But on the civil side, she's had a very, very active trial practice in those areas as well as being active in both family law and workers compensation cases and I believe also, she has the temperament, the energy, and the commitment to adjust this to be a distinguished superior court judge. So I would urge approval of the nomination. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

Seeing no further comment, I would move this resolution to the Consent Calendar, please.

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THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

Page 2, Calendar 501, <u>Senate Joint Resolution Number 53</u>, RESOLUTION CONFIRMING THE NOMINATION OF TAMMY T. NGUYEN O'DOWD, ESQUIRE, OF BLOOMFIELD TO BE A JUDGE OF THE SUPERIOR COURT.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and adoption. Will you remark, sir?

SENATOR KISSEL (7TH):

Attorney Tammy Nguyun O'Dowd lives in Bloomfield. She is married with four children. She is a graduate of the University of California at San Diego. She received her Master's in social work from Catholic University and her law degree from Catholic University as well.

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And I would also comment that she was very impressive at the public hearing that we held on Monday and was part of a family that escaped Vietnam around 1975, came here with nothing, and rose up through hard work to get to where she is today. And I would urge my colleagues to support this nominee and the resolution.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not, Senator Kissel.

SENATOR KISSEL (7TH):

I would move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

Page 3, Calendar 502, <u>Senate Joint Resolution Number</u> 51, RESOLUTION CONFIRMING THE NOMINATION OF ERNEST GREEN, JR., ESQUIRE, OF NORWICH TO BE A JUDGE OF THE SUPERIOR COURT.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

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Yes. Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and adoption. Will you remark, sir?

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Attorney Green is a Norwich resident. He's currently is an employee in the office of Public Defender. He served the state many years there. He graduated from Brown University then he received an MS in Human Sexuality at University of Pennsylvania. He went on to graduate from University of Connecticut with honors — University of Connecticut School of Law, I should say. So again, he served the state well from September 2003 to the present for the chief public defenders. He's duly qualified. He was impressive before the committee.

I will add one special qualification I noticed from him. His father happened to be a former NFL running back for the Cleveland Browns and his father blocked for the great Jim Brown and for much of Jim Brown's career, he was the lead blocker for one of the best running backs in the history of the NFL National Football League. So I think that gives him special qualifications to be a judge in the Superior Court.

THE CHAIR:

Of course, sir.

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SENATOR DOYLE (9TH):

Thank you, Madam President.

THE CHAIR:

Sure, sir. Would you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

I stand in strong support of this nominee on his own terms. [Laughing]

THE CHAIR:

On his own turf, sir, did you say?

SENATOR KISSEL (7TH):

I suppose on his own terms, not turf. As opposed to what his father did, but it was interesting hearing the testimony on Monday. We don't often get nominees before us that have such a colorful past. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? Oh, Senator Doyle.

SENATOR DOYLE (9TH):

Yes. Madam President, without objection, I move this resolution to the Consent Calendar.

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Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

Page 3, Calendar 503, <u>Senate Joint Resolution Number 55</u>, RESOLUTION CONFIRMING THE NOMINATION OF ROBERT A. D'ANDREA OF LITCHFIELD TO BE A WORKERS' COMPENSATION COMMISSIONER.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Attorney D'Andrea is currently a resident of Litchfield and he's seeking the approval of this chamber to be a worker's compensation commissioner. He is a graduate of the University of Hartford economics and then Suffolk University School of Law. He has served the community in a number of ways, the Litchfield Water Pollution Control Authority, Litchfield Historic District Commission.

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He also served the state as a -- I believe an assistant state's attorney at one point. He does have much experience in the workers compensation world and I urge the chamber to approve Mr. D'Andrea to be a workers compensation commissioner. Thank you, Madam President.

THE CHAIR:

Senator Miner. Good afternoon, sir.

SENATOR MINER (30TH):

Good afternoon, Madam President. I too rise in support of Robert D'Andrea. I've known Robert and his wife Kim, probably for 20 years or more, and their family in Litchfield and they've been great volunteers in the community. I've known them to be hard working, both of them, very committed to the law, Robert is and so I'd think he'd make a great workers' comp commissioner. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I also stand in strong support of this nominee. Indeed, at the beginning of this week I was contacted by Attorney Thomas Tyler who I have great respect for who resides in the town -- resides and practices in the town of Enfield and he spoke very highly of this nominee and that's wonderful when I get outside

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objective information regarding the candidates that come before us on the Judiciary Committee. Happy to support this nominee and the resolution.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? Senator Doyle.

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Without objection, I move this resolution to the Consent Calendar. Seeing no objection, so ordered, sir. Mr. Clerk.

CLERK:

Page 3, Calendar 504, <u>Senate Joint Resolution Number</u> 56, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE KATHERINE Y. HUTCHINSON OF ANDOVER TO BE A FAMILY SUPPORT REFEREE.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

The motion is on acceptance and adoption. Will you remark, sir?

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SENATOR KISSEL (7TH):

Ms. Katherine Hutchinson lives in Andover and she attended Skidmore College and the University of Connecticut and received her law degree from University of Connecticut Law School. First appointed back in 1987 as a family support magistrate, she has served admirably ever since.

Prior to her appointment, she was an assistant attorney general pursuing child support orders and had a 20 year career in private practice, specializing in family and child law. I would urge my colleagues to support this nominee and the resolution.

THE CHAIR:

Will you remark further? Will you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

Seeing no questions, I would like to move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objections. So ordered, sir. Mr. Clerk.

CLERK:

Page 3, Calendar 505, Senate Joint Resolution Number 57, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE HARRIS T. LIFSHITZ OF EAST HARTFORD TO BE A FAMILY SUPPORT REFEREE.

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THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

The motion is on adoption and passage. Will you remark, sir?

SENATOR KISSEL (7TH):

Harris Lifshitz lives in East Hartford and was a member of the first class of six family support magistrates appointed back in 1987, a graduate of Boston University, he has a master's conferred by Wayne State University and he graduated from University of Connecticut School of Law where he served as editor of the Law Review.

He further learned from one of the best partaking for 15 years with our former House colleague Richard Tulisano. He is active in the community, serving on the boards of several religious and charitable organizations and I would urge my colleagues to support this nominee and vote favorably on the resolution.

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Will you remark further on the resolution? Will you remark further on the resolution? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I would like to move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

On Page 4, Calendar 506, Senate Joint Resolution Number 58, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE GLADYS IDELIS NIEVES OF NEW HAVEN TO BE A FAMILY SUPPORT MAGISTRATE.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and adoption. Will you remark, sir?

SENATOR DOYLE (9TH):

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Yes. Thank you, Madam President. Magistrate Nieves was first appointed as a family support magistrate on May 1, 2014, so this is the first time that she's gone through the formal process of the Judiciary Committee and the full chamber. She has much experience. She's a graduate -- she was an impressive candidate. A graduate of Yale University, New York University School of Law and she's currently a resident of New Haven, which Senator Looney approves of.

She has through the years served and learned quite a bit in terms of children, child support issues. For instance, she was on the National Child Welfare Law Specialist, she's a family mediator certification, this is prior to her current status. But she has a lot of good experience in the community. Worked in a domestic violence crisis center also as a legal consultant for them. So we've only heard good things about her performance as a magistrate and I urge the chamber to approve this five year term. Thank you, Madam President.

THE CHAIR:

Will you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I also strongly support this nominee and the underlying resolution. She actually did very well at the public hearing on Monday and I was quite impressed, not only with her educational background but with her work ethic. Thank you, Madam President.

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Thank you. Will you remark further? Will you remark further? If not, Senator Doyle.

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Without objection, I move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

Also on Page 4, Calendar 507, Senate Joint Resolution Number 59, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE WILLIAM E. STRADA, JR. OF STAMFORD TO BE A FAMILY SUPPORT REFEREE.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and adoption. Will you remark, sir?

SENATOR DOYLE (9TH):

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Yes. Just to be clear, Madam President, this is a family support referee so magistrate Strada has aged out as a magistrate and so today he's seeking to get approval from this -- from our chamber and the full legislature to be a family support referee similar to our judge referees. He's currently sitting in the Stamford Superior Court.

He works one day in Stamford and then a third day in Stamford and Norwalk. So he's got a long experience for us as a family support magistrate. He's a graduate of Fairfield University and Fordham University School of Law and I urge the chamber to approve magistrate Strada's resolution. Thank you, Madam President.

THE CHAIR:

Will you remark further? Will you remark further? If not, Senator Doyle.

SENATOR DOYLE (9TH):

Yes, Madam President. Without objection, I move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

Page 4, Calendar 508, <u>Senate Joint Resolution Number</u> 60, RESOLUTION CONFIRMING THE NOMINATION OF PETER C. MLYNARCZYK OF HADDAM TO BE A WORKERS' COMPENSATION COMMISSIONER.

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THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

The motion is on acceptance and passage. Will you remark, sir?

SENATOR KISSEL (7TH):

Peter Mlynarczyk lives in Haddam and I support his nomination to be a workers compensation commissioner. He is a graduate of the University of New Haven and Western New England College School of Law, my alma mater. He was in private practice prior to his appointment, served two stints as the corporate counsel for the City of New Britain and was elected as alderman of New Britain as well. I would urge my colleagues to support this nominee and the underlying resolution.

THE CHAIR:

Will you remark further? Will you remark further? If not, Senator Kissel.

SENATOR KISSEL (7TH):

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I would move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

On Page 4, Calendar 509, <u>Senate Joint Resolution</u>
Number 61, RESOLUTION CONFIRMING THE NOMINATION OF
THOMAS. J. WELCH, ESQUIRE, OF SHELTON TO BE A JUDGE
OF THE SUPERIOR COURT.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and adoption. Will you remark, sir?

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Attorney Welch is a resident of Shelton. He served his community for a long time as a local counsel for the -- the town counsel in Shelton and so he's an expert on administrative law. He also is a graduate of Holy Cross -- the College of Holy Cross in Worcester and

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he's a graduate of University of Connecticut School of Law, where actually I met him and I graduated with him.

So I've known him going back over 30 years now. He's a well-qualified individual that has given much to his community and he has good experience in litigation and he'll be a fine addition to the bench. I ask the chamber to approve this resolution. Thank you, Madam President.

THE CHAIR:

Will you remark further? Senator Kelly.

SENATOR KELLY (21ST):

Thank you and good afternoon, Madam President.

THE CHAIR:

Good afternoon, sir.

SENATOR KELLY (21ST):

I also rise in support of Tom Welch as a judge. The -- I know Tom, not only as the attorney in Shelton but also a resident. I've had the opportunity and privilege to witness and deal with Attorney Welch. He is absolutely professional, qualified, capable. He practices law in a very -- just a wonderful manner. And the thing about him is that he's only a great lawyer, but he's even a better person and family man.

As Senator Doyle indicated, he does a lot of work, not only for the city of Shelton but he makes a lot

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of contribution to the fabric of that community that makes it a better place in which to live. So I rise for Attorney Welch because he does not only have the professional capability and the understanding with feet on the ground of what it's like to be a family man in the State of Connecticut, but he also exercises the appropriate judicial temperament that I think we need on the bench and I wholeheartedly support this nomination.

THE CHAIR:

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

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I'd just be - like to be associated with the remarks of Senator Kelly and strongly support this nominee and the underlying resolution. Thank you.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? Senator Doyle.

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Without objection, I move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

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CLERK:

On Page 5, Calendar 510, House Joint Resolution Number 117, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE NINA F. ELGO OF WEST HARTFORD TO BE A JUDGE OF THE APPELLATE COURT AND A JUDGE OF THE SUPERIOR COURT.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

The question is on adoption and passage. Will you remark?

SENATOR KISSEL (7TH):

Judge Nina Elgo lives in West Hartford and is being nominated to serve as an appellate court judge. She has served as superior court judge since 2004 after years with the Attorney General's office. She was a graduate of Connecticut College and then went on to Georgetown Law Center and in addition, spent two summers at Middlebury in the Russian language program and I can just tell you, I took Russian language for exactly one semester.

It was really, really hard, they don't even use our alphabet, they use the Cyrillic alphabet, so I

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commend her for plowing through that language program. She also served as a member of the Bar Examining Committee. She's vice president of the Fund for Greater Hartford and sat on the board for Playhouse Theatre Group and I would urge my colleagues to support this nominee and the underlying resolution.

THE CHAIR:

Will you remark further? Will you remark further? If not, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I would request that this resolution be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

On Page 5, Calendar 511, <u>House Joint Resolution</u>

<u>Number 118</u>, <u>RESOLUTION CONFIRMING THE NOMINATION OF MATTHEW J. BUDZIK, ESQUIRE, OF SIMSBURY TO BE A JUDGE OF THE SUPERIOR COURT.</u>

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

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Yes. Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and adoption. Will you remark, sir?

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Attorney Budzik is -- with this resolution, he is seeking to be nominated and approved as a Superior Court judge. Attorney Budzik attended American University in Washington D.C. and was a graduate of Georgetown University Law Center. He's married with -- with -- he's married. I don't think any kids. I apologize. I stand corrected.

But no, he's currently -- for many years, he served the State of Connecticut at the Attorney General's office and I've heard from several attorneys including Representatives from our Attorney General's office that he has taken the lead on several of our -- the big cases that the State of Connecticut comes together with other states against fraudulent entities and he's personally led the State of Connecticut's charge and I certainly appreciate it.

I'm sure the president and governor does also, that he brought back a lot of money for our general fund. So he's really led the charge and settlement of some of these very important cases which we may miss him a bit, but I think he'll be a great addition to our bench and I urge the chamber to approve the

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nomination of Attorney Budzik. Thank you, Madam President.

THE CHAIR:

Will you remark? Will you remark? If not, Senator Doyle.

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Without objection, I move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 5, Calendar 512, House Joint Resolution Number 121, RESOLUTION CONFIRMING THE NOMINATION OF MARGARET M. MURPHY, ESQUIRE, OF WEST HARTFORD TO BE A JUDGE OF THE SUPERIOR COURT.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. I move adoption of the Joint Committee's favorable report and adoption of the resolution.

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Motion is on acceptance and adoption. Will you remark, sir?

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Attorney Murphy is a resident of West Hartford. She's a graduate of Mount Holyoke College and a graduate of the University of Connecticut School of Law. She has a varied and impressive legal background where she has worked in the private sector for years and then worked at a center for Medicare advocacy and currently, she is actually working for the —downstairs, working for the House Democratic office as legal counsel for the General Assembly.

She -- therefore, she'll bring a broad appreciation of the law to our bench and I urge our chamber to approve this resolution. Thank you, Madam President.

THE CHAIR:

Will you remark further? Will you remark further? If not, Senator Doyle.

SENATOR DOYLE (9TH):

Thank you, Madam President. Without objection, I move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Senator Duff.

SENATOR DUFF (25TH):

Can the Senate stand at ease for a moment, please?

THE CHAIR:

Senate will stand at ease. (Chamber at ease) Senate will come back to order. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, would the clerk call the resolutions on Senate Agenda Number 1 please?

THE CHAIR:

Mr. Clerk.

CLERK:

House Joint Resolution Number 119, <u>House Joint</u>
<u>Resolution Number 120</u>, House Joint Resolution Number
122 --

THE CHAIR:

Sir, we just have to call --

CLERK:

Each one?

THE CHAIR:

Each one, please. Sorry.

CLERK:

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That's okay. House Joint Resolution Number 119, RESOLUTION CONFIRMING THE NOMINATION OF MATTHEW D. GORDON, ESQUIRE, OF WEST HARTFORD TO BE A JUDGE OF THE SUPERIOR COURT.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and adoption. Will you remark, sir?

SENATOR KISSEL (7TH):

Matthew Gordon resides in West Hartford. He was born in San Juan and he graduated from Bard College with a degree in Dramatic Arts and the University of Connecticut School of Law where he was managing editor of the Law Review.

Prior to his entering practice, he was the assistant stage manager at The Hartford Stage for their youth program and then worked at Day, Berry, & Howard as well as Skelley Rottner and later, his own firm. He has served on several bar committees and serves as a Justice of the Peace. I would urge my colleagues to support this nominee and the underlying resolution.

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Will you remark further? Will you remark further? You'd like to remark on this resolution?

SENATOR KISSEL (7TH):

Seeing no questions, I would --

THE CHAIR:

I think you have an objection. You want to have a roll call --

SENATOR KISSEL (7TH):

Okay. Then I'd ask for a roll call vote.

THE CHAIR:

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

CLERK:

Immediate Roll Call has been ordered in the Senate.

Immediate Roll Call has been ordered in the Senate.

THE CHAIR:

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

CLERK:

House Joint Resolution Number 119.

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

THE CHAIR:

The resolution passes. (Gavel) Mr. Clerk.

CLERK:

House Joint Resolution Number 120, RESOLUTION CONFIRMING THE NOMINATION OF KIMBERLY A. KNOX, ESQUIRE, OF WEST HARTFORD TO BE A JUDGE OF THE SUPERIOR COURT.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Attorney Knox is a resident of West Hartford which Senator Bye would certainly approve of. She's currently a partner at Horton, Shields & Knox in Hartford. She's a

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graduate of Connecticut College and University of Connecticut School of Law. She's well-established and has a great reputation as an appellate litigant before the Connecticut Superior, Appellate and Supreme Court. She also has quite a distinguished writing history in terms of -- in the legal world, lawyers have a different legal book.

She's a co-author of the Connecticut Practice Series, Superior Court Rules that practicing lawyers look to everyday to assist them with their daily practice of law. She's an author of that and also works on the updates each year, which is very helpful to the legal community. She also writes articles along the way and I personally read one last year on just an issue over how you manage our clients funds and attorney and she happened to be the author of that.

She's certainly an intellectual individual that's also practiced very well and has great experience in our legal system and I think she'll make a great addition to our superior court bench and I ask our chamber to approve this resolution and thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? Will you remark further? If not, Senator Doyle.

SENATOR DOYLE (9TH):

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Yes. Thank you, Madam President. Without objection, I move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

House Joint Resolution Number 122, RESOLUTION CONFIRMING THE NOMINATION OF W. GLEN PIERSON, ESQUIRE, OF HAMDEN TO BE A JUDGE OF THE SUPERIOR COURT.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and adoption. Will you remark, sir?

SENATOR KISSEL (7TH):

Attorney W. Glen Pierson was born in Cambridge and currently lives in Hamden with his husband. He practices with the firm of Loughlin FitzGerald. He's an honors graduate from Princeton and received his jurist doctorate from Georgetown Law Center. He

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was admitted in Connecticut, New York, and the federal bar and he has written numerous legal articles and treatises. I would urge my colleagues to support this nominee and the underlying resolution.

THE CHAIR:

Will you remark further? Will you remark further? Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. Speaking in support of the resolution. Madam President, attorney Glen Pierson is, as Senator Kissel pointed out, a very distinguished and scholarly attorney. Also is someone, I think, with an excellent demeanor to become a judge and I think that he will be superb in all facets, both in terms of the quality of his decision-making but also in terms of his personal approach to litigants who will come before him and the general public and strongly support his nomination. Thank you, Madam President.

THE CHAIR:

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

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Seeing no further questions or comments, I would move this resolution to the Consent Calendar.

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Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

House Joint Resolution Number 123, RESOLUTION CONFIRMING THE NOMINATION OF ELIZABETH J. STEWART, ESQUIRE, OF HAMDEN TO BE A JUDGE OF THE SUPERIOR COURT.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and adoption. Will you remark, sir?

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Attorney
Stewart's a resident of Hamden, Connecticut which
our president of the Senate would approve of, I
believe. She's currently the managing partner of
Murtha Cullina in New Haven. She's a graduate of
University of Virginia, got a B.A. and her J.D. from
the University of Virginia, which certainly are
excellent schools. She's got a -- she's had several
matters published -- different articles along the
way. She's an experienced member of -- giving back

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to her community and active in the bar and I urge the chamber to approve this resolution of Attorney Stewart. Thank you, Madam President.

THE CHAIR:

Will you remark further? Will you remark further on this resolution? Seeing not, Senator Doyle.

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Without objection, I move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

House Joint Resolution Number 124, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE DAVID A. DEE OF AVON TO BE A FAMILY SUPPORT MAGISTRATE.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

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

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Motion is on acceptance and passage. Will you remark, sir?

SENATOR KISSEL (7TH):

David Dee lives in Avon. He is married with two children and he was first appointed a Family Support Magistrate back in 2008. He is a graduate of the University of Connecticut as well as Quinnipiac Law School. In his years as a private practitioner, he did extensive work as neutral arbitrator. He is a member of education and charitable boards in the area where he resides. Again, which is the Avon area. I would urge my colleagues to support this nominee and the underlying resolution.

THE CHAIR:

Will you remark further? Will you remark further? Seeing not, Senator Kissel.

SENATOR KISSEL (7TH):

Seeing no further questions or comments, I would move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

House Joint Resolution Number 125, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE MICHAEL L. FERGUSON OF MERIDEN TO BE A FAMILY SUPPORT MAGISTRATE.

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THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

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

THE CHAIR:

Motion is on acceptance and adoption. Will you remark?

SENATOR KISSEL (7TH):

Michael Ferguson has served as a family support magistrate since 2011. He is the father of five children and resides in Meriden. He studied at Ohio State University and received his Bachelor's from Central Connecticut State University and his law degree from the University of Connecticut --

THE CHAIR:

Excuse me, sir. I'm sorry -- you can't take pictures in the chamber now. Sorry, Ma'am. You can't take pictures in this chamber. Thank you. Please. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you, Madam President. He entered private practice with Carmody & Torrance and later had a sole practice -- David Dee -- what? So I would urge

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my colleagues to support this nominee and the underlying resolution.

THE CHAIR:

Will you remark further on the resolution? Will you remark further? If not, Mr. Clerk -- sorry. Senator Kissel.

SENATOR KISSEL (7TH):

Seeing no further questions or comments, I would move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

House Joint Resolution Number 126, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE FREDERIC GILMAN OF EAST HAMPTON TO BE A FAMILY SUPPORT MAGISTRATE.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

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Motion is on acceptance and passage. Will you remark, sir?

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Attorney or Honorable Frederic Gilman is currently a magistrate — a family court magistrate and he was first appointed to the bench in September of 2011 so this is the first time he would be formally approved by the Judiciary Committee and the full legislature. He's currently working in the Tolland and Rockville and New London courts — as a family court magistrate. He is a graduate of University of New Haven which Senator Looney would approve of and he's also a graduate of Vermont Law School.

He also -- in the past, he served as a member of the Judicial Review Counsel but in particular about his background -- it's interesting cause he came up through the ranks, you know, prior to -- I assume before being a practicing lawyer, he was a temporary assistant clerk in the Norwich Family Support Court, so he learned from the ground up and he ultimately practiced law there for 15 years, then actually became a family support magistrate. So he certainly knows how the system works and I urge the chamber to approve Magistrate Gilman for another term as a family support magistrate. Thank you, Madam President.

THE CHAIR:

Will you remark further on this nomination -- on this resolution? Seeing not, Senator Doyle.

SENATOR DOYLE (9TH):

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Yes. Thank you, Madam President. Without objection, I move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

House Joint Resolution Number 127, RESOLUTION
CONFIRMING THE NOMINATION OF THE HONORABLE NORMA
I. SANCHEZ-FIGUEROA OF SOUTH WINDSOR TO BE A FAMILY
SUPPORT MAGISTRATE.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and adoption. Will you remark, sir?

SENATOR DOYLE (9TH):

Yes. Thank you. Magistrate Sanchez-Figueroa was first appointed as a family support magistrate on September 6, 2011. So she has good experience. She was born in Maunabo, Puerto Rico. She is a graduate

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of Brandeis University and Boston College Law School. She certainly has served well on the --currently on the family support magistrate bench and she performed well in the Judiciary Committee earlier this week and I wholeheartedly support her formal nomination by this circle. Thank you, Madam President.

THE CHAIR:

Will you remark further on this resolution? Will you remark further on the resolution? If not, Senator Doyle.

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Without objection, I move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

House Joint Resolution Number 128, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE SANDRA SOSNOFF BAIRD OF NEW HAVEN TO BE A FAMILY SUPPORT REFEREE.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

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Yes. Thank you, Madam President. [Clearing throat] Magistrate Sosnoff Baird was first appointed in August 1995 as a family support magistrate today — what we have before us today, she is seeking to be appointed — we will make — if we approve it, she will become a family support magistrate referee. So she's certainly got experience and she can lighten the load in our court. As I said, she was appointed in 1995.

She served -- currently serving in Ansonia, Milford, and New Haven providing assistance. She's a graduate of Nebraska -- Wesleyan University, she got a B.A. and then she went to Syracuse University and got an M.P.A. and then she went to New York University School of Law and got a J.D. in 1976. She's certainly served us well through the years and I urge the chamber to approve this resolution. Thank you, Madam President.

THE CHAIR:

Will you remark further? Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. Speaking in support of the resolution. The honorable Sandra Sosnoff Baird has been really a pillar of the New Haven community for many years. Very active in the Westfield section in New Haven, a member of a number of civic and fraternal organizations, community volunteer providing leadership in a variety of areas and has served for the last 22 years as a family support magistrate and now to be a referee.

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During part of that time, she was in fact, the supervisor of the magistrates and was administrative director of the magistrates. So we're fortunate that she is willing to continue with the same energy and conscientiousness that she has always brought to her work on behalf of the state. So again, I would strongly urge support for the nomination and for the continued service of Sandra Sosnoff Baird. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the resolution? Will you remark further on the resolution? Senator Doyle.

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Without objection, I move this resolution to the Consent Galendar.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

House Joint Resolution Number 129, RESOLUTION CONFIRMING THE NOMINATION OF BRENDA D. JANNOTTA OF SOUTHPORT TO BE A WORKERS' COMPENSATION COMMISSIONER.

THE CHAIR:

Senator Doyle.

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SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Motion is on acceptance and adoption. Will you remark, sir?

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. Attorney Janotta is a resident of Southport, Connecticut. She is a graduate of University of Connecticut, where she got a B.A. in political science and she thereafter went to University School of Law and got her law degree from there.

She has a varied and broad legal experience in her career, where she has worked in the federal government, the state government in different capacities and along the way, I had dealings with her as a lawyer, both in the private sector and public. I found her to be very talented and smart and I urge the chamber to approve her as a workers compensation commissioner. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not, Senator Doyle.

SENATOR DOYLE (9TH):

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Yes. Thank you, Madam President. Without objection, I move this resolution to the Consent Calendar.

THE CHAIR:

Thank you. Seeing no objection. <u>So ordered</u>. Mr. Clerk.

CLERK:

House Joint Resolution Number 130, RESOLUTION CONFIRMING THE NOMINATION OF CHARLES F. SENICH OF WOODBURY TO BE A WORKERS' COMPENSATION COMMISSIONER.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution. And I also want to make it clear on the record, at this time, that all of the resolutions that were on Senate Agenda Number 1 -- we have adopted in concurrence with the House.

THE CHAIR:

So ordered, sir. Will you remark, sir?

SENATOR KISSEL (7TH):

Charles Senich lives in Woodbury and he is the married father of two. He received his Bachelor's degree from Bridgport University after studying at

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Central Connecticut State University and he received his Jurist Doctorate from Quinnipiac Law and with the indulgence of you, Madam President, da dun dun dun da da, this is the last of the 28 judicial nominations that we have had before us this afternoon. I urge my colleagues adoption of the resolution and support of this nominee.

THE CHAIR:

Will you remark? [Laughing] Sorry. Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Madam President. I would like to align my comments and thoughts with Senator Kissel. Mr. Senich has been a good servant of the people and I urge the members to support his reappointment. Thank you.

THE CHAIR:

Thank you very much. Will you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

Seeing no further questions or comments, I would move this resolution to the Consent Calendar.

THE CHAIR:

Seeing no objections, so ordered, sir.

SENATOR KISSEL (7TH):

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Thank you, Madam President.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Before we get to the executive and legislative nominations, if the clerk can please read the resolutions and the other bills that are on the Consent Calendar for a vote on Consent Calendar Number 1.

THE CHAIR:

Thank you. Mr. Clerk.

CLERK:

House Joint Resolution Number 120, House Joint Resolution Number 122, House Joint Resolution Number 123, House Joint Resolution Number 124, 125, 126, 127, 128, 129, and 130. On page 2, Calendar 498, Senate Joint Resolution Number 50, also on page 2, Calendar 499, Senate Joint Resolution Number 54, on page 2, Calendar 500, Senate Joint Resolution Number 52, also on page 2, Calendar 201, Senate Joint Resolution Number 53, page 3, Calendar 502, Senate Joint Resolution Number 51, also on page 3, Calendar 503, Senate Joint Resolution Number 51, also on page 3, Calendar 503, Senate Joint Resolution Number 55.

On page 3, 504, Senate Joint Resolution Number 56, page 3, Calendar 505, Senate Joint Resolution Number 57, on page 4, Calendar 506, Senate Joint Resolution Number 58, Calendar 507, Senate Joint Resolution 59, and Calendar 508, Senate Joint Resolution Number 60.

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Also on page 4, Calendar 509, Senate Joint Resolution Number 61. On page 5, Calendar 510, House Joint Resolution Number 117, Calendar 511, House Joint Resolution Number 118, Calendar 512, House Joint Resolution Number 121. On page 17, Calendar 221, Senate Bill 76, and also on page 17, Calendar 220, Senate Bill Number 975.

THE CHAIR:

At this time, Mr. Clerk, will you please call for a roll call vote on the first Consent Calendar of the day? Machine is open.

CLERK:

Immediate Roll Call has been ordered in the Senate.

Immediate Roll Call on Consent Calendar Number 1 for today, has been ordered in the Senate.

THE CHAIR:

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

CLERK:

Consent Calendar No. 1.

Total	number	voting	36
Those	voting	Yea	36
Those	voting	Nay	0
Absent	and no	ot voting	0

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Consent Calendar passes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move for suspension so that any of the resolutions just acted upon can be immediately transmitted to the House of Representatives, please.

THE CHAIR:

Seeing no -- no problem. Yes. So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, we're gonna be moving onto the executive and legislative nominations and we have -- well. Why don't we move on to them and there's -- I'm gonna change the order of them a little bit, but if we can have the clerk start with the executive and legislative nominations, please.

THE CHAIR:

That's page 5, Calendar 428, please. If you would please call, Mr. Clerk.

CLERK:

Page 5, Calendar 428, <u>Senate Resolution Number 13</u>, RESOLUTION CONFIRMING THE NOMINATION OF MICHELLE SEAGULL OF GLASTONBURY TO BE COMMISSIONER OF CONSUMER PROTECTION.

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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:

Motion is on acceptance and adoption. Will you remark, sir?

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, Ms. Seagull has a B.A. in political science from Washington University, a J.D. from Harvard Law School. Currently the deputy commissioner in the Department of Consumer Protection and somebody who I think we have -- many of us have worked with and found her to be a pleasure to work with and to be able to be a strong advocate for consumers throughout the State of Connecticut. So Madam President, I urge the circle to approve her -- this resolution.

THE CHAIR:

Will you remark further on the resolution? Senator Witkos. Senator Witkos, please.

SENATOR WITKOS (8TH):

Thank you, Madam President. As one of the co-chairs of the General Law Committee, I certainly concur with the comments of the majority leader that

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Michelle has made herself available and has been present during most of the public hearings we've had on the committee. I've always found her to be the upmost professional. I think she'll do well by the citizens of the State of Connecticut with her confirmation at -- to the commissioner of the department. Thank you.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If there's no objection, might this placed on the Consent Calendar?

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 6, Calendar Number 466, House Joint Resolution Number 112, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE ELIZABETH A. BOZZUTO OF WATERTOWN TO BE A MEMBER OF THE JUDICIAL REVIEW COUNCIL AS A SUPERIOR COURT JUDGE.

THE CHAIR:

I think we skipped one, sir. But, Senator Doyle --Senator Duff, would you like to do that one anyway and we'll go back to the one that was skipped?

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SENATOR DUFF (25TH):

Sure, Madam President. Ms. Bozzuto is to be a member of the Judicial Review Council, not Superior Court Judge.

THE CHAIR:

Would you -- like -- the motion is on adoption. Would you like to remark, sir?

SENATOR DUFF (25TH):

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

THE CHAIR:

Motion is on acceptance and adoption. Will you remark, sir?

SENATOR DUFF (25TH):

Thank you, Madam President. Again, this -- Ms. Bozzuto is to be a member of the Judicial Review Council. She holds a trial advocacy certificate from Hofstra University, a J.D. from Western New England University School of Law. She is currently chief administrative judge of the family division of the State of Connecticut, formerly a partner at Secor, Cassidy & McPartland and I certainly urge a favorable vote. Thank you, Madam President.

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Will you remark further on this resolution? Will you remark further on the resolution? If not --

SENATOR DUFF (25TH):

Madam President, we need to have a roll call vote on this resolution, please.

THE CHAIR:

Mr. Clerk, will you please call for a roll call vote and the machine will be open.

CLERK:

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

THE CHAIR:

Sorry, Mr. Clerk. Would you please announce that roll call vote again, please?

CLERK:

Immediate Roll Call has been ordered in the Senate.

Immediate Roll Call has been ordered in the Senate.

THE CHAIR:

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

CLERK:

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House Joint Resolution 112.

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

THE CHAIR:

The resolution passes. Mr. --

CLERK:

Page 6, Calendar Number 456, <u>Senate Resolution</u>
Number 14, RESOLUTION CONFIRMING THE NOMINATION OF
DAVID WILKINSON OF HARTFORD TO BE COMMISSIONER OF
EARLY CHILDHOO.

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:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, Mr. Wilkinson holds a B.A. from the University of

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Virginia, a J.D. from Yale Law School. He was the former director of the White House Office of Social Innovation. He previously served as the White House Senior Policy Advisor for Social Finance and Innovation and has been also helped leading an effort to advance community development in New Haven.

We have met. He is a very fine gentleman. I think very excited for the job. We happen to know a lot of the same people, coincidentally, and I do believe that he's a good man for the job and the right person and I certainly urge a favorable vote.

THE CHAIR:

Will you remark further? Will you remark further? If not, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If there's no objection, might this placed on the Consent Calendar?

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

Page 6, Calendar Number 467, House Joint Resolution Number 113, RESOLUTION CONFIRMING THE NOMINATION OF ERIC J. GEORGE OF GLASTONBURY TO BE A MEMBER OF THE CRIMINAL JUSTICE COMMISSION.

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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:

Motion is on acceptance and adoption. Will you remark, please?

SENATOR DUFF (25TH):

Thank you, Madam President. Mr. George is from Glastonbury. He holds a J.D. from the University of Connecticut School of Law. He's Cum Laude from University of Connecticut. He is currently the president of the Insurance Association of Connecticut and a former principal at the Eric George Group, LLC. He's currently a member of the Connecticut Bar Association and somebody I think we've all seen at the capitol for a long time and certainly urge a favorable adoption of this resolution, Madam President.

THE CHAIR:

Will you remark further on this resolution? Will you remark further on this resolution? If not, Senator Duff.

SENATOR DUFF (25TH):

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Thank you, Madam President. If there's no objection, might this placed on the Consent Calendar?

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 6, Calendar Number 468, <u>House Joint Resolution</u> Number 114, RESOLUTION CONFIRMING THE NOMINATION OF MICHELE C. MOUNT, ESQUIRE OF MONROE TO BE A HUMAN RIGHTS REFEREE.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I'd like to move this nominee to the last of the nominees for executive and legislative nominations, please. So if we can as the clerk to call the next resolution.

THE CHAIR:

Mr. Clerk. Will you, please?

CLERK:

Page 6, Calendar Number 469, House Joint Resolution Number 115, RESOLUTION CONFIRMING THE NOMINATION OF ERICK A. RUSSELL OF NEW HAVEN TO BE A MEMBER OF THE CRIMINAL JUSTICE COMMISSION.

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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:

Motion is on acceptance and adoption. Will you remark, sir?

SENATOR DUFF (25TH):

Thank you, Madam President. Mr. Russell is from New Haven. He hails a J.D. from the University of Connecticut School of Law, certificate of Taxation from the University of Connecticut School of Law. He is an associate attorney with Pullman & Comley and I urge a favorable vote on this resolution, Madam President.

THE CHAIR:

Will you remark further on the resolution? Will you remark further on the resolution? If not, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If there's no objection, might this placed on the Consent Calendar?

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THE CHAIR:

So ordered, sir. Mr. Clerk.

CLERK:

Page 7, Calendar Number 470, <u>House Joint Resolution</u> <u>Number 116</u>, RESOLUTION CONFIRMING THE NOMINATION OF NICHOLAS KAPOOR OF MONROE TO BE A MEMBER OF THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES.

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:

Motion is on acceptance and adoption. Will you remark, please?

SENATOR DUFF (25TH):

Thank you, Madam President. Mr. Kapoor is from Monroe. He holds an M.B.A from Sacred Heart. He has a B.S. in mathematics and government and politics from Sacred Heart University. He is a financial analyst at I-Engineering.inc and an adjunct professor in the department of math and government and politics and global studies at Sacred Heart and I would certainly urge favorable vote.

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THE CHAIR:

Would you remark further on this nomination? Would you remark further on the nomination? If not, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If there's no objection, might this placed on the Consent Calendar?

THE CHAIR:

Seeing no objection. <u>So ordered, sir.</u> Senator Duff, do you want to go back? Mr. Clerk.

CLERK:

Page 6, Calendar Number 468, House Joint Resolution
Number 114, RESOLUTION CONFIRMING THE NOMINATION OF
MICHELE C. MOUNT, ESQUIRE OF MONROE TO BE A HUMAN
RIGHTS REFEREE.

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:

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Motion is on acceptance and adoption. Will you remark, sir?

SENATOR DUFF (25TH):

Thank you, Madam President. Ms. Mount is from Monroe. She holds a mediation certification from Quinnipiac School of Law, a J.D. cum laude from Quinnipiac University School of Law, a B.A. cum laude from University of Southern California. Currently the owner of Mount & Associates, former director of Legislative Affairs, special advisor the mayor in the city of Bridgeport. Currently, a chief Human Rights Referee on the Commission on Human Rights and Opportunities and has excessive background -- extensive background as a producer and director. I urge a favorable vote.

THE CHAIR:

Will you remark further? Will you remark further on the resolution? Senator Guglielmo.

SENATOR GUGLIELMO (35TH):

I just request a roll call, Madam President.

THE CHAIR:

A roll call vote will be had. Will you remark further? Will you remark further? If not, Mr. Clerk. Will you call for a roll call vote and the machine will be open.

CLERK:

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

THE CHAIR:

Senators, I'd ask you stay close to the chamber after this vote, as we will be doing a vote immediately following this. Thank you.

I ask again that all Senators please stay close to the chamber cause after this, we will be doing an immediate vote.

Please announce it again. Thank you.

CLERK:

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

THE CHAIR:

Senator Gomes, Senator Moore, can you please cast the last votes?

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

CLERK:

House Joint Resolution 118 [sic].

Total number voting

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Those	voting	Yea	18
Those	voting	Nay	18
Absent	and no	ot voting	0

THE CHAIR:

The machine is not working, guys. There it goes. Okay. And I vote a yea. Mr. Clerk. Will you please call the tally?

CLERK:

House Joint Resolution 114.

Total number voting	36	
Those voting Yea	18	
Those voting Nay	18	
Absent and not voting		

THE CHAIR:

I already did vote. The -- it is -- the resolution is adopted. (Gavel)

Senator Hartley, are you coming up to take over? You got it.

(Senator Hartley in the chair)

Senator Duff, you have the floor, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Good to see you. Good to see two madam presidents up there, right now.

THE CHAIR:

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Are we about to entertain points of personal privilege, Senator Duff?

SENATOR DUFF (25TH):

Do we have any? Yes, we are, Madam President.

THE CHAIR:

Thank you. [Laughter] Senator Logan. You have the floor, sir.

SENATOR LOGAN (17TH):

Thank you, Madam President. I rise at a point of personal privilege.

THE CHAIR:

Please proceed.

SENATOR LOGAN (17TH):

Thank you. With us today, in this chamber, we have the honor and the privilege of having Ms. Charlotte Butler here with us. She's a Naugatuck woman. Was one of 1,248 students who graduated from Post University during the school's 127th commencement ceremony. I'd like Ms. Charlotte Butler to come into the circle now, if that's okay.

In June, Ms. Butler will celebrate her 85th birthday. June 30th. Excellent. Ms. Butler earned an Associate Degree online in Criminal Justice but has no plans of using it in her career. But you've got that degree, huh? Excellent. And she's done so

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to set an example for her children and her grandchildren and to keep her mind sharp. And she hopes others will follow in her footsteps. Great. So I'd like everyone here in the chamber to congratulate her on her wonderful achievement. Thank you. [Applause]

And Ms. Butler, I have here a citation from the General Assembly. Introduced by myself, Senator Hartley, Representative Labriola, and Representative Rebimbas. And it reads, he it hereby known to all that the Connecticut General Assembly hereby offers it's sincerest congratulations to Charlotte Butler in recognition of earning your Associate's Degree in Criminal Justice from Post University. It is an honor of which you should be very proud of.

You have set an outstanding example for your children, grandchildren, and others to follow. We commend you for your commitment to academic success and being an inspiration to our community.

Congratulations and best wishes for continued success. [Applause] And Ms. Butler wanted me to point out that she is continuing on for her Bachelor's degree and that she will most likely be here in another couple years. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Logan. And Charlotte, the Chair personally wants to extend congratulations to you as being a new graduate. I did have the pleasure of attending the post-graduation -- the first section which was the graduate degree program, so I didn't get to shake your hand that day -- that rainy day, but you were a bright ray of sunshine among the

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graduates as an inspiration not just to your children or your family, but to the entire graduating class and to many more who had the opportunity to read your story in the Republican American.

And I have to say, for one, you have broken a lot of records, not the least of which is your techsavviness to complete your degree online. So you for sure have touched and reached many people and inspired them to go on and yes indeed, that was going to be my next question, Senator Logan. And what will the next degree be? So we await that and congratulations to you. [Applause]

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, would the Clerk please read the resolutions on the Second Consent Calendar followed by a vote thereof?

THE CHAIR:

Thank you. Mr. Clerk.

CLERK:

Consent Calendar Number 2. Page 5, Calendar number 428, Senate Resolution 13. Page 6, Calendar number 456, Senate Resolution 14. Page 6, Calendar number 467, House Joint Resolution 113. Page 6, Calendar number 469, House Joint Resolution 115. Page 7, Calendar number 470, House Joint Resolution 116.

THE CHAIR:

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Thank you, sir. And if you will announce the pendency of a vote.

CLERK:

An immediate Roll Call has been ordered 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 members voted?

Have all the members voted? If all the members have voted and your vote is properly recorded, the machine will be closed. And the clerk will take the tally.

CLERK:

Consent Calendar No. 2.

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

THE CHAIR:

Passes. Senator Duff.

SENATOR DUFF (25TH):

May we stand at ease for a moment?

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THE CHAIR:

Chamber will stand at ease. (Chamber at ease)

SENATOR DUFF (25TH):

Madam President.

THE CHAIR:

Chamber will come back to order. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, it's now almost 4 o'clock and I'd like to just say that we have done a lot of business today in a very bipartisan manner and I hope lots of people are listening to that, as we always do with the tradition of the Senate is to work cooperatively in a bipartisan manner. We've gotten so much done already today, close to 4 o'clock. I -- we now have to recess for the purposes of caucuses and other meetings, so I would announce that we will be recessing and coming back, probably in a little bit.

THE CHAIR:

Chamber will recess until called. Thank you, sir.

On the motion of Senator Duff of the 25th, the Senate at 3:53 p.m. recessed.

The Senate reconvened at 9:37 p.m. the President in the Chair.

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THE CHAIR:

-- will come back to order. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Good evening.

THE CHAIR:

Good evening, sir.

SENATOR DUFF (25TH):

Okay. For the purposes of some markings, please.

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. First I'd like to start with our Consent Calendar.

THE CHAIR:

Yes, sir.

SENATOR DUFF (25TH):

On calendar page 21, Calendar 267, House Bill 7237. I'd like to place that item on our Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, sir.

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SENATOR DUFF (25TH):

On calendar page 35, Calendar 398, <u>House Bill 6002</u>, I'd like to place that item on <u>our Consent Calendar</u>.

THE CHAIR:

Seeing no objection. So ordered, sir.

SENATOR DUFF (25TH):

On calendar page 36, Calendar 403, <u>House Bill 7037</u>, I'd like to place that item on our <u>Consent Calendar</u>.

THE CHAIR:

Seeing no objection. So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 35, Calendar 400, <u>House Bill 7015</u>, I'd like to place that item <u>on our Consent Calendar</u>.

THE CHAIR:

Seeing no objection -- Senator Berthel, you're not standing -- no. Seeing no objection. So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 43, Calendar 451, 7299. I'd like to place that item on our Consent Calendar.

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THE CHAIR:

Seeing no objection. So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 48, Calendar 44, House Bill 7309, I'd like to place that item on our Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 19, Calendar 257, <u>House Bill 7159</u>, I'd like to place that item <u>on our Consent Calendar</u>.

THE CHAIR:

Seeing no objection. So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. And to mark some items go, please.

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 56, Calendar 325, Senate Bill 246, go. Calendar page

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10, Calendar 119, Senate Bill 126, go. Calendar page 23, Calendar 289, Senate Bill 1038, go. Calendar page 17, Calendar 231, Senate Bill 605, go. Calendar page 9, Calendar 115, Senate Bill 544, go. Calendar page 8, Calendar 96, Senate Bill 914, go. Calendar page 30, Calendar 360, Senate Bill 1041, go. Calendar page 11, Calendar 130, Senate Bill 826, go. Calendar page 34, Calendar 391, Senate Bill 1040, go. Calendar page 15, Calendar 198, Senate Bill 870, go.

Calendar page 26, Calendar 315, Senate Bill 1002, go. Calendar page 13, Calendar 171, Senate Bill 35, go. Calendar page 20, Calendar 262, House Bill 7114, go. Calendar page 24, Calendar 300, Senate Bill 949, go. Calendar page 15, Calendar 199, Senate Bill 948, go. On page 16, Calendar 210, Senate Bill 835, go. On calendar page 17, Calendar 233, Senate Bill 572, go.

On calendar page 16, Calendar 215, Senate Bill 635, go. On calendar page 33, Calendar 383, Senate Bill 366, go. On calendar page 23, Calendar 286, Senate Bill 986, go. On calendar page 15, Calendar 201, Senate Bill 972, go. And if the clerk can please call those bills in that order, please.

THE CHAIR:

Thank you. Mr. Clerk --

SENATOR DUFF (25TH):

Oh, hold on. Madam Clerk --

THE CHAIR:

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I'm sorry?

SENATOR DUFF (25TH):

On second please?

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Senate stand at -- yes, I did.

THE CHAIR:

Senate is standing at ease. Oh, the Senate not standing -- Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Did I call calendar page 35, Calendar 400, House Bill 7015 on the Consent Calendar? I did.

THE CHAIR:

Yes, you did, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. And we're gonna take the bill off the Calendar now.

THE CHAIR:

Thank you. Mr. Clerk.

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CLERK:

On page 56, Calendar 325, Substitute for <u>Senate Bill</u>
Number 246, AN ACT CONCERNING A STATE-WIDE WAITING
LIST FOR RESIDENTIAL PLACEMENT FOR PERSONS WITH
INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

THE CHAIR:

Senator Gerratana. Good evening, Ma'am.

SENATOR GERRATANA (6TH):

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

THE CHAIR:

The motion is on acceptance and passage. Will you remark, Ma'am?

SENATOR GERRATANA (6TH):

Yes. Thank you, Madam President. Madam President, I'm very pleased to be bringing this bill out tonight. Mainly because of the good work that many, many of us here in the General Assembly have undertaken, regarding individuals with developmental disabilities. This bill has many co-sponsors in both chambers, but more importantly, it also carries on work that was started last year with Senate Bill 294. And Madam President, at this time also, I just want to mention that the individuals that have been advocating are from -- and refer to themselves as Families First.

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They have successfully passed legislation last year, with Senate Bill 294, and this year with this bill and I just briefly want to introduce them. They are in the gallery, before I explain the bill, and we do have an amendment on it. I want to welcome Rick Rothstein. Welcome back, Rick. I know you're recovered and love your advocacy, Lauralyn Lewis, Sue Bastian, Marina Derman, Dawn D. Mateo, Denise King, Frank King, Joe Duffy, hi Joe -- and Adrienne Benjamin, a good friend of mine. Thank you all for being here and thank you for your advocacy.

THE CHAIR:

Welcome to the chamber. Again.

SENATOR GERRATANA (6TH):

[Laughing] Thank you, Madam President. Madam President, the bill makes various changes affecting DDS -- the Department of Developmental Services -- regarding individuals with intellectual disability. One of the most important aspects and projects that we have been working on in this group, Families First, with legislators and also DDS -- is their work with the department. The department has worked throughout the year with these individuals and has also worked with us here in the chamber. And it makes a couple of changes regarding the waiting list in particular.

The department has agreed to maintain one statewide comprehensive residential waiting list for individuals with intellectual disability and update that list at least quarterly. It also will do an annual assessment for future residential funding or

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service needs for certain individuals with intellectual disability and it will review the residential waiting list with the DDS Regional Advisory Councils and the Council on Developmental Services. This is very important.

This is -- the regional councils are the liaison between families and individuals and also the department. Now, Madam President, at this time, I do have an amendment. LCO Number 7660. If the clerk would please call and I be allowed to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 7660, Senate "A" offered by Senators Gerratana, Somers, and Fasano.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. I move adoption.

THE CHAIR:

Motion is on adoption. Will you remark, Ma'am?

SENATOR GERRATANA (6TH):

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Yes. Thank you. This amendment does two things. It makes some changes for consistency in the underlying bill and it adds a new section and this - again, was work with the advocates Families First and others. It establishes some criteria for the newly formed intellectual disability partnership. This is through the executive branch and it's in conjunction with OPM, also DDS, and the Commissioner of Social Services.

And they have bene looking at ways to improve services for people, persons and individuals with developmental disabilities and in doing so, we have added some criteria here to make sure that those individuals with high levels of need are considered and also to post publically on the DDS website, the partnerships, meetings, agendas, and minutes. I hope the chamber will support the amendment.

THE CHAIR:

Will you remark further on the amendment? Senator Somers. Good evening, Ma'am.

SENATOR SOMERS (18TH):

Good evening, Madam President. I would like to say on the amendment that this is -- I would like to thank the efforts of all those involved. This is a great amendment. This particular group has been waiting a very long time. I am thankful and honored that you are still here tonight. We're going on 10 o'clock at night. Thank you for your determination and I urge the senate to pass this amendment and this bill tonight. Thank you.

THE CHAIR:

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Thank you, Senator. Will you remark further on the amendment? Senator Fasano. Good evening.

SENATOR FASANO (34TH):

Madam President. Pardon?

THE CHAIR:

Good evening, sir.

SENATOR FASANO (34TH):

Good evening. How are you?

THE CHAIR:

[Crosstalk] You don't want to know.

SENATOR FASANO (34TH):

Madam President, I want to thank both Senator Gerratana and Senator Somers and many people in this chamber who have supported the IDD caucus and intellectual disabilities advocates. And in the chamber, I might add and the gallery, we have many folks who came here early in the day and then had to leave but to show their resiliency and their outstanding advocacy, they're back here again this evening, just to watch this bill pass.

Madam President, this has been at steps along the way in which we've taken the IDD issue and slowly and methodically move it forward and there's been a lot of advocates in this circle -- Senator Osten's another advocate in this circle -- who have spoken

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very highly of this cause and I think that that's the way you do it, is you slowly move the ball forward and where you see success, add to it.

Where you need change, you make the change. I'm proud to support this bill and I know many of you around this circle, if not all of you, will support this bill and I think that we're doing the right thing and we're moving an issue which never got much attention every year, further and further, towards a goal. Thank you, Madam President.

THE CHAIR:

Thank you, sir. Will you remark further on this bill? Will you remark further on this bill? Senator -- I'm sorry. The amendment. Senator Looney. I'm sorry, it is the amendment.

SENATOR LOONEY (11TH):

Yes. Madam President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY (11TH):

Thank you. I would like to also support this amendment, which reflects the work of a number of people in addition to those mentioned. Senator Fasano, Senator Bye has been very active in this issue, meeting with groups of parents and caregivers from all over the state on the issue of the waiting list. We know we have each heard stories from people in our district. Families that are

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extraordinarily distraught over the possibility of what will happen, especially as the parents age and become frail and are worried about what may or may not happen in the future to their disabled children.

So this, I think -- this proposal will help us to address that issue and move forward on an issue that I think that everyone cares about in a bipartisan way and that for those of us who have some of the residential facilities in our districts and have visited them, we know that when we talk about needs that are real as opposed to those that may be speculative, these -- and certainly are the realists of the reals. So would urge support of the amendment and then the bill following the amendment. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on Senate "A"? If not, I'll try your minds. All those in favor of Senate "A" please say "Aye".

SENATORS:

Aye

THE CHAIR:

Opposed? Senate "A" passes. Will you remark further on the bill? Will you remark further on the bill? Senator Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. I just want to add so that the chamber knows, this bill came in as a

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proposed bill to the Committee on Public Health, sponsored by Senator Fasano and Senator Osten. And in honor of those two individuals, we made sure it would make it this far. [Laughing]

THE CHAIR:

Thank you.

SENATOR GERRATANA (6TH):

So I want thank the chamber. I urge them to of course, approve the bill. Thank you.

THE CHAIR:

Would you like to try on Consent?

SENATOR GERRATANA (6TH):

Oh. Madam President, if there's no objection, I would ask that this item be moved to our Consent Calendar. [Laughing]

THE CHAIR:

Is there any objection? Seeing no objection on this bill. It is \underline{moved} to the Consent Calendar. Mr. Clerk.

CLERK:

On page 10, Calendar 119, <u>Senate Bill Number 126</u>, AN ACT CONCERNING COMMUNITY HEALTH WORKERS. There's an amendment.

THE CHAIR:

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Senator Gerratana.

SENATOR GERRATANA (6TH):

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

THE CHAIR:

Motion is on passage and acceptance. Will you go?

SENATOR GERRATANA (6TH):

Thank you, Madam President. The clerk is in possession of an amendment. LCO Number 6222, if he would please call and I be allowed to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 6222, Senate "A" offered by Senators Gerratana, Somers, et al.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Yes. Thank you, Madam President. Madam President, I'm calling this amendment at this time, before I go into an explanation of the underlying bill because

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it does remove the fiscal note in the underlying bill. It does make a few changes and then in part B on Line 7, it starts the language that will remove the fiscal note by having the state innovation model initiative program within their available resources to be able to look at the feasibility of creating a certification program for community health workers. I move adoption. I haven't done that.

THE CHAIR:

Motion is on adoption. Again. Will you remark? Will you -- will anyone remark on Senate "A"? Senate "A"? If not, I will try your minds. All those in favor of Senate "A" please say "Aye".

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate "A" passes. Senator Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. With the adoption of that amendment, I'll go into a description of what a community health worker is. I have to say that many years ago, I had heard about community health workers and mainly because they worked overseas in other countries and of course, being a person who's interested in public health, I became a little intrigued and was delighted to understand a number of years ago, that some of them were working right here in our State of Connecticut.

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A community health worker is a frontline public health worker. They are our eyes and ears and our boots on the ground, who are embedded in and may come from community settings that they work in. They serve as a link or liaison — an intermediary between healthcare services, social services, and the community. They improve the quality and cultural understanding in our healthcare.

Community workers are not new to the public, as I mentioned, or the health workplace. Many other states have used these individuals in a variety of ways, such as managing diabetes or asthma, by reducing readmission to hospitals by improving primary care utilization and working as a team member in patient-centered medical homes as well as helping individuals and families navigate our healthcare system.

Our own state's innovation model initiatives include community health workers as a way to deliver better coordinated and community integrated care. Connecticut hospitals currently use community health workers through our DPH and through our DPH breast and cervical cancer and Wise Woman program. Wise Woman Program is a federal program educating women about breast health.

Community health workers current activities include things like blood pressure screening, glucose screening, breast and cervical cancer education, home visits, patient education, advocacy and health system navigators. They are also utilized by many foundations — philanthropic foundations as a ways of gathering healthcare data in populations so that we know exactly what is going on. They are very

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close -- very close to the individuals that they work with.

Community health workers are not publicly funded per se but rely on grant programs and other opportunities. I could not find — although I wouldn't preclude that there was public funding, but at this point, my understanding is that they are funded through grants, as I said, through other foundations and federal grants. Community health workers are utilized all over the world, as I said, especially in emerging countries and areas that are both rural and urban and they are not collectively bargained.

I know there has been much discussion about that in the states that they work in. They work in the states of Minnesota, New York, Texas, Oregon, Massachusetts, Alaska, and Oklahoma. I could not find evidence -- I searched everywhere to find if they were. In some cases, they happen to be a member of a unit but not particularly unionized as a separate, collectively bargain organization. I did find that there was a collective bargaining agreement in British Columbia, Canada. That was the only proof that I could find in searching online.

The bottom line is, community health workers go where they are needed. Whether it is a home, an apartment, a health center, a hospital or other setting. They work with practitioners to facilitate health care wherever it is needed and as I said, they participate in community-based research, collect data and assessment, and they are invaluable contributors to our healthcare system. So I do hope the chamber will adopt and vote and support this legislation. Thank you, Madam President.

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THE CHAIR:

Sorry. Will you remark further? Senator Boucher. Good evening, Ma'am.

SENATOR BOUCHER (26TH):

Good evening, Madam President. Madam President, if I might, a few questions to the proponent of this amendment. Through you.

THE CHAIR:

Please proceed, Ma'am.

SENATOR BOUCHER (26TH):

Thank you, Madam President. Madam President, to clarify once again that for many of us, we've sort of been through this process a couple of times before, when there were many well-intentioned bills that talked about the -- you know, the classification of home health care aids, the classification of daycare providers in the home where there were grandparents taking care of their grandchildren that were getting a subsidy from the State of Connecticut and the great promise to all of us at the time was that there would be no unionization effort.

There would be no organizing effort. That they would continue to be private providers in the home and over time, we found that that was not in fact the case. That in fact, they did move to unionizing that group. They did move to making them quasistate employees, taking the actual relationship and

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changing it in the home with the provider and the person getting that service. So it raises a great deal of questions to many of us, that we're moving in the same direction.

Through you, Madam President. Tell me again, about this being a study and also reference to other states where they were some members of bargaining unions, that there were some members but not altogether -- how can -- certainly the proponent of this particular legislation -- allay the concerns expressed to you, tonight? Madam President.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. I appreciate my colleague Senator Boucher's questions about this. First of all, the -- I'm laughing a little bit because the idea of looking at community health workers as a part of a healthcare system came from a couple of sources. One, as I said, I was aware of the work that they had done overseas, way back in the 1990's when we were both in the House -- I had actually learned about community health workers. And then, subsequently, there's been some articles about them.

I know Hartford Community Renewal Team has been using community health works and as I said, this did not come from an entity, if you will, that said to me, let's start here and we'll go on to unionization. I do not have a crystal ball. I have

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no idea whether sometime in the future they will be unionized.

Certainly, that is not the intention of this legislation but rather to look at them as a way — and I have some documents too — to save money in our health care system and to get healthcare solutions, if you will, on a very real time, real world level and you know, that is the intention of this legislation. I've had no discussions with any entity other than a discussion about what they do and how they do it. Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER (26TH):

Yes. Thank you, Madam President. I really appreciate a further question. One of the proponents, I understand, for this legislation is the Working Families party. Through you, Madam President. Could the great proponent be able to explain what their rationale for supporting this bill? Through you, Madam President.

THE CHAIR:

Ladies and gentleman, can we keep our voices down? Because there is a debate or discussion going on between Senator Boucher and Senator Gerratana and we want to make sure that everybody hears what's going on. Senator Gerratana.

SENATOR GERRATANA (6TH):

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Thank you, Madam President. I've had no discussions with Working Families party about community health workers, however, I have seen many flyers that have come through and emails and so forth from a variety of people from all kinds of people and entities that are interested in this throughout the state. Healthcare professionals, health providers, you know, a variety of people who support community health workers because they are a good idea and they're good for -- of course, as I said, helping people access health care in a very effective, costeffective and efficient way. Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER (26TH):

Yes. Thank you very much, Madam President. I thank the good chairwoman for her answers and her patience with regards to this issue. I appreciate it very much. I really don't have further questions for the proponent but I would say that I too was brought by a number of flyers on the subject and also by information through the Working Families party that was very much supporting this and my concern comes back to the experience that some of us have had that have been here for quite a while.

And knowing the direction that well-intentioned proposals such as this have led to a change in the dynamics of making Connecticut more regulated than almost any of our other states around us in the sense of putting parameters around the free flow of services to areas that are very deserving, very

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necessary. I wouldn't disagree at all with the fact that these particular individuals are very helpful to us and helpful to provide information but this seems, as I said, a very similar process that was used previously and many, many strong promises were made -- as we do here oftentimes, to get a proposal through by saying, no, there's no way we're ever going to unionize these individuals.

No way we're going to regulate it and orchestrate a system that really broke the tie -- the very strong tie between the individual patients or the recipients of this service and those providing them help and aid that was a better, I would say, relationship when they were the individuals contracting for that service, they were getting some reimbursement from the state, but they were the client and the individual was the individual providing them the service.

So they had a lot more sway over that relationship. They got more attention versus breaking that tie, putting the state government in between them and being — those that were actually directing paying those individuals providing the service, so in essence, it didn't keep that original relationship in place that was better for the individual client receiving that service. So I'm very concerned it also of course, increased cost to the state and created a more regulated environment and some cases it's great to have the kind of training that you want.

You want to have some identification around it, but as I said, this seems to be the first step in a series of steps that ultimately will cause another group of individuals to become a unionized group and

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organization under a state government that right now is heavy with this type of state regulations. It's heavy with cost that are contributing, quite frankly, to a lot of our fiscal problems that we're confronting right now. We should be moving to undo a lot of that. To de-regulate the enormous amount of constrictions that we have.

So for that reason, Madam President, I really stand in opposition to this direction. I support the underlying work that's done. I support the kind of services that are provided that are terrific and are helpful but quite frankly, I just see this as a process that we have gone through previously and it raised a big red flag for me. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? Senator Moore. Good evening, Ma'am.

SENATOR MOORE (22ND):

Good evening, Madam President. I rise in support of the community health worker. I happen to know that the community health worker model came out of research out of the university of North Carolina and University of Arkansas Medical Research Center back in the 90's. So I've been to many different conferences where community health workers presented.

I also, as breast cancer education outreach program, have had community health worker model in my organization for over 15 years and they are paid

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through grants, nothing to do with state funding, they are not unionized. But they are really an important part of the community. Many of them address the language barriers that people face but also because they're a part of the community, they're able to reach men and women and children that usually we would not have access to.

I think this is a very important position. I think that when you start to look at trying to have people who can reach people in the community and you start to think about wages and sustainability, that this model has been around a long time and I urge my colleagues to support it. Thank you.

THE CHAIR:

Thank you so much. Will you remark further on the bill? On the bill. Would you remark further on the bill? If not, Mr. Clerk will you call for a roll call vote and the machine will be open.

CLERK:

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

THE CHAIR:

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

CLERK:

Senate Bill Number 126.

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Total number voting	36
Those voting Yea	18
Those voting Nay	18
Absent and not voting	0

THE CHAIR:

The chair votes yes. Closes the machine. And the vote -- the bill passes. (Gavel) Mr. Clerk.

CLERK:

On Page 23, Calendar 289, [Clearing throat] Senate Bill Number 1038, AN ACT AMENDING THE CHARTER OF THE OLD COLONY BEACH CLUB ASSOCIATION IN OLD LYME.

THE CHAIR:

Good evening, Senator Logan.

SENATOR LOGAN (17TH):

Good evening, Madam President. I move acceptance of the Committee's Joint favorable report and passage of Senate Bill 1038.

THE CHAIR:

Motion is to accept -- is to accept and passage. Will you remark sir?

SENATOR LOGAN (17TH):

Thank you, Madam President. This bill would amend the charter of the Old Colony Beach Club Association in Old Lyme. Old Colony Beach is a chartered village of Old Lyme. The charter has not been

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updated since 1947 and thus needs revisions both major and minor. Madam President, the clerk is in possession of LCO Number 7425. I ask the clerk to please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 7425, Senate Amendment Schedule "A" offered by Senators Logan and Formica.

THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

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

THE CHAIR:

The motion is on adoption. Will you proceed, sir?

SENATOR LOGAN (17TH):

Thank you, Madam President. The amendment includes the proposed changes ratified by a vote of the Old Colony Beach Club Association. That was ratified by a vote of their September 2015 general membership meeting. These changes include the following: altering the voting rights of members, making it a one parcel, one vote system -- this is to curb the

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ability of multiple party property owners from having a greater say in Association business.

It also allows members to assign a voting proxy when unable to attend special and general membership meetings, requires a two-thirds vote of all members, not just members present at a general membership meeting when voting on the expansion of the Association's boundaries. The Association is allowed to assess fines greater than \$20 dollars in the event of ordinance violations and the fine the amount is based on the severity of the violation.

With this amendment, the number of members required present at a general or special meeting of the membership be changed from 12 to 30 and meeting notification timelines and methods should be modernized as part of the charter amendment under consideration. Other changes concern the matter in which the Board of Governor's vacancies are filled. When the Board leader resigns during his or her term of office, the amendment brings the association into compliance with State of Connecticut rules regarding the way association members are taxed. I urge adoption of the amendment and ask for a roll call vote.

THE CHAIR:

Thank you, sir. Will you remark further on the amendment? Senator Formica. A roll call vote will be taken. Senator Formica.

SENATOR FORMICA (20TH):

Thank you very much, Madam President. Good evening to you. I'd like to thank the good senator for his

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kind explanation of this Old Colony Beach amendment of their Association rules. This is something that they've worked hard on and voted on it and I urge the members of this circle to vote in favor and allow them to move forward with the great club that they have there. Thank you so much, Madam President.

THE CHAIR:

Will you remark further on the amendment? Will you remark further on the amendment? If not, Mr. Clerk, will you please call for a roll call vote and the machine will be open on Senate "A".

CLERK:

Immediate Roll Call has been ordered in the Senate. Immediate Roll Call on Senate Amendment Schedule "A" has been ordered in the Senate.

THE CHAIR:

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

CLERK:

Senate Amendment Schedule "A".

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

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The Amendment passes. Senator Logan.

SENATOR LOGAN (17TH):

Madam President, if there's no objection, I would move this bill to the Consent Calendar.

THE CHAIR:

Seeing no objection. <u>So ordered</u>, sir. Thank you. Mr. Clerk.

CLERK:

On Page 17, Calendar 231, <u>Senate Bill Number 605</u>, AN ACT REQUIRING LOCAL APPROVAL OF CERTAIN CONSTRUCTION PROJECTS AT SILVER SANDS STATE PARK.

THE CHAIR:

Senator Kennedy. Good evening, sir.

SENATOR KENNEDY (12TH):

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

THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR KENNEDY (12TH):

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Yes. There is an amendment which is a strike-all amendment. It's LCO Number 6805. Will the clerk please call the amendment?

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 6805, Senate "A" offered by Senators Slossberg, Kennedy, Miner, et al.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

Madam President, I move adoption of the amendment.

THE CHAIR:

Motion is on adoption. Will you remark, sir?

SENATOR KENNEDY (12TH):

The original bill that we heard in front of the Environment Committee called for a moratorium on construction of certain structures at Silver Sands State Park. This amendment is a compromise amendment that asks for a moratorium for building at Silver Sands for a little over two years, ending on June 30, 2019. So I support the amendment and I yield the floor at this point to my good friend and colleague, Senator Slossberg.

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THE CHAIR:

Senator Slossberg. Would you accept the yield?

SENATOR SLOSSBERG (14TH):

I will. Thank you, Madam President.

THE CHAIR:

Please proceed, Ma'am.

SENATOR SLOSSBERG (14TH):

And at this time, I'd just like to thank Senator Kennedy, Senator Miner, Representative Demicco, Representative Harding and to recognize the members of the Milford delegation who worked so cooperatively to bring this amendment and this bill before us. As Senator Kennedy said, what this bill does is it creates basically, a two year stand-still on construction. The hope is that in that time, the Department of Energy and Environmental Protection can continue to work with the town to come up with a reasonable plan to address the concerns with this project at Silver Sands.

For those of you who are not familiar, Silver Sands State Park became a state park in 1960. It is nestled between two very densely population neighborhoods. It does have a boardwalk that is — connects the city beach with the state beach. We have piping plovers and a variety of different, rare birds there. There's great fishing. We have a tombolo to Charles Island, if you don't know what that is you can come see me afterwards. There's great swimming. There are beautiful salt marshes.

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It is a haven for rare bird watchers. It is a quiet and natural beach.

It is a peaceful place where people do yoga and where people come and create zen rock structures on the beach, and often people will come for quiet time. The construction project at issue creates a massive concession building, restrooms, an office, a new boardwalk, a ticket book complex, a 5,000 square foot maintenance garage, a workshop, a storage area, a full service kitchen for the park ranger, and major staff space as well as staff parking. As we are all aware, our state is in a time of financial hardship. This project costs approximately \$10 Million dollars. We do not believe that this is the time to be putting in this project, nor is the project that belongs at this park.

As we know, the most recent budget proposals have suggested eliminating funding for maintenance of our state parks and I believe just today the governor announced that park — our state parks may not even be open until July 1st. So I think that it is important that we take this time out. It is limited to insure that we don't expend dollars on projects that are unnecessary and unwanted and would destroy the natural beauty of our community. So I thank the chamber for this — their support and hopefully this will help address our concerns.

THE CHAIR:

Thank you. Will you remark further? Senator Fasano.

SENATOR FASANO (34TH):

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Thank you, Madam President. Just one question to Senator Slossberg. [Clearing throat]

THE CHAIR:

Please proceed, sir.

SENATOR FASANO (34TH):

It sounds like a beautiful place. Was that Silver Sands in East Haven or Silver Sands in Milford? [Laughter] Through you, Madam President.

SENATOR SLOSSBERG (14TH):

[Laughing] No, sir. If I was not clear, it's Silver Sands in Milford.

SENATOR FASANO (34TH):

Thank you very much.

SENATOR SLOSSBERG (14TH):

And if anyone is interested, I've brought with me, the history of Silver Sands State Park and the surrounding beaches. It's a lovely history that was put together by our -- [Crosstalk] beach neighborhood.

THE CHAIR:

If we go any longer, everybody will be able to read that [Crosstalk] --

SENATOR SLOSSBERG (14TH):

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Thank you. And I just appreciate the interest, so thank you very much.

THE CHAIR:

Thank you. Will you remark further on Senate "A"? Will you remark further on Senate "A"? I'll try your minds. All those in favor of Senate "A", please say "Aye".

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate "A" is adopted. Senator Kennedy.

SENATOR KENNEDY (12TH):

If there is no further discussion or questions, I would ask that this item be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

On Page 9, Calendar 1156, Senate Bill Number 544, AN ACT REQUIRING PRIOR LEGISLATIVE APPROVAL OF INCREASES IN ASSESSMENTS AND USER FEES CHARGED BY THE CONNECTICUT HEALTH INSURANCE EXCHANGE. There are amendments.

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Senator Kelly. Good evening, sir.

SENATOR KELLY (21ST):

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

THE CHAIR:

Motion is on acceptance passage. Will you remark, Senator?

SENATOR KELLY (21ST):

Thank you, Madam President. This bill intends to give the Insurance Committee of the General Assembly oversight in any attempt by the Connecticut Health Insurance Exchange to increase the amount of any assessment or user fee. The exchange would also need approval from the Insurance and Real Estate Committee to change the process in which the amount of any assessment or user fee is increased. Such a process would include another piece of oversight and more thorough procedure for determining whether or not increases in the assessment and user fees are appropriate.

The -- Madam President, the clerk has an amendment, LCO Number 7853. Will the clerk please call the amendment?

THE CHAIR:

Mr. Clerk.

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CLERK:

LCO Number 7853, Senate "A" offered by Senators Kelly and Larson.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. I move adoption by roll call and seek leave to summarize.

THE CHAIR:

The motion is on adoption and there will be a roll call. Please proceed, sir.

SENATOR KELLY (21ST):

Thank you very much. What the amendment does is following the public hearings and listening to both support and opposition on the bill, there were some concerns that the initial bill was a little bit too broad and what this does, is it narrows the focus of the underlying bill and in essence, what it does is it requires that the insurance committee act within 15 days of a request for an increase in the fee.

If the committee does not act, it would be automatically approved and then also inserts a threshold, if you will, that the amount would need to be a 15 percent or more -- in any one year -- and 35 percent in any three years. I think this is a nice compromise to look at only those types of events when the fees would go up. We do understand

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that in Connecticut, we have one of the lower assessment fees in the country. Most are between 2 and 3 percent. We're only at 1.65 percent. So this is something that would be utilized in the event that the fee was increased and I would urge the amendment's approval.

THE CHAIR:

Will you remark further on Senate "A"? Will you remark further? I'll try your minds. All those in favor -- oh you asked for a roll call vote. I apologize. A roll call vote will be had. Mr. Clerk, will you call for a roll call vote and I'll open the machines.

CLERK:

Immediate Roll Call has been ordered in the Senate.

Immediate Roll Call on Senate Amendment Schedule "A"
has been ordered in the Senate.

THE CHAIR:

Senator Markley, Senator Logan, will you vote please? You're in the chamber. Thank you.

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

CLERK:

Senate Amendment Schedule "A".

Total	number	voting	36
Those	voting	Yea	36

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Those voting Nay 0
Absent and not voting 0

THE CHAIR:

Thank you. Senator -- I'm sorry. Senate Amendment "A" is adopted. Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. If there's no objection, I would move this bill to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

On page 8, Calendar 96, Substitute for <u>Senate Bill Number 914</u>, AN ACT CONCERNING THE DEFINITION OF A VETERAN FOR A CERTAIN HONOR AND CERTAIN BENEFIT.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Good evening, Madam President.

THE CHAIR:

Good evening, Ma'am.

SENATOR FLEXER (29TH):

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

THE CHAIR:

Motion is on acceptance and passage. Will you remark, Ma'am?

SENATOR FLEXER (29TH):

Yes. Thank you, Madam President. Madam President, the bill before us just makes a minor change to our statutes to reflect changes that were made in January to Title 32 of US Code concerning the definition of a Veteran. It expands the definition to include retired members of the National Guard with 20 years of service or the reserves. I urge my colleagues to support this measure. Thank you, Madam President.

THE CHAIR:

Will you remark further on this bill? Will you remark further on this bill? Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. Madam President, I just have a few questions for the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR MARTIN (31ST):

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Thank you. From what I remember from our discussions on the Committee, these -- if we include the National Guard into changing the definition to include the National Guard, they would be receiving ribbons and medals? Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. That is correct.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Can you tell me specifically the National Guard's Veterans -- what will they be -- can you explain a little bit about those ribbons to the circle here, please? Thank you.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, they are ribbons and medals that are currently a part of our existing statutes that the commissioner of the Department of Veterans Affairs may bestow upon Veterans. The underlying bill doesn't make any

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changes to the kinds of ribbons and medals that can be awarded.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So the ribbon -- so -- Through you, Madam Chair. So the ribbons that we discussed in the Committee -- we're talking about wartime ribbons and medals? Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Yes. The underlying bill talks about ribbons and medals that are awarded to veterans who serve in a time of war.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. So, in order to qualify -- through you, Madam President. So in order to qualify for these medals, the National Guard individual would have to have served during that time of war? Through you.

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Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Yes, the individual would have to serve during a time of war, they would have to be a resident of the state at the time they were called to active duty, or they'd have to be currently domiciled in the State of Connecticut to receive these ribbons and medals.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. Through you, Madam President. Is there a number or how many service members will be newly eligible for the war time service medal?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. There is no estimation of the number of people who would be eligible for these ribbons and medals going forward but again, this would apply to -- this would just be taking into account the new federal definition of a Veteran.

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Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. Going on to the -another part of the bill here, we -- it talks about
providing -- giving the National Guard or the new
definition should we adopt this this evening, the
ability to have access to the Veteran status for a
license. Will these individuals newly eligible to
have their Veteran status listed on their driver's
license have to pay to update their license?
Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. When an individual who would newly be eligible for this designation on their license, would be able to get that designation on their license at the time of their regular renewal of their license and therefore, at that time, there would be no fee.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. You know, with what's going on with the Department of Motor Vehicle, I'm just curious, you know, with the long lines that

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people are still experiencing and the processing that takes place there, I'm -- I've got a question whether or not -- how it's going to affect the lines at the Motor Vehicle Department. Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. I'm not sure I heard a question there. Could the good gentleman repeat his question?

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Absolutely. How do you expect updates for those who are going to be applying for a new driver's license to have the flag added on -- how do you think it's going to affect the lines at the Motor Vehicle Department?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Well, I'm certainly not an expert on the functions of the Connecticut Department of Motor Vehicles, and with the

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Committee, did not hear testimony from the Department on this bill when we heard it in public hearings several months ago.

The Veterans who would newly be eligible for this designation on their driver's licenses would be going to the DMV for the most part, at the time of their regular renewal, so I wouldn't anticipate -- just based on my personal, layman's experience with the DMV -- I wouldn't anticipate that this would create additional wait time at the DMV, it would just be during the course of their regular renewal period.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. How many Veterans or National Guards Vets are we talking about that would be qualified for this? Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Again, Madam President, there is not an estimation of the number of Veterans who would be newly eligible under this designation that was made by the change to federal code.

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Senator Martin.

SENATOR MARTIN (31ST):

So we have no idea of how many National Guard members we have that will qualify for this? Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. I do not have an estimation on the number of members of the National Guard who would qualify due to this change in the US Code Title 32.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So that leads me to the next part of the bill because through the bill, from what I understand, we're gonna be opening up the ability for the national guards to enter or to be buried in the State Cemetery. So if we don't have a number of how many are eligible, then are we running the risk of not having plots available in the cemetery? Through you, Madam Chair.

THE CHAIR:

Senator Martin -- I mean, sorry -- Senator Flexer.

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SENATOR FLEXER (29TH):

Thank you, Madam President. Through you, again we did not hear testimony from the Department of Veterans Affairs and as you know, the Department pays close attention to the work of the Veterans Affairs committee that there was concern that this change would lead to some sort of limitation in the State Veterans Ceremony and in fact -- Cemetery -- and in fact, the State Veterans Cemetery has recently been expanded. So I would anticipate that anybody would qualify and who's family would choose as their place -- as their final resting place, the State Veterans Cemetery, there would be space for these people who honorably served our country.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair. So, is it -- my understanding that not only the National Guard vet would be allowed to be buried in the Cemetery but also the spouse or family member of the veteran? Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. These veterans who served our country in the reserve or the National

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Guard for more than 20 years would be eligible for all benefits listed in this bill that are currently allowed to Veterans and their family members.

THE CHAIR:

Excuse me, ladies and gentleman of the chamber. There is debate going on. If we can keep our voices down, so that Senator Flexer and Senator Martin can hear each other and I can hear them. So please proceed, Senator Martin.

SENATOR MARTIN (31ST):

Could I ask the good Senator to repeat that? Thank you.

SENATOR FLEXER (29TH):

Yes.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

The answer is that -- well, [Laughing] I forgot what the question was, but I think my answer was that there will be space in the Veterans Cemetery and that the people who would qualify would be additionally under this measure -- would be people who've served in the reserves or the National Guard for more than 20 years and it would apply to their spouse or next of kin.

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Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam President. So, let me just ask this sort of funny question, sort of -- or different question. Could the family members of currently deceased individuals who may qualify now to be buried in the Veterans Cemetery be exhumed and placed there, after the bill goes into effect?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. I think that someone would have to apply to the State Veterans Cemetery to be able to do that. I support somebody could try to avail themselves of that, but I think that would be a decision that would be made by the Department of Veterans Affairs. I think it's probably an unusual request that a family would have chosen one final resting place and then perhaps choose a different one that they may now be eligible for because of this change in the US Federal Code.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

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An unusual request that is, as well as the question, but thank you so much for your answering my question. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the bill? Will you remark further on the bill? If not -- Senator Flexer.

SENATOR FLEXER (29TH):

If there's no objection --

THE CHAIR:

There is an objection. At this time, Mr. Clerk, will you please call for a roll call vote? The machine will be open.

CLERK:

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

THE CHAIR:

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

CLERK:

Senate Bill Number 914.

Total number voting 36
Those voting Yea 36

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Those voting Nay
Absent and not voting

THE CHAIR:

The bill passes. (Gavel) Mr. Clerk.

CLERK:

On page 30, Calendar 360, Substitute for <u>Senate Bill</u> <u>Number 1041</u>, AN ACT CONCERNING GPS MONITORING OF CONVICTED PERSONS AWAITING SENTENCING FOR AGGRAVATED SEXUAL ASSAULT. There are amendments.

THE CHAIR:

Senator Doyle or Senator Kissel. Anybody? Please? [Pause] Oh. Senator Kissel. Why do you stand, sir?

SENATOR KISSEL (7TH):

Good evening, Madam President.

THE CHAIR:

Good evening, sir.

SENATOR KISSEL (7TH):

Yeah, we were huddling. I move acceptance of the Joint Committee's favorable report and passage of the bill.

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Motion is on acceptance and passage. Will you remark, sir?

SENATOR KISSEL (7TH):

Thank you very much. What this bill pertains to is one of the most heinous crimes could ever occur to an individual. And that is aggravated sexual assault. That's forcible rape. That is the worst sexual assault that can befall anyone. And some would say, other than mutilation or murder, it's probably one of the worst crimes that could occur in the State of Connecticut.

Now unfortunately, it was brought to the attention of the leadership of the Judiciary Committee, this year, that there was an instance apparently where an individual was convicted of aggravated sexual assault. So we're talking about individuals who have gone through the trial process or maybe even have plea bargained to aggravated sexual assault, although, I find that hard to believe. But there's no question of their guilt at that point in time but they may post bail prior to their being sentenced.

And what this bill would say is that there would be an ankle bracelet placed on that individual pending the date when they would come back and be sentenced. And for aggravated sexual assault, we're talking a heavy sentence and justifiably so. Why? Why have an ankle bracelet? To make sure that these individuals -- and again -- it was brought to our attention that this is not something made up, but these predators do not go into the neighborhood of where the victim is, does not harass the victim or even be within a certain distance such that the

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victim would see his or her and most likely her -- assailant.

This is good law and order legislation. This is good law and order legislation that protects victims of crime. This is good legislation that protects victims of one of the worst crimes we have in our state. It's that element of security that is necessary because there are just people out there -- predators that cannot be trusted. And I would urge my colleague's support of this legislation. At this point in time, Madam President, I would like to yield to Senator Linares.

THE CHAIR:

Senator Linares, will you accept the yield, sir?

SENATOR LINARES (33RD):

Yes, Madam President. Thank you.

THE CHAIR:

Please proceed, sir.

SENATOR LINARES (33RD):

Thank you and thank you, Senator Kissel, for your comments and for your leadership on this bill, as Chairman of the Judiciary Committee, and thank you to Senator Doyle for his work and for the chairman and ranking member in the House.

This past fall, I got a phone call from a young woman who lived in one of my towns and she's still in high school and she asked to meet with me for --

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to get a coffee with her and her mother. I met with her just out of respect that she was one of my constituents and had a concern and I was appalled by the story that she told me.

I don't want to go into too much detail but one of her close family members committed aggravated sexual assault -- to her -- and it -- really affected her, obviously, and her family and it was a traumatic experience for her. I admired this young woman's strength. That she had the courage to talk to me about it and that she knew she couldn't undo what happened to her but she wanted to help other young women like her who might have been struggling with the same situation.

During this time, she had the courage to tell her mother what had happened -- filed a complaint. They went through the process. Her family member was convicted and admitted that he was guilty. He was out on bail and fled. And the local police -- I represent small towns and when something like this happens in our community -- our town and community ban together. Local police were camping outside of her house and she didn't leave her house for weeks. She didn't go to school. This young woman who just wanted to go to school -- a junior in high school, was tormented by this experience -- not knowing where this person was.

Luckily, a bounty hunter found him but this all could have been prevented by a common sense measure. By making this person wear a GPA ankle bracelet and to me, I just couldn't believe that this didn't happen already. You would think that something like this would happen already. Especially in a state like ours where we take these kinds of offenses

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seriously and as Senator Kissel said, this is a good law and order bill.

And I'm so proud that this young woman who's watching tonight -- she knows that her work coming up to the legislature, going to the State's Attorney's office with me, talking about her problem, talking in front of the Judiciary Committee -- having the courage -- is now paying off so that we in this chamber are discussing changing this law so that other young women like her in this state don't have to go through that horrifying experience. And so I'm just honored. I thank -- can't thank the co-chairs enough. I think this is excellent policy and I urge passage of the bill. Thank you, Senator.

THE CHAIR:

Will you remark further on the bill? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much. I'd like to now move this to the Consent Calendar.

THE CHAIR:

I'm sorry.

SENATOR KISSEL (7TH):

Is there objection?

THE CHAIR:

Senator Flexer. Senator Looney.

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SENATOR LOONEY (11TH):

If I might. Through you, a couple of questions to Senator Kissel, the proponent.

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY (11TH):

Thank you, Madam President. Senator Kissel, just for clarification, how many cases of this kind would be likely to occur in a given year? In the sense that in my experience in representing clients in the criminal justice system and observing it, most people who would be charged with such a serious crime, except for those who are quite affluent, would be unlikely to be out on bond and would generally be serving -- would be held in pretrial detention and once convicted would then immediately begin serving a sentence and wouldn't be out at large. Is it true that this bill would largely apply then to defendants of greater wealth and greater resources who had been able to make bond?

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Through you to the good President of the Senate. I believe you're absolutely correct. First of all, as I indicated in speaking in favor of the bill, I can't

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imagine anyone plea bargaining to a conviction for aggravated sexual assault. So this is something that I would believe would have occurred after a full-blown trial and after a full-blown trial, even if you had modest wherewithal, you would probably not have any funds to post bond.

So I think that this occurs probably only a handful less than a dozen times -- and that's why I believe that the Judicial Branch didn't fight it because of fiscal needs -- that it would be utilized so rarely. But even that being the case, though, for those rare cases, it certainly would enhance the feeling of security of the victim in that intermediary period between the conviction and the sentencing. Through you, Madam President.

SENATOR LOONEY (11TH):

Thank you, Senator Kissel --

THE CHAIR:

Senator Martin -- Senator Looney.

SENATOR LOONEY (11TH):

-- and thank you, Madam President. A -- just an additional question following up on Senator Kissel's answer. Through you, Madam President. I think that that's absolutely right, Senator Kissel. In this [Clearing throat] that it would be a limited number of cases, because it is also your understanding that in most cases, someone who had been out on bond pretrial, once convicted, is apt to have that bond raised even more?

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In other words, the pretrial bond is likely to have been revoked and replaced with a higher post-conviction bond -- if bond is made available at all. In some cases, the court would not even allow bond in a case of this kind, perhaps once the conviction has been secured.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Senator Looney is correct once again. In fact, in negotiating the bail reform proposal that hopefully will eventually make it to this chamber, one of the concerns was that when a judge does determine what the bond would be, typically the primary concern is just assuring that the accused or defendant would return to court. But one of the other considerations that judges can consider, is danger to the public at large, and so, prior to conviction, that's up in the air to some extent.

Maybe a consideration as to what the charges are, but again, once an individual is convicted and there's no doubt and if those — if the crime that the individual is convicted of in — is serious and violent, which aggravated sexual assault is, then Senator Looney is absolutely correct. A judge would therefore post a much higher bond because those things are now concrete and have been found by either the court or a jury of that individual's peers. Through you, Madam President.

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Senator Looney.

SENATOR LOONEY (11TH):

Yes. Thank you, Madam President. Thank you, Senator Kissel -- for those responses. That's the reason, Madam President that I asked those questions and Senator Kissel, I think, is right on target with his responses and that does highlight that this is likely to apply only to a very, very limited number of cases per year where you would have a defendant in the extraordinary position of being able to be out on post-conviction bond in the case of the serious nature.

So I would imagine it would apply to defendants only of extraordinary wealth and also in cases where judges recognizing that wealth still allow them to be out on bond and didn't deny bond altogether after conviction. So I think that it is a useful protection for the peace of mind of defendants or a piece of mind of victims of this horrendous crime but at the same time, recognizing it's gonna have very limited application in the real world of the kinds of cases and the kind of resources of people who are usually tried for these crimes. Thank you, Madam President. Thank you, Senator Kissel.

THE CHAIR:

Thank you. Senator -- are there -- Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. I rise to remark on this legislation that is before us. I want to thank

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Senator Linares and Senator Kissel for their good work on this bill and Senator Linares did a great job of explaining the horrific circumstances that his constituent had to endure and what led us to contemplating the measure that's before us this evening, which I believe is an important one.

It's important that we give victims the -- as much safety and sense of security as we can when they are so brave to come forward and to seek prosecution of perpetrators of sexual assault and I think that this measure is an important one for us to move forward with but I would be remiss if I didn't take this opportunity to express some frustration and disappointment that we're not doing more.

This legislature in recent years has done some really great work around these issues and this bill this evening is a piece of that. But I'm disappointed that we can't have a broader discussion in this legislature to help more sexual assault victims and because of that, Madam President, the clerk has an amendment: LCO 7930. I ask that the clerk please call the amendment and that I be granted leave of the chamber to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 7930, Senate "A" offered by Senators Flexer, Bye, Moore, and Gerratana.

THE CHAIR:

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Senator Flexer.

SENATOR FLEXER (29TH):

I move adoption of the amendment, Madam President.

THE CHAIR:

Motion is on adoption. Will you remark, Ma'am?

SENATOR FLEXER (29TH):

Yes. Thank you, Madam President. Madam President, the amendment that is before us would remove the statute of limitations for sexual assault crimes, a felony of sexual crimes, and would remove the statute of limitations for civil penalties that would be asked for against sexual assault perpetrators.

I put forward this amendment today, again, because I am just disappointed that in the Judiciary Committee, we contemplated changing the statute of limitations for sexual assault crimes but just from five years to 10 years and I wish that we could, as a body, move forward with a measure that would help more sexual assault victims like the victim that this bill originally came from -- this underlying bill.

Sexual assault victims have to endure a different kind of burden than almost any other crime victim. Their circumstances, their mindset, the courage and the bravery it takes to come forward as a victim and a survivor of sexual assault is difficult for those of us who are not survivors to understand. And unfortunately, it can be very hard to come forward

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and in Connecticut, our current statute of limitations for these crimes is only five years, and that five year clock starts on the day that the crime is committed.

Five years to do a full investigation, five years for a victim to come to terms of what's -- with what's happened to them, to fully understand the ramifications of it. Connecticut is behind most states in the country with our short statute of limitations and because of this, sexual assault victims can't get the justice that they deserve and I think members of the chamber can understand that these crimes are a little bit different. We see a lot of high profile cases recently in the news -- whether it's the cases surrounding Bill Cosby where in only one case have they been able to move forward with the prosecution that just came under the window of that state's statute of limitations that was limited but much higher than Connecticut's.

Or the high profile allegations that have just come out right here in Connecticut in recent weeks. That horrible circumstances that happened to students at Choate Rosemary Hall. Because of Connecticut's limited statute of limitations, many of those victims will never be able to seek justice. Many of those victims won't be able to see the perpetrators of those crimes that despite the fact that now that numerous victims have come forward, there is compelling evidence that would allow a prosecutor to move forward with an investigation and a prosecution — they won't be able to have that justice.

And Madam President, I think that Connecticut should step up. We have done so much in this state to address the tragedy of sexual assault but we should

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be moving forward with a measure to remove the statute of limitations like so many other states have done. We are behind 19 other states and I wish that Connecticut would move forward with removing the statute of limitations and that this amendment could go forward.

THE CHAIR:

Thank you. Will you remark further on the amendment? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I oppose the amendment for a variety of reasons. First of all, under your amendment, Senator Flexer, a person who is 18-year-old and one day, in a relationship with a 15-year-old and if they even marry, and they -- 50 years from now -- they have an acrimonious divorce -- that 15-year-old can now charge the other individual felony sexual assault. Right now, we have protections for those relationships where someone's 18-year-old and one day, and having relationship with a 15-year-old.

It's called Romeo and Juliet's laws cause young people do foolish things. And so instead of being charged with a misdemeanor, under 58a-73a -- sexual assault in the fourth degree -- they would face harsh penalties and it'd be so far down the road, unable to muster a defense. That's number one. Number two. We had a public hearing on this issue and then the leadership of the Judiciary Committee met and we spent a lot of time figuring out what was the best thing, what was the best direction. The advocates want it all or nothing.

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I appreciate zealous advocacy but we gave it a lot of thought after a ample public hearing and what the leadership of the Judiciary Committee -- democrat and republican united, decided -- was it was good this year to double the statute of limitations. Not a small thing. Doubled it from five to 10 years. There are other things. And there are other states that have other statute of limitations.

I don't believe the majority of states have unlimited statute of limitations. If this amendment passes, it will jeopardize the underlying bill where that woman had the -- the courage to come and testify about a harrowing experience. And I am of the firmest belief, given the fact that the underlying statute of limitations bill was unanimous and that the leadership of the Judiciary Committee gave it tremendous thought -- the reaction if this bill goes down to the House is it'll never be called.

Because we gave it thought and we worked together and the Judiciary Committee worked it's best this year as I've ever seen it, in all the years I've been on there. And I've been 25 years a Senator and 23 years on that committee. I appreciate your zealous advocacy, Senator. But I would urge my colleagues to reject this amendment for those reasons. If it appears that we should readdress this issue, we can do it next year. But we gave it thought and we acted in a bipartisan fashion, House and Senate combined. And I would hate to see Senator Linares' bill fail because this amendment was pushed on there at the last minute. Thank you, Madam President.

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THE CHAIR:

Will you --

SENATOR KISSEL (7TH):

Oh and Madam President -- I'm sorry. I would ask for a roll call vote.

THE CHAIR:

I'm sorry. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I just rise to thank Senator Flexer for bringing this issue to light. I know that Senator Kissel has certainly spoken to the bipartisan efforts on this particular issue but I know that it's an important one to Senator Flexer and it's one that needs to be discussed. It hasn't been discussed in a long time. I remember having this discussion when I was even in the House of Representatives.

This is one that is a very serious issue. One that requires folks to work together in a bipartisan way and one that is — that has a lot of emotions to it in various — varying degrees as noted by some of the issues that have happened in our state even very recently. So I think sometimes these issues are important to bring to light and have a discussion on them and we know that there's not always that opportunity to do it for various reasons.

So I know whether, whatever happens to this amendment or now or in the future, we need to make

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sure that we are always on the lookout for ways in which we can protect our residents and we always, obviously, hope we do that in a bipartisan way and I know that Senator Kissel has very well-articulated what's happened in the Judiciary Committee but I think it's also important that we articulate what's happened as well and that we always strive together to work so that we can help our fellow citizens who have been victims of sexual assault and that they have -- they can find the piece that they need going forward, into the future. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Senator Flexer. Senator Flexer, please.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I want to just speak briefly on the amendment one more time and I appreciate and I just want to say that my good colleague across the circle has been my partner in working to improve laws around victims of sexual assault and domestic violence and a number of different issues in his good work and many years in the Judiciary Committee.

And I appreciate what he has said about this amendment and I think this underlying bill is an important measure and we should be doing whatever we can to support the victim who came forward and so bravely advocated for this so that no one else would have to endure what she's had to endure and I offer this amendment so that other victims do not have to endure other kinds of circumstances that our current

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criminal justice system, I think, fails them. I would just say that you know, in the circumstance that was described earlier about the teenagers — that would only come forward if the state's attorney agreed to prosecute and that's one of the things that's a misnomer when we have this debate about extending the statute of limitations in our state.

It would only if the state's attorney determined that there was enough evidence to move forward with the prosecution but I understand that today is not the day to have this conversation and I do support the underlying bill. I hope that this chamber will, in the future, consider having a much longer of statute of limitations in our great state, and with that, Madam President, I would like to withdraw the amendment.

THE CHAIR:

Seeing no objection. I withdraw. The amendment is withdrawn. At this time, will you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I appreciate my friend and colleague, Senator Flexer withdrawing the amendment and certainly, this is a debate we will continue to have, moving forward and I look forward to this circle voting on the bill that actually extends and doubles the statute of limitations this year and we can readdress the issue next year and I make that commitment to my friend and colleague across the circle. Seeing no other comments or questions, I would like to move this bill to the Consent Calendar.

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THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

On Page 11, Calendar 130, Substitute for <u>Senate Bill Number 826</u>, AN ACT MAKING CHANGES TO DEPARTMENT OF CONSUMER PROTECTION STATUTES. There are amendments.

THE CHAIR:

Senator Leone. Good evening -- yep. Good evening, still.

SENATOR LEONE (27TH):

Good evening, Madam President. You are correct. It is still evening. Hopefully we will get out of here before it turns into the next day, I hope.

THE CHAIR:

From your mouth to God's ears.

SENATOR LEONE (27TH):

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

THE CHAIR:

Motion is on acceptance and passage. Will you remark further, sir?

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SENATOR LEONE (27TH):

Yes, I will. Thank you very much. Madam President, the bill before us this evening is an act making changes to the Department of Consumer Protection statutes. This is our annual large bill making technical changes to various sections, upgrading consumer protections, conforming to federal standards, so it's comprehensive but it's something that the entire committee has worked on and worked with various members to come to consensus for this bill. With that, Madam President, the clerk is in possession of an LCO Amendment 7837. I would ask for that amendment, please.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 7837, Senate "A" offered by Senators Witkos, Leone, et al.

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. I move the amendment and seek leave to summarize.

THE CHAIR:

Motion is on adoption. Will you remark, sir?

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SENATOR LEONE (27TH):

Yes. Again, as mentioned, this is a strike-all bill which will become the bill. It has various sections again making these technical changes, upgrading these consumer protections and also conforming to federal standards. I'll briefly go through some of the sections and if there's any questions, I'd be happy to answer them.

We have a section addressing the liquor control commission. This was a drafting error from last year, so there's a correction to that. We have the wholesaler territory adjustments, which would allow certified mail, rather than just registered mail to be delivered. We addressed real estate brokerage businesses by allowing limited liability partnerships to operate as a real estate brokerage business in this state. There's some water bottling standards in here and basically it is to update federal guidelines. I know we've had many issues with bottling standards but we have talked with the industry. It's all about establishing federal guidelines, so there's nothing controversial there.

We removed a section with rent-to-own agreements because there was confusion a four month window, so the industry is willing to work with us next year. There's another section in here about guarantee funds and pricing. There are times when registrants who used the guarantee funds failed to pay the fund back and this would give the department flexibility to work with them to pay back the fund but if they don't, they would be able to pull their license. It is noted that in best case scenarios, you don't want to pull someone's license cause you -- they need to

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be able to work to pay it back. So it would only be a last resort.

There's a section in here about drug wholesalers and distributors. Again, this would to confirm the current prescription drug distribution practices and federal standards. There is a section here on the pharmacy commission. This gives DCP's drug control division the flexibility of placing conditions on licenses rather than refusing to issue or renew. So right now, they can only reassure, renew, and then they would have to shut down a business. This would give them flexibility where they don't have to go so extreme and just place conditions.

There's a section in here for sheet metal work definition. This is updating what sheet metal work is. It -- to reflect current industry practices. It incorporates uses of new materials due to environmental requirements or safety issues. So again, it's updating the standards. There is a section in here for homemaker companion agency on the surety bond. This would be an amount that the homemakers would have to have as a surety bond, up to \$10,000 dollars. These -- this price was derived from a 2013 survey so it's something that everyone has agreed to.

We also have a section here on lapsed credentials. This is to provide a catch all language for any lapsed credential where the statures are silent. There is an interesting section here on adulterated food clean up. This would allow the any entity that is responsible for the production or storage or transportation of food that is adulterated. It would be the person who was responsible for it, rather than what the previous language said would be

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the last person who was holding the product. So it would conform to who actually caused the harm that would be responsible.

We have a section in here on institutional pharmacy with sterile compounding, and an institutional pharmacy is a caregiving institution -- mainly hospitals and correctional facilities -- that are also regulated by the drug control division and there was a definition to include them as a sterile compounding pharmacy, which they are not all the time. And a sterile compounding pharmacy are those that actually crush and put together the prescriptions on site at the pharmacy so you can be -- you can be a sterile compounding pharmacy and an institutional pharmacy, but you are not always an institutional pharmacy and a sterile compounding -- so it separates the two.

There is a section here on funeral service establishment contracts. Currently they have to maintain their records. This just states they would have to also maintain them electronically. And then there is a section in here with new home contractor registration renewal. This allows any new home contractors to renew their registrations within six months after their expiration date. So it gives a little bit of flexibility there and then finally, we have a section on ticket purchasing software.

It would prevent automated ticket purchasing software from being used electronically for venues and sports events and entertainment events. These are the bots that you are sometimes familiar with when you are on websites. We want to prevent that from occurring and that we consider a consumer protective measure. So those are the sections and

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the items that we have all agreed to for the departments -- agency's bill. Again, it is a strike-all. This would become the bill and I urge my colleagues to support. Thank you.

THE CHAIR:

Will you remark further on the amendment? Senator Witkos. Good evening, sir.

SENATOR WITKOS (8TH):

Good evening, Madam President. I want to associate my remarks with my good chair, Senator Leone on the -- from the General Law Committee and I'm glad that he brought out the really long bill because there's a lot of little tweaks to a lot of different subject matters but it -- you know, we have a history in the General Law Committee that if everything is non-controversial and it passes, we just kind of group in everything to kind of expedite the business, so I'm not gonna talk a lot on the bill. I think the good Senator said everything that needed to be said, and urge the chamber's adoption. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. At this time, will you remark further on the amendment? Will you remark further on the amendment? If not, I'll try your minds. All those in favor of the amendment, please say "Aye".

SENATORS:

Aye.

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THE CHAIR:

Opposed? The amendment passes. Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. Before I ask to be -have this put on the Consent Calendar, I don't want
to be remiss. I did want to thank my Co-Chairman
Senator Witkos for all his assistance. His insight
on a lot of these issues was extremely valuable, so
I want to thank him for that, along with our chairs
and ranking down in the House. So with that, I
would offer this on Consent. Thank you.

THE CHAIR:

Seeing no objection. So ordered, sir. Mr. Clerk.

CLERK:

On Page 34, Calendar 391, Substitute for Senate Bill Number 1040, AN ACT CONCERNING NOTIFICATION TO BOARDS OF EDUCATION AND LOCAL POLICE DEPARTMENTS OF THE RELEASE OF A JUVENILE SEXUAL OFFENDER. There are amendments.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Good evening once again, Madam President. I move acceptance of the Joint Committee's favorable report and passage of the bill.

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THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR KISSEL (7TH):

Thank you very much. First, even though the title says notification to police, that portion of the underlying bill was taken out and even though it says notification to Boards of Education, it has to do with notification to the Superintendent of Schools and then he or she would determine what actions to take.

This arises from a very heart-wrenching set of things that took place that was brought to our attention by Senator McLachlan and his constituent actually came and testified, which was very brave of her -- about what took place to her two very young daughters and when they were -- well what -- over -- I'll let Senator McLachlan say the specifics but what the bill actually does is that -- because an individual is a juvenile, their records are sealed. And there's no way -- and for good reasons -- but if the victims then find themselves in the same school as the perpetrator of the crime, someone in that school system should be aware of that.

If for no other reason, to make sure they're not in the same classroom or in the same part of the building where further bad things could take place. So I urge my colleagues support for this bill. There will be a bipartisan amendment forthcoming that hopefully will allay any concerns that folks have regarding the underlying bill and I want to thank at the outset, my friend and colleague and co-

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chair of the committee, Senator Doyle for discussing this matter at length with our friends across the aisle and your caucus and again, working on that amendment very carefully. But at this time, Madam President, I'd like to yield to Senator McLachlan, if I may.

THE CHAIR:

Senator McLachlan, will you accept the yield, sir?

SENATOR MCLACHLAN (24TH):

Thank you. I accept the yield. Thank you, Madam President.

THE CHAIR:

Please proceed, sir.

SENATOR MCLACHLAN (24TH):

Thank you and thank you, Senator, for your leadership on the Judiciary Committee. I especially want to thank Senator Doyle for his hard work on this and I'm very grateful that this idea that had so many challenges right from the beginning, began to gather a little bit of steam but only thanks to the leadership of the Judiciary Committee.

My constituent had two daughters. One was age 11 and one was age 8 and both were sexually assaulted over 50 times. One was assaulted 30 times and another one -- we believe somewhere around 25 times -- by a 14-year-old and it's hard to comprehend that. It really is. But it's even harder to comprehend for the family, the way that a juvenile

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offender is treated here in the State of Connecticut and most other states for that matter.

So there didn't seem to be fairness in the punishment for this young person -- 14-years-old -- for such an egregious, dangerous violation. And so we sought a way to find -- what can we do when it is such a perilous, egregious violation that a juvenile offender has to be treated differently in this type of a case? And I understand those who were advocating for sexual assault perpetrators. I also understand, frankly, much more importantly in my mind, those were advocating for juvenile offenders and the anonymity that can go with it, assuming that they continue their lives along the -- a straight and narrow path.

So it was a difficult case here, to find a way to address this difficult situation but Senator Doyle has crafted, with the help of members of his caucus and the help of Senator Kissel -- which I think is a tremendous compromise and I want to thank them again very much for their help and assistance. Thank you, Madam President.

THE CHAIR:

Thank you. Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Good evening, Madam President.

THE CHAIR:

Senator Winfield.

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SENATOR WINFIELD (10TH):

Madam President?

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Madam -- can you -- good evening, Madam President. I rise -- I believe I stand in opposition to this bill. I want to --

THE CHAIR:

Hold on. Senator Winfield, would you do me a favor and move over and I'll give you excuse to use Senator Looney's microphone. There you go. Senator Winfield.

SENATOR WINFIELD (10TH):

Good evening, Madam President.

THE CHAIR:

Thank you.

SENATOR WINFIELD (10TH):

I rise in opposition to the bill. I would like to ask the proponent of the bill a question. I believe in his opening remarks, the proponent of the bill said that the confidentiality that the bill deals with and the erasure of records exist for good reasons. And yet, we're doing -- we're attempting

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to do what this bill does. And so, as I listen to the explanation for the bill, there was talk about the victims and the victim being able to be protected, which is something I think everybody wants to do. So it raises a question in my mind, which is -- under our current law, is there prohibition on the victim talking to the school and letting the school know that there is an issue currently?

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I am aware that in juvenile court proceedings the records are sealed but frankly, I don't know that there's any prohibition on the victim or the victim's family from being able to speak about it and that's the best answer I can give at this time. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. Through you, Madam President. If there's no prohibition, why do we need this bill?

THE CHAIR:

Senator Kissel.

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SENATOR KISSEL (7TH):

Through you, Madam President. I believe the intention of the bill is to formalize the process and actually an amendment that's soon to follow is actually going to shore up that by creating a model policy that school systems can adopt but I think the other salutatory effect of this legislation is to empower the victims and the victims' families by letting them know that there's a mechanism where this can be addressed. I think maybe right now, individuals might be hesitant because they might feel that they're disallowed from doing this. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I will reserve the remainder of my questions until after the amendment is attached to the bill. I would think that if we have good reason for having the laws that deal with confidentiality and erasure and we're concerned about what people know about the law of -- we might be better served to not eviscerate those parts of the law, which we say are important but maybe embark upon an education campaign, but I will reserve the rest of my comments until the rest of the bill is attached.

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

SENATOR DOYLE (9TH):

Still not --

THE CHAIR:

Unless you want to use Senator Kissel's?

SENATOR DOYLE (9TH):

Madam President.

THE CHAIR:

Thank you.

SENATOR DOYLE (9TH):

Thank you, Madam President. The clerk has an amendment, LCO 7929. May the clerk please call and I be allowed to summarize?

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 7929, Senate "A" offered by Senators Looney, Duff, Doyle, Kissel, et al.

THE CHAIR:

Thank you. Senator Doyle.

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SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. I first move adoption of the amendment.

THE CHAIR:

Motion is on adoption the amendment. Will you remark, sir?

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. This amendment does two main things: it first requires the Judicial Department and/or the -- DCF to notify the victim that the student is coming back to the school. So basically, it clearly gives the victim if the victim is at the school also, the victim will be notified and be aware of what's happening and then it does say that it will go -- the notification will go through, as long as the victim does not object to such notification, to the superintendent.

The second section directs the Commissioner of Education in consultation with court support services division to come up with a model policy cause the concern was expressed, you know, when the convicted child goes to the school, what's -- how's it going to be implemented? So this, basically, would have the -- will have the Commissioner of Education develop a model policy and the main points of the policy really are to assist with the integration of the child in the school setting to avoid any issues for that child but also to ensure the safety and wellbeing of the victim. So this policy basically will address both sides of the coin

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in the school to assure a smooth transition if in fact, the child were to go back to the same school where the victim is.

The policy would then be dictated and followed by the local school -- local regional school system which I believe, would provide some direction to the local school system and help both sides -- the child and the victim -- with the implementation of the child coming back to the school. I think it's a sound amendment and I urge the chamber to approve this amendment. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the amendment? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I rise in strong support of this amendment. Would like to thank Senators Looney, Duff, but in particular, Senator Doyle for working tirelessly on making this bill better and working in bipartisan fashion as this is moving forward.

I acknowledge also the concerns raised by Senator Winfield, yet as we discussed with the previous Judiciary Bill, when it's matters of sexual assault, they're very sensitive and the traumatization to the victims can be quite long-lasting but that being the case, I would urge my colleague's support for this amendment. I do indeed believe it makes this bill far better. Thank you, Madam President.

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Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. Questions about the amendment. So in the amendment — in Line 22, I guess through the end, it talks about the model policy dictating who the superintendent — who gets the information that we're talking about — can speak with about this information. So I guess my question is this: the information which is confidential that by law we would be allowing an exception to — that goes to the superintendent — the superintendent then by policy of the State Department of Education, not by law directly gets to spread this information and if I am to understand it correctly, this never comes back to this legislative body. Is that correct?

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Yes. Through you, Madam President. Well, first of all, the policy is -- there's a deadline for it to be presented January 1, '18 to give them time to come up with a policy. That being said, assuming the policy were to come in, the legislature could always pass other future legislation regarding -- if we were satisfied with what was passed. But in the sense -- the point number one -- point number two is in Lines 22 through 26 -- the question is -- I mean, I'll interpret the question is why would we

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dictating the superintendent to -- you know, to limit any information?

Basically, I see this language as setting a policy to limit the dissemination of this information to limit and protect the privacy as much as possible. I submit to the -- to Senator Winfield, from his perspective, he's frustrated that anybody would get this information but this -- these last five lines in the policy will direct the superintendent, I believe, to limit it's dissemination for such a small crowd as possible, to effectuate the intent of this statute. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. To be clear, we earlier talked about the good reasons for the law as we currently have it. We are making exceptions in that law for the superintendent. That would be a policy that is created by law that will not be directly spoken to by this legislative body, right? We will not say the superintendent can talk to x person, y person and z person. We will say that the State Department of Education will create that —that extra part.

So we won't have any direct impact on that. We -yes, of course, as with anything else -- can come
back later and create a law, but we are not
necessarily going to have to. And we're going to
allow this confidential, privileged information to
be spread by policy. Is that correct?

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THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Through you, Madam President. Yes, that's correct. So basically what this chamber -- if this piece of legislation were passed and signed into law -- it would set -- it would carve an exception to the privacy policies and you're right.

We are delegating the authority to craft the limitations of the superintendent's ability to promulgate the information and — but I do believe that to provide some flexibility to the experts at the State Board of — State Department of Education — and the court support services division, I have faith that they would come up with — especially because of our discussion here, Senator Winfield, in terms of — it's not our intention to maximize the proliferation of this information.

It's to limit it's proliferation to ensure the protection of the victim. So you are correct that we're not specifically delineated in this amendment. However, if our intention is not achieved, we of course, can come back in 2018 and narrow it or change it as we see fit. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

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Thank you, Madam President. And I want to say that I recognize the good work of all the people involved in creating that amendment. I recognize their attempt to make this bill better. The original bill, before the JFS language which became the bill, was more expansive, and then the bill was reduced so that we were only talking about the superintendent and not police, because there was a concern about the spread of information.

I recognize that this bill is concerned about the spread of information as well, but in the school setting, when you put information out beyond that superintendent, it increases the likelihood that that information is spread throughout that school system. I find that to be problematic. I find it to be highly problematic that this legislature would be doing it and not controlling it itself. If we are going to make an exception to the law, we should be very involved in that and not perhaps we will come back to pass that. So I rise in opposition to not only the bill but in opposition to this amendment and I would urge my colleagues to do the same. Thank you.

THE CHAIR:

Will you remark further on Senate "A"? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I ask for a roll call on the amendment.

THE CHAIR:

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A roll call will be had on the amendment. Will you remark further on Senate "A"? Will you remark further? If not, Mr. Clerk, will you call for a roll call vote on Senate "A"? The machine is open.

CLERK:

Immediate Roll Call has been ordered in the Senate.

Immediate Roll Call on Senate Amendment Schedule "A" has been ordered in the Senate.

THE CHAIR:

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

CLERK:

Senate Amendment Schedule "A".

Total	number	voting	36
Those	voting	Yea	31
Those	voting	Nay	5
Absent and not voting			0

THE CHAIR:

Senate "A" is adopted. Will you remark further on the bill? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much. Well, I know that there's some opposition to the underlying bill even as amended, so I'd ask for a roll call on the bill at this time.

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THE CHAIR:

Will you remark further? Will you remark further on the bill? If not, Mr. Clerk, will you call for a roll call vote and the machine will be open.

CLERK:

Immediate Roll Call has been ordered in the Senate.

Immediate Roll Call has been ordered in the Senate.

THE CHAIR:

Senator Moore, Senator Logan. Senator Moore. Vote please.

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

CLERK:

Senate Bill Number 1040.

Total number voting	36
Those voting Yea	30
Those voting Nay	6
Absent and not voting	0

THE CHAIR:

The vote -- the bill passes. (Gavel) Mr. Clerk.

CLERK:

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On Page 15, Calendar 198, Substitute for Senate Bill Number 870, AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE BOARD OF REGENTS FOR HIGHER EDUCATION. There's an amendment.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

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

THE CHAIR:

Motion is on adoption -- on passage and -- adoption and passage. Will you remark, Ma'am?

SENATOR BYE (5TH):

Yes, Madam President. I believe the clerk is in possession of an amendment, number 7678.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 7678, Senate "A" offered by Senators Bye, Linares, et al.

SENATOR BYE (5TH):

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I move the amendment, Madam President.

THE CHAIR:

Motion -- motion is on adoption. Will you remark?

SENATOR BYE (5TH):

Yes, Madam President. This amendment is to a bill. I will speak to the amendment, Madam President, and then I will speak to the bill after that. This amendment actually clarifies --

THE CHAIR:

Senate --

SENATOR BYE (5TH):

Yes, Madam President.

THE CHAIR:

Please proceed. Please proceed, sorry.

SENATOR BYE (5TH):

No problem. This amendment actually clarifies an error that was made in this chamber when we passed the endowed chairs fund. Just to make sure we're totally clear that no institution of higher education has to accept the funds from the endowed chairs fund from the treasurer. Through you, Madam President.

THE CHAIR:

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Will you remark further on the amendment? Will you remark further on the amendment? If not, I'll try your minds. All those in favor of the amendment, please say "Aye".

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment passes. Senator Bye.

SENATOR BYE (5TH):

Thank you, Madam President. Now to body of the bill. This bill actually cleans up some leftover items from the merger to create the Board of Regents. And it moves certain functions from the Board of Regents to the Office of Higher Education just to be totally clear about who's responsible for which items. Through you, Madam President.

THE CHAIR:

Will you remark further on the bill? Will you remark further on the bill? If not, Senator Bye.

SENATOR BYE (5TH):

Madam President, if there's no objection, I ask that this be moved to the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, Ma'am. Mr. Clerk. Oh, sorry. Senator Duff.

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SENATOR DUFF (25TH):

Thank you, Madam President. If we could mark the next item, calendar page 26, Calendar 315, Senate Bill 1002 as marked PT and move on to the next bill, please.

THE CHAIR:

Mr. Clerk. Page 13, please.

CLERK:

On Page 13, Calendar 171, <u>Senate Bill Number 35</u>, AN ACT CONCERNING BEVERAGES WITH ADDED SUGARS, SWEETENERS AND ARTIFICIAL SWEETENERS, AND OBESITY.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

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

THE CHAIR:

Motion is on acceptance ad passage. Will you remark, Ma'am?

SENATOR GERRATANA (6TH):

Yes. Thank you, Madam President. This bill comes to us from the American Heart Association and it

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simply requires that the Department of Public Health post ont heir website a link to the CDCs -- Center for Disease Control -- think before you drink, information about the health warnings of sugary drinks. Study after evidence-based study shows a link between sugary drinks and the obesity epidemic in the United States. It is a major contributor to our health -- a risk to our health. These beverages have no nutritional benefit.

Sugary drink consumption has risen over the past 160 years in line with obesity in the United States. The Rudd Center for Food Policy and Obesity right here in Connecticut testified before our committee and stated it is well documented that the consumption of sugary drinks has a detrimental effect on the public by increasing risk of chronic diseases such as obesity, type 2 diabetes, coronary heart disease, and fatty liver disease.

Drinking one to two sugary drinks per day puts people at a 26 percent higher risk for type 2 diabetes compared to those who drink less than one per month. A child's risk of becoming obese increases by 60 percent within every additional daily serving of a sugar-sweetened beverage and the American Academy of Pediatrics recommends that children under the age of 2 consume no beverages with sugar. I urge my colleagues to take a small but significant step in supporting the legislation that will help our constituents become aware of this sugary drinks and the alternatives to them. Thank you, Madam President.

THE CHAIR:

Will you remark further on the bill? Will you

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remark further on the bill? If not, Senator Gerratana.

SENATOR GERRATANA (6TH):

Oh yes. Madam President, if there's no objection, I'd like the item moved to our Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

Now onto page 20, please.

CLERK:

On Page 20, Calendar 262, Substitute for <u>House Bill Number 7114</u>, AN ACT CONCERNING THE SALE OF ENTERTAINMENT EVENT TICKETS ON THE SECONDARY MARKET. And there are amendments.

THE CHAIR:

Senator Witkos. Good evening, I think. Yep. Good evening, sir.

SENATOR WITKOS (8TH):

Yes. Good evening, Madam President. I move the Joint Committee's favorable report and passage of the bill in concurrence with the House.

THE CHAIR:

Motion is on adoption and passage in concurrence. Will you remark, sir?

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SENATOR WITKOS (8TH):

Thank you, Madam President. How many of you in this circle, this is rhetorical -- remember going -- getting concert tickets and being able to trade them off with friends or selling them and then over the past few years, there were conditions placed upon those where you had to show up at the venue with the number of people in your party, all at one time to be allowed in at the same time -- or you showed up and you had to have the credit card that was used to purchase the ticket and if you didn't have that, then you went through this rigmarole to make sure that you could actually enter the venue.

Well, the General Law Committee has studied this issue over several years and actually had -- one year had an in-depth study done through a working group and then last year, asked for recommendations. They were -- the recommendations weren't the best because they were -- they didn't tell us anything.

So we decided this year we were going to hold a public hearing because we believe that we could offer some consumer protection issues through this piece of legislation and I mean that in the respect that during one of the public hearings, a gentleman came in and referred to a case from 1910 saying that although you have the ticket in your hand, you don't actually own it -- that the venue owns the ticket and that you just have a license to use it for a temporary period of time and you can't transfer or sell the ticket to anybody else.

It made no sense to the members of the committee and so we agreed on some legislation that -- modeling after the State of New York. And in New York, they

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have this model legislation which they have to renew every year. Because they weren't sure moving in this direction was the way to go and it's been in place now seven years. So every year they come back and they've renewed the piece of legislation for a seven year period and what this -- what we're attempting to do this evening which was already passed by the House of Representatives -- at the time of purchase -- the person that's purchasing the ticket can ask for a hard copy of the ticket and they have to be given that option.

If you don't take it at the time of purchase, then you can get a paperless ticket. Because more and more folks are moving towards the paperless tickets but you have the option under this bill to say no, I want a paper copy of my ticket. There is also -- we heard from some of the smaller venues in our state -- the Bushnell for one, the folks -- the -- over in Oxford, Waterbury areas, some of the smaller venues over there that says we basically only give paper tickets and we only sell ours through our local box office so we would like an exemption from this piece of legislation.

So there's a carve out for venues that hold less than 3,500 people. If somebody from that facility asks the DCP to be carved out of this then they're certainly allowed to do that as well. And you'll also see in there, an exemption for students of higher education and that was on request of the colleges that sometimes offer promotional items and they give their tickets to their students or their - it's activated through their student IDs and they don't -- it would be more cumbersome from them to track to give the kids the paper tickets.

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So we felt in the committee that that was the right thing to do. And the last thing I want to suggest or offer to you is that the bill -- and violation of this would be a culpa violation, so the harmed individuals can go after the institution that is violating the law as described and I'd be happy to answer any questions. Through you, Madam President.

THE CHAIR:

Will you remark further on the bill? Senator Leone.

SENATOR LEONE (27TH):

Good evening, Madam President. I rise in support of this legislation. Working with my Co-Chair, Senator Witkos, and I thank him for the explanations for the taking out of this bill. This is a bill that is --where we believe in the General Law Committee, a good consumer bill because it provides people choices. It provides them choice in how they get their entertainment tickets for where it is that they want to go for their choice of entertainment. Whether it's a sports venue, a theatre venue, a movie venue, and so forth.

Normally you would get your ticket directly from the venue or through the main operator's license to do so but with the current technologies and the internet the secondary market has grown up in tandem and has provided other alternatives and there has been this constant discussion on how to make sure that those two types of entities can co-exist and we in the General Law Committee, many times, had to try and figure out where that happy medium was.

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This bill goes a long way towards that and then there are protections in here as Senator Witkos eloquently expressed but again, I think the most important thing here is it offers a consumers' choice on how they go about purchasing the tickets for the entertainment venues that they desire to go to and the carve out for the smaller venues that sometimes may or may not want to participate, I think is also helpful so for those that don't want to participate for the smaller venues, all they have to do is ask to be exempt and they would be allowed to do so by contacting DCP. So I think this is a great bipartisan measure and I Would urge support as well. Thank you.

THE CHAIR:

Will you remark further? Senator Bye.

SENATOR BYE (5TH):

Thank you, Madam President. Just a quick question for the proponent of the bill.

THE CHAIR:

Please proceed, sir -- Ma'am.

SENATOR BYE (5TH):

Senator Witkos, one of the things I hear from constituents is their concern that when there is a popular concert that these big companies use computers to grab all the tickets and I thought some of these measures that make it challenging in certain ways, were put in place to address this. Is there anything in this bill that addresses that

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challenge of these large ticket agencies purchasing bulk tickets, making them really not truly accessible to the public? Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. A great question, Senator Bye. The federal government passed some anti-bot legislation and the bots are the automatic things that can buy -- or large companies that buy up all these tickets to make them less available but in the General Law Committee, we felt we wanted to pass some state bot language as well. Since this bill came up from the House, we didn't want to put it on this bill to send it back down to the House, so it's actually in a bill that we had recently passed -- our DCP tech bill.

It was put into that bill as a piece of language that allows two things. It prevent — the bot language at a state level, so the attorney general could go after them and also — it's called a right of action where if a party's aggrieved that that's happening, they can actually go after the individual or the company on a civil basis as well. So it is contained with our statutes once we — it hits the governor's desk and he signs it into law. Through you, Madam President.

THE CHAIR:

Senator Bye.

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SENATOR BYE (5TH):

Thank you, Madam President. I thank the gentleman for this answer.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not, Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. If there's -- ask for a roll call vote.

THE CHAIR:

Roll call vote will be had. Mr. Clerk, will you please call for a roll call vote and the machine is open.

CLERK:

Immediate Roll Call has been ordered in the Senate.

Immediate Roll Call ordered in the Senate.

THE CHAIR:

Senator Flexer.

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

CLERK:

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House Bill Number 7114.

Total number	voting	36
Those voting	Yea	31
Those voting	Nay	5
Absent and n	ot voting	0

THE CHAIR:

The bill passes. (Gavel) Mr. Clerk.

CLERK:

Page 24, Calendar 300, Senate Bill Number 949, AN ACT CREATING AN ADVISORY COUNCIL RELATING TO DIGITAL CITIZENSHIP, INTERNET SAFETY AND MEDIA LITERACY. And there are amendments.

THE CHAIR:

Good evening, Senator Slossberg.

SENATOR SLOSSBERG (14TH):

Good evening, Madam President. Almost happy tomorrow, in a few minutes. I move the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, Ma'am?

SENATOR SLOSSBERG (14TH):

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Yes. Thank you, Madam President. The bill before us will establish a digital citizenship, internet safety, and media literacy advisory council within the Department of Education. The council will be comprised of teachers, librarians, representatives from PTOs, a variety of folks. And the purpose of the council is to provide recommendations to the State Board of Education for best practices relating to the instruction in digital citizenship and internet safety, media literacy, and the best practices for instruction.

The Education Committee received a decent amount of testimony in regard to this, in support of it, from our media specialists around the state, many of whom expressed a similar sentiment that our public schools are responsible for cultivating the skills needed in an increasingly competitive economy and that the digital age has brought a new set of obstacles to prepare students to face the creation of this advisory council will set the tone for best practices across Connecticut and ensure a high quality learning experience for all students. The clerk has in possession an amendment. It is LCO 7910. I would ask that it be called.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 7910, Senate "A". It's offered by Senators Slossberg and Gerratana.

SENATOR SLOSSBERG (14TH):

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Thank you. I move adoption.

THE CHAIR:

Motion is on adoption. Will you remark, sir -- Ma'am.

SENATOR SLOSSBERG (14TH):

Yes. Thank you, Madam President. This amendment simply makes sure that this advisory council will not cost the state any money. It will be housed within the State Department of Education and the members will be receiving no compensation and I would urge the support of the chamber.

THE CHAIR:

Will you remark further on Senate "A"? Will you remark further on Senate "A"? If not -- I'll try your minds. All those in favor of Senate "A", please say "Aye".

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate "A" is adopted. Will you remark further on the bill? Senator Suzio.

SENATOR SUZIO (13TH):

Thank you, Madam President. I just have one question for the proponent of the bill.

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THE CHAIR:

Please proceed, sir.

SENATOR SUZIO (13TH):

I would like to have an understanding of what digital citizenship consists of. Through you, Madam President.

SENATOR SLOSSBERG (14TH):

Thank you, Madam President. Through you. Digital citizenship is just the way that we teach our children about how to behave on the internet to make sure that they are good citizens, that they don't things they're not supposed to be doing.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

This is indeed strange. I'm looking at you, talking to her next to me. [Laughing] Thank you. I just was wondering if it was some form of citizenship to a club or a country or whatever, but it's obviously just a term of expression. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the bill? Senator Boucher. Senator Boucher.

SENATOR BOUCHER (26TH):

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Yes. Thank you, Madam President. Madam President, I rise to support the bill as amended. In a new age that we are living in, there are greater areas of exposure for our students, particularly on the internet. Some of it very, very good but also there are quite troubling and it is time that we do work to address this not just from the standpoint of the many debates that we've had over bullying or how to use it responsibly, but some people also use it to target young students and there are areas to beware of.

No longer is it just the concern that children might be a target when walking to school or on the street, but now it's when they're also surfing the internet as well. We've heard too many negative stories in that regard and I think it's the responsible direction for us to take in our educational system. So I urge everybody's support as well and I thank the good chairwoman for bringing the bill out. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I just have one question, if I might, for the proponent of the bill as amended, please --

THE CHAIR:

Please proceed.

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SENATOR MINER (30TH):

Thank you, Madam President. So I think it was last year, I requested some legislation which actually passed that made it clear that the responsibility for controlling internet access -- internet activity within a public school was vested with the school board. And that it didn't -- wasn't vested with any individual or any organization. Does anything in this change that policy to your knowledge? Through you, Madam President.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG (14TH):

Thank you. Through you, Madam President. No, it does not change that policy in any way.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I thank the lady for her answer.

THE CHAIR:

Thank you. Will you remark further on the bill? Senator Gerratana.

SENATOR GERRATANA (6TH):

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Thank you, Madam President. I just rise to speak in favor of the bill before us. It was actually some constituents had come to me and made me aware of some of the dangers that children and our students of course in our school system were engaging in on the internet and the work that they had done to advocate and work with these youth to educate them.

And we took this idea, actually, last year and started with some components and legislation last year, working with the State Department of Education and this year is the advisory council with which the SDE is very happy to accommodate. So I just want to say thank you very much to Senator Slossberg and the Education Committee for bringing this forward. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Will you remark further on the bill? Senator Slossberg.

SENATOR SLOSSBERG (14TH):

Sorry. [Laughing] Thank you, Madam President. If there's no objection, I would ask this item be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered, Ma'am. Mr. Clerk.

CLERK:

On page 15, Calendar 199, Substitute for Senate Bill Number 948, AN ACT CONCERNING DIGITAL DISCOUNTS TO

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REDUCE THE COST OF TEXTBOOKS AND OTHER EDUCATIONAL RESOURCES. There are amendments.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Madam President, I move acceptance of the Committee's joint favorable report, passage of the bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark sir?

SENATOR LINARES (33RD):

Madam President, the clerk is in possession of LCO 7920. I ask the clerk to please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 7920, Senate Amendment Schedule "A". It is offered by Senators Linares and Bye.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

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Thank you, Madam President. I move adoption of the amendment.

THE CHAIR:

Motion is on adoption. Will you remark, sir?

SENATOR LINARES (33RD):

And waive the reading to seek leave to summarize.

THE CHAIR:

Please proceed, sir.

SENATOR LINARES (33RD):

Thank you, Madam President. First, I would like to thank Senator Beth Bye for her work on this amendment. This was truly a bipartisan effort and I would like to also thank LCO, office of State Ethics, CHRO, the Board of Regents and UConn, for all their hard work on this amendment. Currently, there are a number of mandates in state law that create barriers for our institutions of higher education to operate efficiently and in a more entrepreneurial way.

Recognizing the fiscal challenges of our state and our higher education institutions, this bill provides relief from some of these mandates so that we can enable our higher institutions to be more efficient and to help them to secure revenue generating opportunities and industry partnerships. Specifically, the bill modifies certain procedural requirements in the contracting statutes. Under

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current law and any and all contracts entered into by a state entity must include a number of forms, affidavits, certifications and must comply with certain procedures.

These are important provisions but they are geared towards state purchasing when a state institution is using state funds to purchase goods and services. Higher education, however, enters into many other types of contracts that do not involve traditional purchases of goods and services with state funds. These are the types of contracts that are focused on in this bill: revenue contracts, non-monetary contracts, contracts involving non-state funds, international contracts, industry collaboration contracts.

There's a lot that we can do. We see other states forming these partnerships. States that border ours that are doing innovative things with businesses to create a workforce talent pipeline. They're innovating, they're attracting new talent, they're growing their economies and they're doing that by partnering with local universities. And that's what we're trying to allow our local universities to do. For these types of contracts, the state requirements often don't make sense and are — they are an impediment to working effectively.

In situations where our institutions of higher ed are competing for revenue-generating opportunities, our industry partnerships, the state requirements have made our institutions less attractive and competitive. After talking with UConn, they had said that they do over 10,000 contracts every year and if you -- in aggregate if you take a look at all of our higher ed institutions, that's 10s of

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thousands of contracts every year and the time that it takes to go through the paperwork and the administration is overbearing and there's ways that we can make that easier for them and also for our economy to benefit, for our state to benefit, for our young people to benefit.

I can tell you, I'm tired, personally, of seeing young people leaving this state. I'd like to see more of my friends stay here and I think that by allowing our universities to expand, give them the flexibility and breadth to grow, we might be able to keep more young people from leaving this state as well. So I'm very excited about this bill. I think that it's exactly what we need right now in Connecticut and I would like to yield the floor to my Senate Co-Chair, Senator Bye, if she has any comments.

THE CHAIR:

Senator Bye will you accept the yield, Ma'am?

SENATOR BYE (5TH):

Yes. Thank you, Madam President and thank you to Senator Linares for his work in our collaborative work on this. I just want to be very clear because this has been a collaborative project and the bill has changed quite a bit since it first came to Higher Education. What I want to be very clear about for legislative intent is nothing in this bill exempts UConn from meeting all the state requirements.

What it does, is it allows some of the affidavits, etcetera to be covered by a signed contract so that

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-- to make some of those international and national agreements easier to execute. We're asking a lot of our Board of Regents and the University of Connecticut and some of these collaborations are very complex but I know that I wanted to assure that the non-discrimination, the equal opportunity, all of those requirements that Connecticut has spent years of developing to make sure everybody has a fair shot, are covered in this bill and indeed they are. So I just want to be clear about that and I yield the floor back to my Senate Co-Chair.

THE CHAIR:

Senator Linares, will you accept the yield sir?

SENATOR LINARES (33RD):

Thank you, Madam President. I do. I would urge adoption of the amendment.

THE CHAIR:

I'm sorry. The -- adoption of the bill?

SENATOR LINARES (33RD):

Adoption of the underlying bill, yes. Underlying amendment and bill.

THE CHAIR:

Sir --

SENATOR LINARES (33RD):

Underlying amendment.

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THE CHAIR:

You haven't called the amendment, sir.

SENATOR LINARES (33RD):

Oh, my apologies, Madam President. It's getting late in the evening --

THE CHAIR:

You did. I'm sorry. I missed it.

SENATOR LINARES (33RD):

We did call the amendment, okay.

THE CHAIR:

I apologize. Sorry, Senator. I apologize. Okay. So, I will try your minds. All in favor of Senate "A", please say "aye".

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate "A" is adopted. Senator Linares.

SENATOR LINARES (33RD):

Thank you, Madam President. If there's no further comment, I'd like to move this to the Consent Calendar.

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THE CHAIR:

Is there any objection? Senator McLachlan, is that an objection, sir? Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. And thank you to Senator Linares and Senator Bye and others who obviously have put a lot of time and effort into this particular legislation. I must say that I'm very alarmed -- although this does affect higher education -- that this bill did not come before the Government Administration and Elections Committee.

The reason for my alarm is that you are dealing with issues that were addressed in clean contracting reforms that were done by this legislature a number of years ago, following a pretty terrible case of contracting corruption here in the State of Connecticut. And so, my concerns are as follows: this legislation seeks to exempt the University of Connecticut from rules and regulations that exist for every other part of Connecticut State Government.

Yes, it is streamlining the certification process for the contractor stating certain truths of the contract -- that they haven't accept gifts and things of that nature. That's a piece of paper. That's a very important thing. They're incorporating that into the main contract instead of a separate certification. But where I am having a very difficult time understanding is why we are exempting the University of Connecticut from the normal purchasing process for the purchase of

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equipment, supplies or services or the lease of personal property.

We're also exempting them for a contract for anything to be used outside of the United States or where another party to the contract is outside the United States. Frankly, the University of Connecticut shouldn't be spending any money except in Connecticut, in my humble opinion, but we're exempting their sunlight on this -- on these contracts and the purchase process for an entity outside of the United States.

This is not a -- an appropriate move for this state legislature to unwind some of the very important legislation past going on 10 years ago, I believe it was, and for those reasons, I urge rejection of this proposal. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not, Mr. Clerk, will you call for a roll call vote and the machine is going to be opened.

CLERK:

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

THE CHAIR:

Sneator Flexer, please cast your vote.

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

CLERK:

Senate Bill Number 948.

Total	number	voting	36
Those	voting	Yea	31
Those	voting	Nay	5
Absent	and no	ot voting	0

THE CHAIR:

The Bill passes. (Gavel) Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, will the clerk now please call calendar page 26, Calendar 315, Senate Bill 1002.

THE CHAIR:

Mr. Clerk.

CLERK:

On Page 26, Calendar 315, Substitute for <u>Senate Bill Number 1002</u>, AN ACT DESIGNATING VARIOUS DAYS, WEEKS, MONTHS AND STATE SYMBOLS AND NAMING A STATE OFFICE COMPLEX.

THE CHAIR:

Senator McLachlan. Good morning, sir.

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SENATOR MCLACHLAN (24TH):

Good morning, Madam President. I move acceptance of the Committee's joint favorable report and passage of the bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. This is an annual bill for the state legislature that seeks to honor people special days and months of the year and it requires a collaboration of support from all of the legislature but there are literally hundreds and thousands of people across the State of Connecticut that have advocated for various parts in this bill. Madam President, the clerk should have an amendment, LCO Number 7934.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 7934, Senate "A" offered by Senators Flexer and McLachlan.

THE CHAIR:

Senator McLachlan.

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SENATOR MCLACHLAN (24TH):

Thank you, Madam President. I urge adoption of the amendment.

THE CHAIR:

Motion is on adoption. Will you remark, sir?

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. And so as I mentioned, this amendment is the latest iteration of these very special honors to the State of Connecticut. One that we had to make an added-on was to honor Former Lieutenant Governor Joseph Fauliso and the governor has agreed that that's an appropriate honor but he has something even more special in mind and so we'll await his input on this in the coming month or so. I urge adoption of the amendment. Thank you, Madam President.

THE CHAIR:

Will you remark on the amendment? If not, I'll try your minds. All those in favor say "aye".

SENATORS:

Aye.

THE CHAIR:

Opposed? Amendment is passed -- adopted. Will you remark further on the bill? Senator McLachlan.

SENATOR MCLACHLAN (24TH):

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Thank you, Madam President. The amendment becomes the bill and I urge adoption and if there's no objection, I'd ask it be added to the Consent Calendar.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I'd like to thank my Co-Chair, Senator McLachlan for his good work on this bill. I hope that the Senate will support this measure but I would like to call an additional amendment. The clerk is in possession of LCO Number 7649. I would ask that the clerk please call the amendment and that I be granted leave of the chamber to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 7649, Senate "B" offered by Senators Duff and Flexer.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

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Thank you, Madam President. Madam President, this amendment just changes the effective date of this section to say that the entirety of this legislation will be effective upon the passage of a biennial budget for the biennium that ends on June 30, 2019. I urge adoption and -- I move adoption of the amendment.

THE CHAIR:

The motion is on adoption. Will you remark further on the amendment? On Senate "B"? If not, I'll try your minds. All those in favor, please say "Aye".

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate "B" is adopted. Senate "B". Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. Seeing no objection, I'd ask this be added to the Consent Calendar.

THE CHAIR:

Seeing no objection. <u>So ordered</u>, sir. Mr. Clerk.

CLERK:

On Page 16, Calendar 210, Substitute for Senate Bill Number 835, AN ACT CONCERNING MINOR REVISIONS TO ENVIRONMENT-RELATED STATUTES AFFECTING VARIOUS

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PROGRAMS OF THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION. There are amendments.

THE CHAIR:

Senator Kennedy. Good morning, sir.

SENATOR KENNEDY (12TH):

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

THE CHAIR:

Motion is on acceptance and passage. Will you remark further?

SENATOR KENNEDY (12TH):

Yes. This bill is -- comes to the Environment Committee at the request of an agency. The Department of Energy and Environmental Protection that seeks to modernize and streamline a number of their procedures, minor procedures, that's kind of a mixed group clarifying water pollution control permits, emission standards, that kind of thing and so I think it's a good bill. It's business friendly and consumer friendly and I urge my colleagues to adopt it. There is an amendment as well. It's LCO Number 7595. Would the clerk please call the amendment?

THE CHAIR:

Mr. Clerk.

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CLERK:

LCO Number 7595, Senate "A" offered by Senators Miner, Kennedy, et al.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

Yes. So very briefly, this is -- this amendment adds a new section to the existing bill. So the existing bill has a total of eight sections, very different subject matters. This amendment clarifies and extends a deadline for a paint stewardship program that is being offered by Senator Miner and myself and I urge the chamber to adopt this amendment.

THE CHAIR:

Will you remark on the amendment? Will you remark on the amendment? If not, I'll try your minds. All those in favor of Senate "A", please say "Aye".

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate "A" is adopted. Will you remark further? Senator Kennedy.

SENATOR KENNEDY (12TH):

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Yes, Madam President. If there's no questions regarding this bill, I'd like to suggest that we add that to the Consent Calendar.

THE CHAIR:

Is there any discussion? Any objections? Seeing no objection. So added. Mr. Clerk.

CLERK:

On Page 17, Calendar 233, Senate Bill Number 572, AN ACT CONCERNING TUITION TRANSPARENCY AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Good evening, Madam President. I move acceptance --

THE CHAIR:

Good morning, sir.

SENATOR LINARES (33RD):

Good morning, Madam President. Oh, I didn't see that. I move acceptance of the Committee's joint favorable report and passage of the bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

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SENATOR LINARES (33RD):

Thank you, Madam President. This bill requires that the states constituent units for higher education — to post on their respective websites an itemization of tuition revenue expenditures from the previous academic year that equal at least 5 percent of their revenue. The post must use graphics to depict the itemizations. Additionally, the bill requires each constituent unit to include on the student's fall tuition bill, the website's address where this information is posted.

Senator Boucher and Representative Ziobron have been big advocates in making sure that parents and students that are in some cases — in most cases — borrowing large amounts of money, investing it in their future through higher education — they want to know and get a better, a clearer picture at exactly where the money is going, the transparency in their tuition dollars and their investments in higher education. And after thinking through this with Senator Bye and the Co-Chairs on the Higher Education — we agreed that this was something we needed to take a stronger look at and so this is a way that we think we can do it.

Provide the information, make it accessible to people on the constituent unit's websites so that folks can get a crystallized view of transparency at these public institutions. I think it's a good bill and I think it will be helpful for all the young people that are looking to go to school and study in Connecticut and especially to their parents who want to know where those dollars are going. Thank you, Madam President.

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THE CHAIR:

Thank you. Will you remark further? Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you, Madam President. Madam President, I rise to of course, support this bill and I thank the Chairs of the Higher Education Committee for taking this very seriously. There is no question that in today's world, parents and students have become much more astute consumers. They are doing a whole lot more comparison and they visit a lot more schools, shop around, and try to do some research.

And I think that there's a great deal of complexity today in higher education finances with regards to how tuition is assessed, where tuition goes, what percentages of that tuition actually goes to that education, what part of it might go to subsidize other student's education and scholarships and I think that that makes a better consumer all around and I applaud the chairs of the committee thinking about the parents and students in this entire endeavor, given all of the challenges that we have financially and in particular, I think it even helps the institutions of higher education to take a closer look at what they are providing as information and sometimes by that exercise itself, makes the operation of the university even better.

They're a lot more aware of what their costs are and what comparison, by the way, with other institutions that are similar to them are doing as well. So I just want to thank again the chairs of the higher

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education committee to moving this bill forward. It's a great consumer protection in essence bill and disclosure and transparency making better consumers and helping parents and students. Thank you again. Thank you, Madam President.

THE CHAIR:

Thank you. Senator Bye.

SENATOR BYE (5TH):

Again, Madam President, I want to thank Senator Boucher for this bill and Representative Ziobron and my Co-Chair Senator Linares. Just a question for legislative intent and clarification, to Senator Linares. Through you, Madam President.

THE CHAIR:

Please proceed, Ma'am.

SENATOR BYE (5TH):

Through you, Madam President. Through some of the public hearing process on this bill, questions came up related to how can the constituent unit separate out the different pots of money, so they get money from the state, they get money from tuition — this is specific to where the tuition dollars go.

But I know for example, the state requires reporting on how school readiness dollars are spent and I know as a program director, it was very difficult for me to say, okay, these dollars came in and these dollars went out. How do we hold the universities to this and make sure that in fact, we're getting an

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accurate representation of those tuition dollars? Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Madam President. The goal is to take a look at certain appropriations are larger than 5 percent of the appropriated tuition dollars and by limiting it to 5 percent, we feel that it is large enough to -- for it to mandate its single line item. We also will be kind of raising awareness to the fact that we want to pay attention to tuition dollars in particular. So we are asking the constituent units to take a look at that and to make sure that is itemized on the website.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. I thank the gentleman for his answers. I would just say this is going to present some challenges going forward and I think the Committee's gonna need to look at this as over the years -- to make sure that we achieve our goal. Through you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Senator Linares.

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SENATOR LINARES (33RD):

Thank you, Madam President. And if there are no objections, I'd like to place this on the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

On Page 16, Calendar 215, <u>Senate Bill Number 635</u>, AN ACT EXTENDING THE DEADLINE FOR APPROVAL OF PUBLIC-PRIVATE PARTNERSHIP PROJECTS. There's an amendment.

THE CHAIR:

Senator Flexer. Good morning, Ma'am.

SENATOR FLEXER (29TH):

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

THE CHAIR:

Motion is on acceptance and passage. Will you remark?

SENATOR FLEXER (29TH):

Yes. Thank you, Madam President. Madam President, this piece of legislation before us this morning extends the deadline for the approval of public-

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private partnership projects. The current law expired on January 1, 2016. The legislation before us would extend that deadline until January 1, 2020. This idea came to us from my good colleague, Senator Carlo Leone and I thank my Co-Chair, Senator McLachlan for his work on this bill and I hope that the chamber will support it. Thank you, Madam President.

THE CHAIR:

Will you remark further on this bill? Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. I stand for the purpose of endorsing this bill wholeheartedly. I'd like to thank Senator Leone for bringing it to our attention. In 2011, the idea of a public-private partnership was a very exciting proposal for the Connecticut General Assembly. Unfortunately, in that five year period of the availability of the program, the governor was unable to identify a project that was appropriate for public-private partnership. This extension hopefully means that he has some ideas in mind for us in the future and I look forward to welcoming those proposals and hope that they come soon. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on this bill? Will you remark further on the bill? Senator Suzio, are you standing? Oh. Senator Leone.

SENATOR LEONE (27TH):

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Thank you, Madam President. I rise in support of the bill and I want to thank the chairs of the committee for bringing out this bill and I think it's a good measure for our state, for extending the time frame on P3s -- public-private partnerships -- and the reason why I state that is as we move forward trying to find funds for our infrastructure needs, specifically transportation and others, P3s are a tool that potentially could be useful and when we saw that the deadline was about to expire, that option was to be eliminated from the State of Connecticut.

So it seemed to me that it would make sense to at least extend it, especially given the current administration where it's been stated that a lot of transportation needs for the future will be mainly through P3s -- or potentially mainly be through P3s. So if that were to be true, as things proceed forward, it makes sense that Connecticut is in a position to participate and obtain any of those funds if they do come down the road and so it's with that I thought this would be a good measure.

I appreciate the chairs of the Committee for their support in bringing this out and then if we need to adjust the measures in any meaningful way, we can always do so in subsequent years. So again, I thank everyone for their support and I would urge support of the bill. Thank you.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? Senator Flexer.

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SENATOR FLEXER (29TH):

Thank you, Madam President. If there's no objection, I move that we place this item on our Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

On Page 33, Calendar 383, Substitute for Senate Bill Number 366, AN ACT REQUIRING A PARTY TO REIMBURSE THE STATE OR A MUNICIPALITY FOR THE WAGES OF AN EMPLOYEE WHO IS SUBPOENAED TO TESTIFY IN A LEGAL PROCEEDING. There's an amendment.

THE CHAIR:

Senator Kissel. Good morning, sir.

SENATOR KISSEL (7TH):

Oh yes. Good morning. Nothing like morning in the Senate. I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR KISSEL (7TH):

Thank you very much, Madam President. This great idea was brought to the Judiciary Committee's

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attention by Senator Fasano. It indicates that a person issuing a subpoena for a municipal employee must reimburse the municipality for cost of the employee attending court and applies to civil matters only and is not even apply to tax assessor and property tax appeals and the clerk is in possession of LCO Number 7583. I would ask him to call that.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 7583, Senate "A" offered by Senators Fasano and Kissel.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

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

THE CHAIR:

Motion is on adoption. Will you remark, sir?

SENATOR KISSEL (7TH):

Thank you very much, Madam President. What that -this amendment does is simply tighten up the
language of the underlying bill, makes it clear that
it applies only to municipalities and does not apply

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to the state and the overriding purpose of the bill is really to give municipalities some relief. Essentially what happens now is that attorneys and civil matters will issue a subpoena and the town employee -- whether it's a building inspector or someone from planning and zoning, law enforcement, basically sit around for almost an entire day waiting to be called.

There's no rush for the attorney to call the individual up and the town ends up having to pay that person in any event, and so that's just lost money to the town. This is a way for the town to recoup and what will also happen is if you're -- if the attorney -- and it doesn't necessarily have to be attorney, but most likely will be -- is in the middle of some kind of litigation and they know that there's this out-of-pocket expense, they will work very hard to minimize that expense by scheduling things in a far more timely manner.

If it's a deposition or a court date, they will make sure that it's finely tailored as opposed to now, there's no downside to just having the person sit around and that's a cost to the towns. And there's a mechanism also where within a certain period of time, the amount of hours expended by that town employee will be calculated by the head of the town, whether it's the town manager, first selectman, it doesn't include pensions or stuff like that, but it's just based upon the salary and that bill will be given to whoever issued the subpoena and then within a certain period of time -- I think it's 30 days -- and then 30 days -- that bill will have to be paid and so I would urge adoption of the amendment and ask for a roll call.

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THE CHAIR:

Will you remark further on the amendment? Senator Winfield. Please use Senator Looney's microphone.

SENATOR WINFIELD (10TH):

Thank you, Madam President. A couple of questions for clarification.

THE CHAIR:

Please proceed, sir.

SENATOR WINFIELD (10TH):

Thank you, Madam President. So Lines 18 through 23. Can you clarify for me how this changes what we were originally doing in the bill?

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

I don't have those lines in front of me. So if you want to tell me what those lines say.

THE CHAIR:

Please proceed, Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. And through you, Madam President. Briefly, the provisions of sub-section i

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of this section shall not apply when 1, a state party -- a state is party to the action. 2, a municipal employee or the municipality employee employing such employee is a party to the action or 3, a tax assessor or an employee of the Office of the Tax Assessor is summoned to testify in a civil or administrative proceeding concerning a municipal property tax assessment appeal.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Through you, Madam President. My understanding is that this -- we didn't have the carve out for municipalities. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

So -- but that's what I'm trying to clarify. Like, what we are carving them out --

THE CHAIR:

Senate will stand at ease for a second. (Chamber at ease) Senate will come back to order. Senator Kissel.

SENATOR KISSEL (7TH):

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Thank you and again, what the amendment attempts to do is tighten it up and clarify that the exceptions are if the state is a party, if the town or municipality is a party, if the town employee is a party, cause that would be not fair, and if it's an -- like a tax assessment or appeal. So it just clarifies those four exceptions. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. So if they're a party to the action. So no matter what side of the action they're on, they're included, correct? So then, when would the provisions of the bill apply?

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Through you, Madam President. When that individual's being called, either for a deposition or two be — to testify at the — in the trial. Let's say — for example, let's say a developer is develop — submits their plans for a development of the — to the planning and zoning department. They get denied and the developer feels that it was unfairly denied and then files some sort of suit and as part of the litigation, calls in individuals from the planning and zoning department to testify.

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It would apply to that if the member of the planning and zoning department felt that they were wrong, and they sued the town and the town then subpoenaed them — that would not apply. So it's when town employees get called, either in a deposition or to appear at a trial but they're not a part of that trial, they're merely offering evidence between two other parties. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Unless it -- through you, Madam President. Unless the town is a party to the action itself?

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Correct. It could -- another example could be -- let's say there is -- an accident -- and you need to talk to the police officer who did the police report and so you need to do a deposition as to all the things that the police officer did to get that police report entered into as evidence. You would -- you could subpoen the police officer to come be deposed or appear at the trial and town wouldn't be a party to that suit, so that's probably a better example. Through you, Madam President.

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Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. And through you. First, I want to thank Senator Kissel for clarifying that for me. I was having a bit of a hard time understanding when it would apply. Another question, because I know that after the 14 days to hand over the itemized bill, basically, and then the 30 days to pay it, one would have to pay and if it weren't an attorney or someone of means, it could be an issue. Did we contemplate the issue and the difficulty that some people who might actually need these people to come and be a part of their action might experience in paying and is there anything in the bill that — the bill or the amendment that deals with that?

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. We did contemplate that as a possibility but the bill as amended would not deal with a person who may not have the means to move forward to pay for someone subpoenaed to be a witness. They would -- I mean, at this point in any litigation they would have paid to file their lawsuit, they would have paid to file their lawsuit, they would have paid whatever fees are associated with the Superior Court for the lawsuit and so lawsuits have expenses. This would just be another additional one but if that litigant was successful, they -- I'm sure they could

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recoup these expenses. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. And one final question and perhaps a statement after that. So under the way that we currently operate, is there any payment that goes to the municipality or is the municipality completely out of payment when a situation like this arises?

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

I'm sorry. If you could just repeat the question.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Happy to repeat the question, Madam President. So what I'm trying to figure out is under the way we currently operate, if one of these situations arises, I recognize we're trying to make the municipality whole. What I'm asking is, is there any payment that goes to the municipality of any sort to compensate the municipality in any way?

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THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Through you, Madam President. No. That's why this litigation -- that's why this litigation -- that's why this legislation before us. There's just -- there's no mechanism for the town to recoup its costs and so the two goals of this legislation are reimbursement but also if you subpoena a town employee, right now there's zero incentive to do it in a timely fashion and so they're there all day. If somebody's paying then they're gonna maybe limit that time frame to one or two hours. Through you, Madam President.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. And I guess I have to thank Senator Kissel for clarification. I had believe and I thought in the Judiciary Committee, we talked about a nominal fee that went to the municipality. I recognize that wouldn't completely recoup the cost but I thought there was something in place, so I appreciate that information.

I have appreciation for what we're trying to do with this bill and the amendment but I am concerned about those individuals who we contemplated having financial issues and don't actually cover here so I will be a no on this amendment that becomes attached to the bill and becomes part of the bill. I'll be a

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no on the bill when we vote on the bill. I thank Senator Kissel for his answers.

THE CHAIR:

Thank you. Will you remark further on Senate "A"? Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. I stand briefly for comments on the bill.

THE CHAIR:

We're on the amendment, sir.

SENATOR MCLACHLAN (24TH):

On the -- thank you. On the amendment. Thank you, Madam President.

THE CHAIR:

Please proceed, sir.

SENATOR MCLACHLAN (24TH):

Thank you. I'd like to encourage support for this and just share with you very briefly, an experience in my home town where I witnessed five city employees sitting in court. One for three days, one for four days, and one for five days, all on one case and the person that was there five days was our building inspecting and it felt like the whole building department came to a grinding halt while we had to wait for him to return to get some work done.

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So it -- you know, that's a case where the city of Danbury got no reimbursement whatsoever for all of those resources hanging out in court and the party who brought suit was not successful and yet the city still had these very tremendous costs. So I think that's what we're trying to do is give some relief to municipalities but even more importantly to local taxpayers that have to pay for it. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the amendment? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. I'm hoping that perhaps I can address some of Senator Winfield's concerns with respect to this bill. First, what the original bill did was include state in it and not have a carve out for when municipalities were actually a party in the litigation. So this would get rid of state employee issues and this would get rid of any party -- any litigation matter such as assessment appeals where the town was part of the litigation because the subject matter of the assessment -- the assessor would be called in and the private individual should not have to pay for that assessment and that's a common litigation that occurs with towns and assessors are required and the idea was not to have a constituent or citizen pay for that.

So we carve that out. We talk a lot about municipal relief and municipal obligations. This is a

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municipal relief bill. I'm a lawyer. If I want to subpoena the building official as Senator McLachlan said, at 9 o'clock in the morning and I could have him sit there from 9 to 5 and I'm not paying him, I'll have him come from 9 to 5. And when I fit him in my trial, I'll fit him in my trial. But if I'm paying an expert to come in, I'm gonna make sure that I plan that testimony for the time that that expert is needed on the stand so I limit the amount of time I have to pay that expert.

Right now that's not what's happening. What's happening, lawyers are able to subpoena zoning officers, engineers, zoning — town engineers, assessors, etcetera to the trial, let them sit there, while you're waiting for your case as a lawyer cause there's no downside. But the town is suffering. So the idea is to make that money up. Currently, under the law, there is no money you pay other than sheriff billed to subpoena to have their presence.

Let me say a few other things. As a lawyer, I have two choices. If I bring in a certified record of the engineer or a certified record of the zoning officer, I don't need their testimony because I could pay to get a certified record. But if I'm kind of lazy, I just subpoena the person to bring all your records and I don't have to go down there, make copies, have them certified, pay the copy fee - I could just send out a subpoena for \$50 bucks, they're gonna sit in court till I'm ready with all the documents I want.

So that abuse is going on and when you think about it, what was brought to my attention from my town was the fact that they were running into

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particularly zoning issues, where there was appeal on zoning cases and they bring in the inland wetlands officer, the zoning officer, the building official, the zoning officer, buy a subpoena, and you have to wait there -- and you wait. Sometimes that's leverage for court too. Sometimes it's leverage, let's settle this thing. I got five of your employees sitting in the gallery waiting to be called and I got em for three days.

So the idea was to say, let's give relief to municipalities. This is a way to give relief and number two, it inspires a lawyer who wants them there to be more efficient with the town employee and have him spend less time in court and more time in our town halls. Also, as I said, it may even get less people coming to court because they'll say rather than paying them, I'll get the 25 cent copy - or I guess it's \$2 dollars now -- for a copy of a certified record and I don't need them to come.

So that's the point. It's kind of gotten out of hand. I see it in practice. I see it when I go to court and that's what this is trying to do. I take into account Senator Winfield's comments that there are people who are on tough financial means and that would be a cost. This is not an exorbitant cost, number one, and number two, if you're bringing a case of this magnitude, you're gonna have an expert that you're ready to pay for it any rate. So Madam President, I support the amendment as a municipal relief, as a judiciary relief bill and I thank you and I look forward to its passage.

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Thank you. Will you remark further on the amendment? Will you remark further on the amendment? If not, Mr. Clerk, will you call for a roll call vote? The machine will be open.

CLERK:

An immediate Roll Call has been ordered in the Senate. Immediate Roll Call vote on Senate Amendment "A" has been ordered in the Senate.

THE CHAIR:

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

CLERK:

LCO Number 7583.

Total number voting	36
Those voting Yea	18
Those voting Nay	18
Absent and not voting	0

THE CHAIR:

The senate will stand at ease. (Chamber at ease)

The chair will vote may and the machine is closed. And so the amendment fails. At this time -- Senator Duff.

SENATOR DUFF (25TH):

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Thank you, Madam President. Madam President, I move that we PT this bill, please.

THE CHAIR:

The bill will be PT. Mr. Clerk.

CLERK:

On Page 23, Calendar 286, <u>Senate Bill Number 986</u>, AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR MINOR AND TECHNICAL REVISIONS TO STATUTES CONCERNING GOVERNMENT ADMINISTRATION. There are amendments.

THE CHAIR:

Senator Duff. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Can we stand at ease for a moment, please?

THE CHAIR:

Senate will stand at ease. (Chamber at ease)

The Senate will come back to order. Senator Flexer.

SENATOR FLEXER (29TH):

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

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Motion is on acceptance and passage. Will you remark, Ma'am?

SENATOR FLEXER (29TH):

Yes. Thank you, Madam President. Madam President, like other committees, this is the Government Administration Elections Committee technical revisions from the Legislative Commissioner's Office and I urge the chamber to support this measure. Thank you, Madam President.

THE CHAIR:

Will you remark further on the bill? Will you remark further on the bill? Senator Somers.

SENATOR SOMERS (18TH):

Yes --

THE CHAIR:

Good morning, Ma'am.

SENATOR SOMERS (18TH):

Good morning, Madam President. The clerk is in possession of LCO 7938 and I ask the clerk to please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

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LCO Number 7938, Senate "A" offered by Senators Fasano and Somers.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Yes. Thank you, Madam President. I move adoption of the amendment and waive the reading, and --

THE CHAIR:

Motion is on adoption.

SENATOR SOMERS (18TH):

Thank you.

THE CHAIR:

Please proceed.

SENATOR SOMERS (18TH):

Yes. This amendment would effectively, prior to locating any state police gun range in any municipality, the municipality proposed as the host of such gun range could by binding referendum, prevent the construction of such gun range in their municipality.

This is designed because as many of you in this circle know, the idea of building a state gun range has traveled from town to town along Connecticut and

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there are towns in the northeast corner as well as across Connecticut that are very opposed to having a state gun range in their town and I believe as do many others, that if something of that nature's going to go into your municipality, as a former municipal leader, the municipality has a right to vote on whether they would like to have something like that within their municipality. So I urge adoption of this amendment.

THE CHAIR:

Will you remark on the amendment? Will you remark on the amendment? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move that we pass temporarily on this bill, please, and move to the next bill.

THE CHAIR:

So moved. Mr. Clerk.

CLERK:

On Page 15, Calendar 201, Substitute for Senate Bill Number 972, AN ACT CONCERNING TUITION INTEGRITY AT FOR-PROFIT INSTITUTIONS OF HIGHER EDUCATION. There's an amendment.

THE CHAIR:

Senator Bye. Good morning.

SENATOR BYE (5TH):

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Good morning, Madam President. I had to take off my Northface jacket to bring out my bill. This evening, it's a little chilly in the chamber.

THE CHAIR:

It sure is.

SENATOR BYE (5TH):

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

THE CHAIR:

Motion is on acceptance and passage. Will you remark?

SENATOR BYE (5TH):

Yes. Madam President, the clerk is in possession of an amendment, LCO 6720.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 6720, offered by Senators Bye, Slossberg, et al.

THE CHAIR:

Senator Bye.

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SENATOR BYE (5TH):

I move the amendment, Madam President.

THE CHAIR:

Motion is on adoption. Will you remark, Ma'am?

SENATOR BYE (5TH):

This amendment simply clarifies that the -- this bill refers to all federal financial aid. Through you, Madam President.

THE CHAIR:

Will you remark on the amendment? Will you remark on the amendment? Senator Linares.

SENATOR LINARES (33RD):

Thank you, Madam President. A couple questions for the proponent of the bill.

THE CHAIR:

Please proceed.

SENATOR LINARES (33RD):

I had heard a discussion prior to walking into the chamber. A question came up, what is tuition integrity? Through you, Madam President.

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Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. I ask the gentleman if his question is about the amendment or about the bill?

THE CHAIR:

It's not on the amendment, sir?

SENATOR LINARES (33RD):

On the amendment, Madam President.

THE CHAIR:

Senator Bye, is it within the amendment?

SENATOR BYE (5TH):

Well, through you, Madam President. The LCO labels the bills by tuition integrity, I think it is referring to the idea that tuition is used for the purposes of educating students. Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Madam President. I'll reserve further questions for the underlying bill.

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THE CHAIR:

Thank you. Will you remark further on the Senate -- on Senate "A"? Will you remark further on the amendment? Seeing none. I'll try your minds. All those in favor of the Amendment, please say "Aye".

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate "A" is adopted. Senator Bye.

SENATOR BYE (5TH):

Thank you, Madam President. This bill is a very important bill for higher education this year. It's doing one main thing, which is protecting taxpayer dollars and the reason that this bill refers specifically to for-profit colleges and how they spend their dollars is that on average, for-profit colleges do behave differently than other colleges. 70 to 80 percent of their revenues come from federal financial aid programs.

That's very different and in Connecticut for example, 23 out of 25 for-profit institutions receive over 70 percent of their revenue from federal sources. So these are tax dollars and this bill is designed to assure the taxpayer dollars designed to support students education are indeed being used to support student education. Through you, Madam President.

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THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Madam President. I have a question for the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR LINARES (33RD):

Thank you, Madam President. Through you. Senator Bye, is there -- are there percentage requirements in this bill that you're asking certain institutions to hurdle and can you explain that? Through you.

SENATOR BYE (5TH):

Yes. Certainly and I appreciate the question. This bill sets a pretty low threshold actually asking that federal financial aid dollars that are there to support students — that at least 50 percent are used on student instruction. Half. That's all it's asking, that no more than 15 percent of those federal dollars be used for marketing. Nothing in this bill speaks of the tuition dollars that parents pay or students pay. This is simply saying, of the federal financial aid dollars. So those thresholds are there to protect the federal dollars that are being used to educate students. Through you, Madam President.

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Senator Linares.

SENATOR LINARES (33RD):

Thank you, Madam President. Thank you, Senator, for your answer. I know it's getting late into the night and you and I had — have had many discussions on this bill before. I appreciate the intent of this. You are looking to protect students and after our discussions, I know that's where you heart is, that's what the aim is and so I appreciate that.

I do have concerns that when we are telling private institutions to spend a certain amount of money on different aspects of their business that I feel would be best left to them to decide and so that's why I'm opposed to this bill but I do appreciate the Senator's work and the advocates who are as I understand trying to do what they think is best for students. I do have concerns as mentioned ultimately the for-profit private college industry is booming right now and I don't want to do anything to slow that down, especially when in this State we can certainly use that kind of economic growth and ingenuity. So I'll be opposing this bill, Madam President. Thank you.

THE CHAIR:

Will you remark? Senator Hartley.

SENATOR HARTLEY (15TH):

Good evening. Good morning, Madam President.

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Good morning.

SENATOR HARTLEY (15TH):

And I know that the hour is late but I rise to respectfully but vehemently oppose this bill. If I might, Madam President, I'd like to pose a question to the proponent of the bill.

THE CHAIR:

Please proceed, Ma'am.

SENATOR HARTLEY (15TH):

Thank you, Madam President. Senator Bye, could you perhaps identify for me, the definition of the underlining bill and who it applies to? In the State of Connecticut, we have several designations. We have proprietary schools and we have for-profit public university and colleges. So does this include the proprietary schools, Senator Bye?

SENATOR BYE (5TH):

Through you, Madam President.

SENATOR HARTLEY (15TH):

Through you.

SENATOR BYE (5TH):

This applies to the for-profit institutions of higher education.

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THE CHAIR:

Senator Hartley --

SENATOR HARTLEY (15TH):

And thank you, Madam President. And if I might clarify that. So would that include the proprietary for-profit higher education institutions? Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. It is my understanding, no. This is simply the for-profit higher education institutions.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Madam President. So for-profit higher education would not include vocational proprietary higher education institutions? Through you, Madam President.

SENATOR BYE (5TH):

Through you, Madam President --

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Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. Part of a considered amendment specifically named proprietary schools. The language we chose to use is for-profit institutions of higher education. That's through you, Madam President.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Madam President. And so, I'm understanding, Senator Bye, to tell me specifically that this excludes the proprietary higher education institutions in the State of Connecticut?

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. This applies to forprofit institutions of higher education. Through you.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

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Thank you, Madam President. Not to belabor this but there appears to be three in the State of Connecticut. And I will name them for the benefit of the circle: Post University, Stone Academy, and Porter and Chester. So do I understand that this legislation now as it is amended does not apply to any of those three that I've named?

SENATOR BYE (5TH):

That is not my understanding, Madam President. It applies to for-profit institutions. I have a listing from the Office of Higher Education of for-profit higher education institutions -- I just want to get this right. I have Lincoln College of New England and Post University in my list here of for -- of private, for-profit universities. Hold on. But I also have a report from Connecticut's for-profit colleges that says there are 25 institutions that are high education institutions that are for-profit.

So I believe that Post would be a higher education institution that is a for-profit university and I think in the public hearing, Post was discussed because they had such a huge percentage of all of the student loan defaults -- a third. It's one college that has a third of all the defaults in the last year that there was data from that one institution. So that is one that came up in the public hearing and one that was discussed quite specifically. Through you, Madam President.

THE CHAIR:

Senator Hartley.

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SENATOR HARTLEY (15TH):

Thank you, Madam President. And through you, if I may. So then on the list that is being referenced, could the good senator tell me, is Pa on that list and is Stone Academy on that list?

SENATOR BYE (5TH):

It's my understanding --

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

-- from conversations that Stone Academy is not on that list. The other one on the list that I have in front of me from the office of Higher Education is Paier College of Art.

SENATOR HARTLEY (15TH):

Paier.

SENATOR BYE (5TH):

Paier -- College of Art.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

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Yes. Thank you -- thank you, Madam President. Well, it's still not clear to me who is on the list and who is off the list, but --

SENATOR BYE (5TH):

If I may, Madam President -- [Crosstalk] but you
continue.

THE CHAIR:

Senator Hartley. Senator Hartley.

SENATOR HARTLEY (15TH):

Yes. Thank you -- thank you, Madam President. But clearly, we know that a large part of this bill is speak -- is directed towards Post University which is resident in my district but which also serves the entire State of Connecticut. And what the underlining bill, at least the Section 1 part A does is to create a very disparate, uneven criteria.

There is -- it should be noted that there is not any state money involved in the institutional aid that we are talking about and it should also be noted very clearly that this is federal financial aid which has very specific criteria for compliance and should there not be compliance, there is sanctions and the sanctions are very stiff and they are imposed regularly. So I should mention that Post University also -- and by the way, while the night is late, very -- earlier in the day, we were here and we applauded an individual who Senator Logan introduced to us who was 85 years of age and just graduated -- received her undergrad -- her associates degree from Post University, studying

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online. And that's the distinction of Post University.

About 95 percent of their enrollment is online enrollment. It basically is meeting the need for many people in the State of Connecticut but also throughout the country and even internationally and so in terms of their measures, they are atypical when we measure them according to the conventional measures of a typical bricks and mortar institution, Post University does not fit that profile. They -- as I said, by and large, offer their classes primarily online while they do have a bricks and mortar location, the majority of their students are online studiers and they are also non-conventional.

The average age is 37 years of age when we compare that to the average age in the university or college, it's about 18 to 23 years of age and they all by and large are studying at the same time that they are matriculating, trying to get their undergraduate degrees and graduate degrees and so in terms of metrics that we typically measure our institutions of higher education, this is a little disparate. But nonetheless, Post University has a default rate which is lower than the national average and has a graduation rate which also is lower than -- higher than the national average. It also is an institution that has existed for 126 years.

It has graduated generations of learners and it has become a very important part of the greater Waterbury community and it's an institution that since the time that they have become for-profit, they have never had a distribution to the owners or shareholders. Every penny has been put back into

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the institution. That is their model and they have done it for all the years that they have been forprofit and they continue to do it. They have been ranked by US News and World Report which does the academic rankings. They have distinguished themselves in many ways but to target them in particularly -- is really to put them at a disadvantage.

We're talking actually, about 2,000 employees who live in Waterbury -- in the greater Waterbury area and who teach courses, provide counseling and advising to students all over the country and in -- throughout the world. They will, for a fact, under their new leadership, leave the State of Connecticut if in fact, they are singled out in a very disparate way, which actually is -- would be the results of the underlining legislation. So for many reasons, I stand and ask members of the circle to understand the unique and special role that this university has played.

That they have abided and have never had a federal sanction. That they are not taking any state money. And they have, as was witnessed earlier in the day - educated many people who are very grateful for their model. So I thank you and the circle's indulgence at this late hour. Thank you, Madam President.

THE CHAIR:

Will you remark further on the amendment?

SENATOR BYE (5TH):

Madam President, I feel the need to respond very directly and I appreciate Senator Hartley's position but I want to go back to my initial points about the bill. It doesn't say anything about how the university uses private dollars -- or even if they state dollars. And it sets a very low bar whether it's Post or any other college -- it's simply saying, with the dollars -- the federal dollars that are designed to support student education -- they have to use half.

There are plenty of good actors and Post likely meets these requirements but we know that as a sector, that for-profit colleges serve a disproportionately low-income population more likely to be students of color and they have lower graduation rates, higher debt burdens and higher default rates. So what this bill is trying to do is simply say, you have to use 50 percent of your federal aid dollars on students. And you can't use more than 15 percent of your federal aid dollars to market.

You can use 100 percent of student tuition dollars for whatever you want. It's simply trying to set guidelines around that and I think whether it's Post or any college, that's a pretty low bar and this came to us from the Commission on Equal Opportunity because they saw that many residents of the state were being disproportionately impacted by the forprofit sector and I would say Senator Hartley is right on the money that Post has made significant, positive steps to improve things for students but that, as a legislature, this is a problem around the country.

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This is a cancer in high education where the dollars that are intended for education are not being used for education and as there have been more Pell dollars available, the for-profit sector has proliferated based on dollars that are intended for students who are low-income. So I think asking a university to spend 50 percent on education of their federal dollars and 15 percent for marketing is a very low bar and any good actor of a university would meet this. Thank you, Madam President.

THE CHAIR:

Will you remark further on Senate "A"? Senator Suzio.

SENATOR SUZIO (13TH):

Good morning, Madam President. [Laughing]

THE CHAIR:

Good morning.

SENATOR SUZIO (13TH):

I have a question for the proponent of the bill, please.

THE CHAIR:

Please proceed, sir.

SENATOR SUZIO (13TH):

The bill requires an allocation of grant money, a percentage towards instruction of students. How --

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in education, there is a lot of indirect expenses related to running an institution. How is the exact formula work? How is it actually calculated to determine that an institution falls within the parameters specified or required by the --

THE CHAIR:

Senator Bye.

SENATOR SUZIO (13TH):

Through you.

SENATOR BYE (5TH):

Thank you. I appreciate that question and people around the circle remember Senator Boucher's bill that we just heard earlier which was asking us to be clear with people in college about where their tuition dollars are going. And so that's what this bill is trying to say, is that, let's make sure the tuition dollars are going to educate students. So the college would simply need to show that the -- of the federal financial aid dollars, that those dollars were going to education.

I'll repeat again. It doesn't say anything about the private dollars so there is great flexibility here. Because the college has dollars from fees, from tuition and from the federal government. In the case of for-profit colleges, most of it tends to be from the federal government and they simply need to show that 50 percent of that revenue is paying for instruction of the students.

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Senator Suzio.

SENATOR SUZIO (13TH):

Thank you. Again through you, Madam President. Well one of the problems is that operating an institution of higher education does have a lot of indirect expenses. The classroom instruction is part of the cost. Would an institution that -- I mean, an -- a public -- a high education institution will have many expenses that are related to administration and overhead. It might have athletic programs, other things going on.

If we're talking about the dollars associated with specific grants, would it satisfy the requirements of this bill, if the grant money itself were isolated and put into an account that was restricted to be used only for classroom instruction -- would that be sufficient regardless of however money -- much money the university or the college is paying on other expenses? Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. The college would simply have to show that 50 percent of the Pell dollars were going to support student instruction and I recognize Senator Suzio's point about indirect expenses. Generally, in non-profit world, 10 percent is considered a reasonable number for overhead. Through you, Madam President.

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THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Thank you. I've been in the business world for 45 years and so, in different kinds of businesses and I know that running a business and running a forprofit institution for higher education more often than not, the expenses associated with running the enterprise -- there's a substantial amount of indirect expenses and I -- I'm just wondering how practical it is to impose a requirement like this.

It just — it sounds amazingly facile but I don't think it's quite as easy as it sounds to look at an institution that has millions and millions of dollars of expense — much of it not involved in the classroom and to come up with an arbitrary formula — even though it might sound like a low percentage — just seems to me like it might be missing the point and I've not heard a clear response from the proponent of the bill to make me feel comfortable that the percentage of money that the bill requires to be spent on classroom instruction is going to be easily measured, isolated, and identified.

It seems to me, it leaves it open to quite a bit of interpretation and manipulation in fact. So I don't know if the proposed legislation is practical and could be easily implemented without a great deal of confusion and unless I can hear a greater clarification, I'm inclined to vote against the proposed legislation. Thank you, Madam President.

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THE CHAIR:

Thank you. Will you remark further? Senator Berthel.

SENATOR BERTHEL (32ND):

Good morning, Madam President.

THE CHAIR:

Good morning.

SENATOR BERTHEL (32ND):

A question to the proponent.

THE CHAIR:

Please proceed, sir.

SENATOR BERTHEL (32ND):

Thank you --

SENATOR BYE (5TH):

Madam President, can we stand at ease for a moment?

THE CHAIR:

Sorry. Senate will stand at ease. (Chamber at ease) Senator Berthel.

SENATOR BERTHEL (32ND):

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Thank you. Again, through you, Madam President. A question to the proponent.

THE CHAIR:

Please proceed.

SENATOR BERTHEL (32ND):

Thank you. Senator Bye, I'm just curious as to whether or not the same type of restriction that this bill would place on the for-profit schools applies to our non-profit state, public education facilities. Through you, Madam President.

SENATOR BYE (5TH):

Through you, Madam President. No. This bill was designed to address a problem which is significantly different outcomes by college type. So that is — that's the problem we're trying to address. Forprofit colleges sometimes have a different motive. Not all. Some are good players. But they have a different motive and so believe they — and they're particularly likely to use predominately federal dollars which is also different than many of our nonprofits. Through you, Madam President.

THE CHAIR:

Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you. And through you, Madam President. I thank the Senator for her answer. Earlier -- and first of all, I'd like to align my comments with

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those of Senator Hartley as well, with Post being a big employer in both of our -- well in Senator Hartley's district but certainly to my constituency as well. But earlier, we mentioned the bill that Senator Boucher brought out with regard to requiring transparency in how we report the spending of tuition dollars.

This bill does not in fact dictate a level of transparency. It actually says very specifically that these institutions shall not expend more than certain percentages of federal financial aid moneys as we amended it a moment ago. So there is a difference here between what we brought out earlier in the transparency in being able to say that things had to appear a certain way on a tuition bill versus what this bill is intending to do.

My fear is -- and to what Senator Hartley spoke to a moment ago -- is that Post College -- Post University has made it very clear that this type of restriction would cause them to leave our great state and we are basically by passage of this bill, creating an anti-jobs bill. We're going to eliminate thousands of jobs and we're going to destabilize a -- you know, pretty large section of Western Connecticut. So because of all of those factors and because of, I think, what we've already talked about at this very late hour -- I would ask my colleagues in the circle to oppose this bill this evening. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on -- Senator Kelly.

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SENATOR KELLY (21ST):

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

THE CHAIR:

Please proceed, sir.

SENATOR KELLY (21ST):

Thank you very much. Is Porter and Chester covered by this bill? Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. If the chamber can stand at ease, I'd like to get a very clear answer. I know the Office of Higher Education is in the room, so I will -- I will be very clear on that.

THE CHAIR:

The Senate will stand at ease. (Chamber at ease)

The Senate will come back to order. Senator Bye. Senator Bye. Senator Bye, please.

SENATOR BYE (5TH):

Through you, Madam President. To the question asked, Porter and Chester is a post-secondary

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school. It is not an institution of Higher Education.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. Would this bill be applicable to institutions that operate in other states but offer online education here in Connecticut? Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. This applies to Connecticut institutions.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Thank you very much. So in other words, what we're going to do is regulate companies located here in Connecticut with this restriction, however, if somebody is operated in New York they could offer online courses to Connecticut residents and be allowed to engage in this activity? Through you, Madam President.

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THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. Yes and I just -- as a reminder to people in the circle, the -- what we're trying to do is address a problem here, which is that students who attend these universities are less likely to graduate, they have triple the student loan default, which means they've been given all this aid and all these loans and while I understand people are making a case about economic development, it hurts our economic development to have all these young people -- hundreds who have defaulted on their loans and have that debt forever and are likely not to have a degree at the same time despite having attended these institutions. Through you, Madam President.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. So the answer is that the student is not protected from out of state higher institutions for profit that would offer the same product and there would be nothing here to stop a Connecticut company or Connecticut institution from just re-organizing in another state and doing the same thing online? Through you, Madam President.

THE CHAIR:

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Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. This applies to Connecticut institutions. Thank you.

THE CHAIR:

Senator Kelly. The Senate will stand at ease. (Chamber at ease) Senator Bye.

SENATOR BYE (5TH):

If the gentleman can repeat his question.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

So in essence, this does not protect Connecticut students from either -- I'm going to say, institutions in other states offering online courses or would it stop a current Connecticut company or institution of higher education from re-organizing in another state and offering the same educational opportunity that they're doing now. Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

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Through you, Madam President. No.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Thank you. And also, just -- I know the distinctions has been drawn with regards to nonprofit institutions and also public institutions but in both cases, public institutions receive state funding, nonprofit institutions have the benefit of the tax code. Do either of those benefits that these other institutions have -- are they applicable to for-profit institutions? Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. This -- as I've said a couple times, is specific to Connecticut institutions. Through you.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Through you, Madam President. The question is still applicable to Connecticut institutions of higher

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education. It -- it's delineating that public institutions and nonprofit institutions have other opportunities to receive funding that are beneficial and preferred rather than for-profit institutions that don't benefit from the tax code and would be looking at things such as federal financial aid. Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. The intent of this bill is within the confines of the Connecticut General Statutes protecting our states, particularly -- again, I repeat -- this particularly hurts low-income students of color in Connecticut and that's who brought the bill to us. People who were concerned about that segment being taken advantage of by colleges in our state. Through you, Madam President.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President and thank you, Senator Bye, for your answers. I have no further questions.

THE CHAIR:

Thank you. Will you remark further? Senator Logan.

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SENATOR LOGAN (17TH):

Thank you, Madam Speaker. I have a few questions for the proponent of this bill.

THE CHAIR:

Please proceed, sir.

SENATOR LOGAN (17TH):

So, up until this evening, the good Senator and other folks who have been in support of this bill were mainly talking about the protection of students in terms of the loans that they're taking out, in terms of providing them with the proper advice or instruction, to make them aware of what they're getting into. I am a bit conflicted with this bill. Because there's portions of the bill that I think are helpful in that regard. However, Section la in its entirety is a bit problematic.

My question for the proponent of this bill is the 50 percent that this bill is directing towards student tuition and instruction -- where did that 50 percent come from? Why not 75 percent or 25 percent or 10 percent or 90 percent? Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. As I said in my opening comments, we wanted this to be a reasonable

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threshold and I don't think there's a person who wouldn't think that at least half of federal dollars set aside to educate students wouldn't be used to instruct students. So this bill allows 50 percent of federal funds designed to educate students to be used for things other than instructing students. So we were trying to pick a number that was reasonable and that any -- we figured -- any reasonable person would assume was a low bar for an institution of education to meet. Through you, Madam President.

THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

Through you, Madam President. So would those dollars then strictly have to go towards the salaries of the instructors or professors? Will things like books, the desks, the walls, the lights that are all crucial for student instruction -- would those be allowed under your bill? Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. I would say any items that are used for student instruction. The vast majority of universities would tell you that well over half of their budget simply goes to pay faculty. This is a very easy number to reach but there are other things. For example, at Post where

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-- Senator Hartley was talking about Post, where they do online education, certainly the parts of their instruction that rely on online education, those would be consider part of student instruction because that's how they deliver instruction. So there is great flexibility. Simply says student instruction. It doesn't say faculty. Through you, Madam President.

THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

Through you, Madam President. It appears to me though that there's some ambiguity. I could see there being some difficulty for this institution of higher education to prove definitively which dollars are being used for -- specifically for student instruction. Is there any sort of reference guide or definition or something that is known in the -- currently in the general statutes that defines what is specifically student instruction? Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. No, not to my knowledge but that ambiguity can be used by the institution of higher ed to make the case that indeed these dollars were used for instruction. Through you, Madam President.

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THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

Through you, Madam President. But if they're -- if the institution is not being accused of doing something that is wrong or egregious with those dollars, it appears that they would be considered sort of guilty of such and have to prove that they are using their dollars appropriately in terms of student instruction without really having much of a clear guideline to go by. Are there any recommendations that the proponent of this bill has? Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. I think the bill is clear. IT says that 50 percent of the student -- that 50 percent of the federal financial aid shall be used for student instruction. I think that the Office of Higher Education has a clear sense of what's instruction and so that would be my answer. Through you, Madam President.

THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

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It appears that we don't have a clear idea of exactly what student instruction is in this room. I think it isn't a stretch to assume that administrators, chief financial officers, those in charge at these institutions of higher education may have a difficult time with this as well. Another question I have is, why the 15 percent in terms of intuitional advertising? It appears to me that that is a core function of an institution of higher education that anyone can make the connection on how that would affect student instruction as well. Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. This, again, I'll remind the good gentleman that this is 15 percent of federal financial aid dollars. Federal financial dollars are targeted and they're to help educate students. The college can use 100 percent of its other tuition dollars, 100 percent of tuition dollars paid by families, 100 percent of fees paid by families — however they would like and they can use that for advertising but federal financial aid dollars aren't there to promote institutions, they're there to educate students. So it does allow 15 percent and as I said earlier, in most cases, 10 percent is considered a very fair overhead amount. Through you, Madam President.

THE CHAIR:

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Senator Logan.

SENATOR LOGAN (17TH):

Thank you. So I also heard the proponent of this bill indicate that it appeared to be a negative sort of action of the -- of certain institutions of higher education for targeting people of color. Those with lower income. It appears to me that certain institutions of higher education provide opportunities, some would say, to those folks of lower income and to use your words -- people of color. I fail to see how that is being characterized as something that's negative in terms of an objective or mission of an institution of higher education. Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. I want to read with the chamber's indulgence, the Connecticut for-profit college students graduate -- a report from Center for Responsible Lending. Here's how their report starts. Students at Connecticut's for-profit colleges graduate at lower rates than their peers at public and private non-profit institutions.

Those who graduate carry higher levels of debt and higher default rates on that debt. Because African Americans and Hispanics are disproportionately enrolled in Connecticut's for-profit colleges, these poor outcomes fall more heavily on people of color. I was -- had read this report and was referring to

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that in my comment. That is from the Center for Responsible Lending. Through you, Madam President.

THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

Thank you, Madam President. It appears to me that if these institutions of higher education potentially are targeted by this bill, the risk that some of them may leave the state for other pastures — would that not reduce the opportunities for certain lower income students and people of color in this state? Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. I would answer that question with the idea that there are many, many higher education opportunities in Connecticut and as I've said earlier, some of the for-profits will easily meet these standards if they're good actors and some of the nonprofits could also serve students in Connecticut as well as the public system. I am a big proponent of economic development.

I think it's important for our state but not at any cost and I have grave concerns based on the data about the damage that defaulting on student loans and carrying high levels of debt and in many cases, you have low-income students going to college with

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hope to move up the ladder. They're at institutions that don't move them up the ladder, they don't graduate, and then now they have debt and they're poor and that debt never goes away and they've used up semester of their Pell. You only get 12 semesters of Pell. So that is what we're working to address with this bill. Through you, Madam President.

THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

Thank you, Madam President. So inferring from those comments, so would the assumption be that there are no examples of success at these particular institutions of higher education in terms of graduating individuals of lower income and perhaps of people of color as well? Through you, Madam President.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Through you, Madam President. I can answer that specifically. The graduation rates at the public university is 55 percent -- all the average in Connecticut is 67 percent and the for-profit sector is 35 percent. So if that same student enrolled at another sector, their chances of graduating would be much higher. Through you, Madam President.

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THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

Thank you, Madam President. Doesn't that sound or to me, it appears to look at an idealized sort of picture that we have out there? Many of these students are not being accepted at some of these other institutions. Thus, there are certain institutions of higher education that provide them with a chance, with an opportunity.

Is there -- I don't see anything in this bill that will do anything to change how some of these other institutions of higher education would be encouraged or forced or mandated to take in these students that would potentially be left floundering without any opportunity to experience and to obtain a higher education. Through you, Madam President.

THE CHAIR:

Senator Duff, why do you stand, sir?

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move that we PT this bill, please.

THE CHAIR:

So ordered, sir. Senator Duff.

SENATOR DUFF (25TH):

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Thank you, Madam President. If the clerk can now call the items on the Consent Calendar, followed by a vote of the Consent Calendar.

THE CHAIR:

Mr. Clerk.

CLERK:

On page 9, Calendar 115, Senate Bill 544, page 11, Calendar 130, Senate Bill 826. Page 13, Calendar 171, Senate Bill 35. Page 15, Calendar 198, Senate Bill 870. Page 16, Calendar 210, Senate Bill 835. Page 16, Calendar 215, Senate Bill 635. On page 17, Calendar 231, Senate Bill 605, and Calendar 233, Senate Bill 572. On page 19, Calendar 257, House Bill 7159. On page 21, Calendar 267, House Bill 7237.

On page 23, Calendar 289, Senate Bill 1038. On page 24, Calendar 300, Senate Bill 949. Page 26, Calendar 315, Senate Bill 1002. Page 30, Calendar 360, Senate Bill 1041. Page 35, Calendar 398, House Bill 6002. Also on page 35, Calendar 400, House Bill 7015. On page 36, Calendar 403, House Bill 7037. Page 43, Calendar 451, House Bill 7299. Page 48, Calendar 484, House Bill 7309. And on page 56, Calendar 325, Senate Bill 246.

THE CHAIR:

Mr. Clerk, please call for a roll call vote. The machine will be open on the third Consent Calendar.

CLERK:

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Immediate Roll Call has been ordered in the Senate on the third Consent Calendar for today. Immediate Roll Call in the Senate.

THE CHAIR:

Senator McCrory, wanna vote?

If all members have voted, all members have voted. The machine will be closed. Mr. Clerk, call the tally.

CLERK:

Consent Calendar No. 3.

Total	number	voting	36
Those	voting	Yea	. 36
Those	voting	Nay	0
Absent	and no	ot voting	0

THE CHAIR:

The Consent Calendar's passed. (Gavel) At this time Senator -- Mr. Clerk, do you have anything on your desk? Senator Duff. I'm sorry.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I'll yield for points of personal privilege, please.

THE CHAIR:

Are there any points of personal privilege? Seeing none. Senator Duff.

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SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, it is our intention to come back on Tuesday at 11 o'clock for a Caucus on the Democratic side and noon for session.

But before we do that, we have a long holiday weekend coming ahead of us and I think it's a good opportunity for us, before we leave and head on our way -- to just have a moment of silence for our Veterans who have paid the ultimate sacrifice as we will all go and have our parades and certainly we'll take the opportunity to thank our Veterans from our home districts but it probably is, as we gather here in the circle tonight -- this morning -- that we do take a moment to thank those who have paid the ultimate sacrifice so that we can be here and we have our freedoms and we want to thank them for that. [Long pause] Thank you, Madam President.

THE CHAIR:

Thank you.

SENATOR DUFF (25TH):

Well, we certainly wish everybody safe travels home on this 2 o'clock in the morning on Friday and with that, Madam President, I move that we adjourn subject to the call of the chair.

THE CHAIR:

So moved.

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(On motion of Senator Duff of the 25th, the Senate at 2:04 a.m. adjourned subject to the call of the chair.)

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CONNECTICUT GENERAL ASSEMBLY

SENATE

Tuesday, May 30, 2017

The Senate was called to order at 8:42 o'clock p.m., the President in the Chair.

THE CHAIR:

Please come to order. Members and guests, please rise and direct your attention to our active, very active, short but active Reverend Noele Kidney.

REVEREND NOELE KIDNEY:

Let us remember that understanding is one of the greatest accomplishments of life and with it comes wisdom. Amen.

THE CHAIR:

Amen. At this time I'd ask Senator Formica to come up and lead us in the Pledge of Allegiance.

SENATOR FORMICA (20TH):

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:

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Thank you. At this time, I'd ask if there's any points of personal privilege? Since nobody's here we know there isn't so at this time I'm going to say -- you do? Oh, I'm sorry. Senator Fonfara. Good evening, sir.

SENATOR FONFARA (1ST):

Good evening, Madam President. It's great to see you tonight.

THE CHAIR:

It's great to be seen, thank you.

SENATOR FONFARA (1ST):

Madam President, I'd like to ask the Chamber to recognize a young lady who has joined us for the last couple of weeks, Marissa Bartone [phonetic], who is sitting over here. She is just finishing up her first year at Fairfield University. I would say that I know her parents are very proud of her. She's a straight A student and really wanted to come and see what this is all about and she takes more notes than any stenographer that you could ever think about and really has embraced this but I did promise her father to do everything I could to not have her fall in love with this institution, at least at not at this point in her life. But if the Chamber would give her a typical Senate welcome I'd appreciate it.

THE CHAIR:

Melissa, thank you so much [clapping]. Thank you so much. It's wonderful to see young people actively

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involved so keep up the good work and please fall in love with the Chamber. Senator McLachlan, why do you stand, sir?

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. I stand for a point of personal privilege.

THE CHAIR:

Please proceed, sir.

SENATOR MCLACHLAN (24TH):

A somewhat selfish one, Madam President, I want to wish my dear wife, Alesia, a happy 30th wedding anniversary today as we start our business at 8:30 p.m.

THE CHAIR:

Thank you, congratulations to you. Congratulations. You have 21 years to catch up to me. Senator Miner. No? Oh, was yours less? Oh never mind. I'm not gonna ask. Thank you very much, congratulations. At this time anybody else? If not, Mr. Clerk, do you have anything on your desk?

CLERK:

I have Senate Agendas No. 1 and 2, both dated Tuesday, May 30, 2017. They're already on members' desks.

THE CHAIR:

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Thank you, sir. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move all items on Senate Agendas No. 1 and 2 dated Tuesday, May 30, 2017, be acted upon as indicated and that the Agenda be incorporated -- the Agendas be incorporated by reference in the Senate Journal and transcript.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, if the Clerk can now call on Senate Agenda No. 2, Emergency Certified Senate Bill 1059. Before he does that I would ask for suspension of Senate Rule 9-E to take out the Emergency Certified Bill, Senate Bill 1059.

THE CHAIR:

Seeing no objections, so ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Now if the Clerk can please call Emergency Certified Bill 1059.

THE CHAIR:

Mr. Clerk.

CLERK:

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Senate Bill No. 1059, AN ACT CONCERNING DEFICIT MITIGATION FOR THE FISCAL YEAR ENDING JUNE 30, 2017, LCO No. 8068, offered by Senators Looney, Fasano, Duff, Witkos, and Representatives Aresimowicz and Ritter.

THE CHAIR:

Senator Osten. Good aft -- evening, sorry.

SENATOR OSTEN (19TH):

Good evening, Madam President. It's nice to see you tonight and I move acceptance of the Emergency Certified Bill and passage of said Bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, ma'am?

SENATOR OSTEN (19TH):

Yes. Madam President, this Bill modifies the general fund budget and eliminates the projected \$317.1 million in deficit and will result in the general fund balance of \$1 million. It does not affect the spending cap level as it does not alter appropriations, but rather provides the Authority to adjust expenditures.

In addition, it reduces regional service grant payments by \$750 thousand from the municipal revenue sharing fund. It specifies that no fund shall be carried forward from FY 17 to FY 18 unless approved by the Secretary of the Office of Policy and

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Management. It restores \$1 million in rescission reductions made to the employment opportunities and day services. It will result in \$29.2 million left in the budget reserve fund and I urge my colleagues to support this deficit mitigation plan.

THE CHAIR:

Thank you, ma'am. Will you remark further? Will you remark further? Senator Formica. Good evening again, sir.

SENATOR FORMICA (20TH):

Good evening, Madam President. I rise in support of the Bill. I think this is a good bipartisan effort where we all came together to restore some needed funding for privately raised money for state parks. It restores \$19.4 million to municipalities through the Pequot fund payment for June and it keeps approximately a \$30 million balance in our rainy day fund while it holds hospitals harmless and I believe this is a good first step to moving forward on our budget process in a bipartisan way, so I urge my colleagues to approve. Thank you, Madam President.

THE CHAIR:

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

SENATOR MINER (30TH):

Thank you, Madam President. Good evening. If I might, just a couple of questions to the proponent of the Bill.

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THE CHAIR:

Please proceed, sir.

SENATOR MINER (30TH):

Thank you Madam President. Madam President, like most deficit mitigation packages, as I read this, there are a number of adjustments. Some people call them sweeps. I see the animal population control account. I see ammunition certificate account, pistol permit account.

Would I be correct, through you, Madam President, with respect to these accounts, these are surpluses in these line items that are not necessarily directly related to someone making an application, so in the case of the ammunition certificate that is now required under our State Statutes, my recollection in this case it was money that was set aside for technical upgrades to accommodate that process so we never had a certificate requirement for ammunition purchases.

So through you, in those cases I guess it's a pistol permit, photographic costs, and ammunition certificate. Are those surpluses from those initial allocations as opposed to surpluses from an accumulation of applications? Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

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Thank you very much, Madam President. And those would be lines -- item no. 47 and item 49 and my colleague accurately describes them and they are from a prior allocation having nothing to do with current permit costs of pistols. Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I thank the gentlelady for her answer. And the other one which is just something that, you know, for almost as long as I've been in the legislature, primarily because when I was First Selectman, I think the legislature adopted this program which was the animal population control account.

It has historically run surpluses in this line item and it doesn't necessarily mean that by taking these funds people, when they adopt a dog, would not be able to avail themselves of these dollars and so I think, to the extent the gentlelady may know, would this be a surplus that still would allow that program to continue much like many of the others? It's probably an area that's got additional funds in it that will allow the program to continue but still allow us to try and manage this deficit at this time of the year. Through you, Madam President.

THE CHAIR:

Senator Osten.

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SENATOR OSTEN (19TH):

Thank you very much, Madam President, and through you, that would be line item no. 51? Through you -- or item no. 51?

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

I believe that's correct, Madam President.

SENATOR OSTEN (19TH):

Then that is exactly -- I would concur with Senator Miner's assessment of the animal population control line item. Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I thank the gentlelady for her responses. Madam President, with this is unfortunately one of those circumstances that we find ourselves in. I mean we don't -- we don't like being here. I think we find that we're at that point in the end of the year where we're trying to balance some of the other needs of the legislature and some of the leads of our constituents, and so in this case we more often than not do balance these accounts so I also rise in support of this mitigation package. Thank you, Madam President.

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THE CHAIR:

Thank you, Senator Miner. Will you remark further? Senator Fasano. Good evening, sir.

SENATOR FASANO (34TH):

Good evening, Madam President. How are you?

THE CHAIR:

Great.

SENATOR FASANO (34TH):

Madam President, through you to the proponent of the

THE CHAIR:

Please proceed, sir.

SENATOR FASANO (34TH):

It is relative to the hospital issue that you mentioned in your opening remarks and I think Senator Formica mentioned as well. I'd just like to clarify for the purposes of what this Bill does. The Governor's rescissions for May 10th did include a \$2 million reduction to the hospital supplemental payment. Is that an accurate statement? Through you, Madam President.

THE CHAIR:

Senator Osten.

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SENATOR OSTEN (19TH):

Through you, Madam President. That would be an accurate statement, yes.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. My understanding that the federal share approved by the federal government was more than what the legislature had anticipated. Is that also your understanding? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. That is accurate.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. It is also my understanding that the State could not, even if it wanted to, reduce the payment to the hospital this fiscal year without modifying a State Plan Amendment

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with the federal government. Is that your understanding? Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. That is also accurate.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

And to date it's my understanding no such Amendment has been filed with respect to reducing any payment to the hospital by the State of Connecticut. Is that your understanding as well? Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. That is my understanding also.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

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Thank you, Madam President. I thank Senator Osten for her answers. The bottom line of this action, Madam President, is the Governor put the rescission in. It would have no negative effect on the hospitals because the money that they were receiving -- the hospital is receiving from the federal government, would keep them even. This would have been surplus money and that's the reason why the Governor and this legislature will continue on with the process of removing the \$2 million from the budgetary requirement so, Madam President, I thank Senator Osten for her work. I thank Senator Formica for his work and all those who got together on Thursday night to put this together for today. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not -- Senator Osten.

SENATOR OSTEN (19TH):

Seeing no objection, I would ask that this be put on the Consent Calendar.

THE CHAIR:

There's an objection. Will call for roll call.

SENATOR OSTEN (19TH):

Roll call vote, then.

THE CHAIR:

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

CLERK:

Immediate roll call has been ordered in the Senate.

Immediate roll call has been ordered in the Senate.

THE CHAIR:

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

CLERK:

Senate Bill 1059.

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

THE CHAIR:

The Bill passes.

SENATOR DUFF (25TH):

Madam President?

THE CHAIR:

Mr. Clerk -- I'm sorry, Majority Leader Duff.

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Thank you. Thank you, Madam President. Move for suspension of our rules for immediate transmittal to the House of Representatives.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR DUFF (25TH):

Madam President?

THE CHAIR:

Yes.

SENATOR DUFF (25TH):

Thank you. If the Clerk can now please call on calendar page 49, calendar 546, House Bill 7323.

THE CHAIR:

Mr. Clerk.

CLERK:

On page 49, calendar 546, <u>House Bill No. 7323</u>, AN ACT MAKING DEFICIENCY APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 2017. There are amendments.

THE CHAIR:

Senator Formica. Good evening again, sir.

SENATOR FORMICA (20TH):

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Good evening, Madam President. I move -- I move acceptance of the Emergency Certified Bill in concurrence with the House.

THE CHAIR:

Motion is on acceptance and passage in concurrence. Will you remark, sir?

SENATOR FORMICA (20TH):

Yes, thank you, Madam President. Unlike the Mitigation Bill, the deficiency item manages line items within the budget. As we all know, budgets are an estimate when they're prepared in the beginning of the year and as we get toward the end of the year some line items just don't balance up and need to have a period of reconciliation and that's what this Deficiency Bill intends to do.

The agencies affected: The Department of Emergency Services and Public Protection, the Department of Developmental Services, the Office of the Chief Medical Examiner, the Office of Early Childhood, and the Public Defender's Services Commission all are affected by these line items that total \$19,496,939.

To balance those, there is extra dollars in the State Comptroller Fringe Benefit Account, the State Employees' Health Service cost at \$15 million, and the Retired State Employees Health Service cost at \$4,496,939; balance combined together would offset the reconciliation of those accounts. Madam President, I think this is a good bipartisan opportunity to clean up this deficiency in concurrence with the House and I urge my colleagues to adopt. Thank you, Madam President.

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THE CHAIR:

Thank you. Will you remark? Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President, and I appreciate working in a bipartisan basis with my Senate colleague and would urge also everyone in the circle to pass the Deficiency Bill that was passed in a bipartisan down in the House. I would just state for the record that there is no direct impact to the outyears from changes that are included in this Appropriations Bill and I would say that the --that this will allow the Birth to Three Program to be funded and allow those providing those services to be paid out. I urge my colleagues to act in concurrence with the House and pass in a bipartisan basis. Thank you very much, Madam President.

THE CHAIR:

Will you remark further? Will you remark further? If not, I guess I'll call for a roll call vote on this Bill. The machine will be open. Mr. Clerk.

CLERK:

Immediate roll call has been ordered in the Senate. Immediate roll call has been ordered in the Senate.

THE CHAIR:

Senator Kennedy. Senator Kennedy. Thank you. Will all -- all members have voted. All members have

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voted. Please -- the machine will be closed. Mr. Clerk, will you call the tally?

CLERK:

House Bill 7323.

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

THE CHAIR:

The Bill passes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, for markings please. Madam President, before I move to that may I ask for suspension of the rules for immediate transmittal to the Governor, please?

THE CHAIR:

Seeing no objections, so ordered, sir. Please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On markings, please.

THE CHAIR:

Please proceed, sir.

Thank you, Madam President. On calendar page 48, calendar 303, Senate Bill 1014, Go. On calendar page 45, calendar 141, Senate Bill 287, Go. On calendar page 1, calendar 74, Senate Bill 772, Go. On calendar page 9, calendar 235, Senate Bill 874, Go. On calendar page 2, calendar 97, Senate Bill 918, Go. On calendar page 14, calendar 304, Senate Bill 1017, Go. On calendar page 3, calendar 116, Senate Bill 546, Go. On calendar page 10, calendar 241, Senate Bill 4, Go. On calendar page 13, calendar 286, Senate Bill 986, Go. On calendar page 10, calendar 244, Senate Bill 413, Go. On calendar page 48, calendar 309, Senate Bill 1033, Go. On calendar page 28, calendar 421, Senate Bill 623, Go. On calendar page 15, calendar 313, Senate Bill 985, Go. On calendar page 29, calendar 425, Senate Bill 734, Go.

Madam President, could the Senate stand at ease for a moment?

THE CHAIR:

Absolutely. Senate will stand at ease.

SENATOR DUFF (25TH):

Madam President.

THE CHAIR:

Senate will come back to order. Senator Duff.

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Thank you, Madam President. On calendar -- next one is calendar page 17, calendar 335, Senate Bill 941, Go. On calendar page 22, calendar 383, Senate Bill 366, Go. On calendar page 6, calendar 176, Senate Bill 889, Go. On calendar page 10, calendar 239, Senate Bill 959, Go. On calendar page 23, calendar 390, Senate Bill 1005, Go. And on calendar page 45 -- I'm sorry. Yes, on calendar page 45, calendar 156, Senate Bill 836, Go.

Madam President, if also can refer an item please?

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 13, calendar 291, Senate Bill 644, I'd like to refer that item to the Finance Committee.

THE CHAIR:

Seeing no objections, so ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. I'd like to ask for immediate transmittal, please.

THE CHAIR:

So ordered, sir.

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Stand at ease please?

THE CHAIR:

Senate will stand at ease.

Senate will come back to order. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 13, calendar 291, Senate Bill 644, I think we'll just mark that Go. It'll be a Go A to Finance.

THE CHAIR:

Sorry, sir.

SENATOR DUFF (25TH):

It'll be a Go A and then we'll -- I'll get up at that point and refer it to Finance.

THE CHAIR:

Okay. So ordered.

SENATOR DUFF (25TH):

If the Clerk can please call in that order, please.

THE CHAIR:

Mr. Clerk.

CLERK:

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On page 48, calendar 303, Substitute for Senate Bill No. 1014, AN ACT CONCERNING VARIOUS REVISIONS AND ADDITIONS TO THE EDUCATION STATUTES. There is an Amendment.

THE CHAIR:

Good evening, Senator Slossberg.

SENATOR SLOSSBERG (14TH):

Good evening, Madam President. So nice to see you this evening.

THE CHAIR:

Same here, ma'am.

SENATOR SLOSSBERG (14TH):

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

THE CHAIR:

Motion is on acceptance and passage. Will you remark?

SENATOR SLOSSBERG (14TH):

Yes, Madam President. The Clerk has in his possession LCO No. 7652. I ask that it be called and I be granted leave to summarize.

THE CHAIR:

Mr. Clerk.

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CLERK:

LCO No. 7652, Senate A, offered by Senators Slossberg, Boucher, et al.

THE CHAIR:

Senator Slossberg.

SENATOR SLOSSBERG (14TH):

I move adoption.

THE CHAIR:

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

SENATOR SLOSSBERG (14TH):

Yes, Madam President. This is various line changes to the underlying Bill which when comes to -- when comes to the full Bill I would prefer to explain it then. It will make a lot more sense so the Amendment here strikes a number of provisions that have fiscal impact. They are no longer in the Bill and makes some technical corrections.

THE CHAIR:

Will you remark further on the Amendment? Will you remark further? If not, I'll try your minds. All those in favor please say Aye. Those opposed? The Motion carries. Senator Slossberg.

SENATOR SLOSSBERG (14TH):

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Thank you, Madam President. So on the main Bill, this is our standard Education Committee Various Revisions Bill that has a variety of different elements to it and addresses a number of things.

In particular, it extends our school security grant program so we can continue to help our communities address their school security needs. It creates a new out of state teacher permit that is consistent with our current Statutes. It extends the length of a resident teacher certificate from one year to two years to be consistent with Teach for America. makes a number of specific -- a number of other changes as well. It adds to our pilot program, our private school transportation program that was so successful in East Haven -- will now be extended to a number of other communities who have requested the opportunity to participate. It extends private schools -- extending to private schools the applicant and employee background check requirements that currently public schools have, and makes various other changes to our education Statutes.

THE CHAIR:

Thank you. Will you remark? Senator Boucher. Good evening, ma'am.

SENATOR BOUCHER (26TH):

Good evening, Madam President. Nice to see you here this evening. I stand in support of this particular Bill. It was well described. It makes the changes necessary and I think we all came to agreement on them and there were a few sections that were eliminated that might have been more problematic, so I think it's a Bill ready to go. Thank you.

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THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not, Senator Slosberg.

SENATOR SLOSSBERG (14TH):

Thank you, Madam President. If there's no objection I'd ask this item be placed --

THE CHAIR:

There is an objection. Senator -- sorry, Senator Kelly, did you want to remark, sir? Please proceed, sir.

SENATOR KELLY (21ST):

Thank you, Madam President. Through you to the proponent of the Bill.

THE CHAIR:

Please proceed, sir.

SENATOR KELLY (21ST):

With regards to Section 14, is that still in the Bill or has it been taken out?

THE CHAIR:

Senator Kelly, can you tell what that is because everything would be renumbered again. Could you explain what Section 14 was at the time?

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SENATOR KELLY (21ST):

It had to deal with school nurses and having them go out into the community.

THE CHAIR:

Thank you. Senator Slossberg.

SENATOR SLOSSBERG (14TH):

Yes, thank you, Madam President. That section has been removed due to the fiscal impact.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Thank you very much, Madam President. I have no further questions.

THE CHAIR:

Thank you. Will you remark any further? Will you remark further?

SENATOR SLOSSBERG (14TH):

Madam President, if there is no objection at this time I'd ask that this be placed on the Consent Calendar.

THE CHAIR:

Seeing no objections, so ordered, ma'am. Mr. Clerk.

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CLERK:

On page 45, calendar 141, Substitute for Senate Bill No. 287, AN ACT AUTHORIZING THE TESTING OF SHELLFISH AT ALTERNATIVE LAB FACILITIES.

THE CHAIR:

Good evening, Senator Kennedy.

SENATOR KENNEDY (12TH):

Good evening, Madam President. Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR KENNEDY (12TH):

Yes. The Bill before us expands the number of laboratories capable of testing the safety of shellfish. Under current law the Department of Agriculture requires water testing and the testing of the flesh of shellfish for public safety; however, we only have one state lab in Milford and that has posed a problem for many of the shellfisherman in the eastern part of the Sound which is the reason that Senator Somers brought this issue to our attention and I would like to yield the floor to my colleague, Senator Somers, who can speak to the need for this Bill.

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THE CHAIR:

Senator Somers, will you accept the yield, ma'am?

SENATOR SOMERS (18TH):

I will, thank you, and good evening, Madam President.

THE CHAIR:

Good evening. This Bill is designed to help our oyster industry, in particular in Southeastern Connecticut our shellfishermen, which is a booming industry now. Not only is it good for business but it's good for the environment as oysters filter the water. Ten years ago there were literally no oysters in the Mystic River and now there's over 30 million oysters in the Mystic River. So not only has it been a good business but it's actually been a good environmental prospect going forward.

The issue that we run into is that the laboratory in Milford is only open in certain hours and certain times which does not correspond necessarily to when you have to do your water sampling based on the tides. So we would like to provide some relief to our local shellfishermen to allow them to go to an FDA-cleared lab where they could do their testing, send it to the Department of Aquaculture under the Department of Agriculture, have the test report signed off, and be able to ship product.

They are not allowed to ship product until the testing has actually happened and what happens sometimes is if you happen to have to do a water sample, let's say on a Thursday and it's a holiday

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weekend, you are not allowed to ship any product until you get your test results back. So there have been times in the past where our oystermen have had to wait weeks to be able to ship product which is unacceptable and we need to change the way we do things here in Connecticut.

They are also down a microbiologist in the laboratory. I'm not sure with our current financial situation if that position will be replaced so we need to provide them some relief or they will lose business, they will have to lay people off, and we have an opportunity here in Connecticut to become really the oyster capital of New England and I hope that you will help me and support this Bill. Thank you.

SENATOR DUFF (25TH):

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

SENATOR MINER (30TH):

Thank you, Madam President. I think the prior two speakers have pretty much summed up the intent of the Bill. The issue for all of us, I think, last year was that we have oyster fishermen and women that are kind of sitting on the sidelines depending on when that event occurred.

Markets outside the State of Connecticut aren't sitting on the sidelines. They're delivering product into Connecticut and into other markets that we could have been delivering product into. So that's really the genesis of this Bill, is timing, providing our men and women the same opportunity

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that other states have and I would urge the Chamber to support the Bill. Thank you.

THE CHAIR:

Thank you, sir. Will you remark? Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. I, too, rise in support of this Bill that would provide an opportunity of choice for our great oyster harvesters throughout Currently we all know the issue on traveling on I-95 during the course of a heavy July It's very difficult and if you are harvesting shellfish in the eastern part of the state and then having to drive to the only testing facility down in the western part of the state, Milford, it could take a long period of time to traverse that highway when we could have an opportunity to make that a little bit easier for our oystermen and provide an opportunity to grow this industry which I think is on the verge of really being a superb economic opportunity for the State of Connecticut. So as this will provide a list and then we'll provide the list on the website for the Department of Agriculture, I think this is a good first step to moving forward in increasing the opportunity for our oystermen. So thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the Bill? Will you remark further on the Bill? If not, Senator Kennedy.

SENATOR KENNEDY (12TH):

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Thank you, Madam President. If there's no objection by anybody in the circle, I would ask that this item be placed on our Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir. Mr. Clerk.

CLERK:

On page 1, calendar 74, Senate Bill No. 772, AN ACT REQUIRING EMERGENCY GENERATORS IN CERTAIN HOUSING FOR THE ELDERLY. There are Amendments.

THE CHAIR:

Senator McCrory. Good evening, sir.

SENATOR MCCRORY (2ND):

Well, good evening, Madam President. Madam President, I move to accept this as Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, sir?

SENATOR MCCRORY (2ND):

Absolutely, Madam President. Madam President, the Clerk is in possession of LCO Amendment No. 6915.

THE CHAIR:

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Mr. Clerk, will you please call the Amendment?

CLERK:

LCO No. 6915, Senate A, offered by Senators Looney, Duff, Doyle, Slossberg, Gerratana, Winfield, and McCrory.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

I move the Amend --

THE CHAIR:

Motion is on adoption. Will you remark, sir?

SENATOR MCCRORY (2ND):

Thank you, Madam President. Madam President, the Amendment limits electrical generators requirement to certain housing projects and municipalities of a specific size, at least 15 stories in height with age restricted dwelling, the Amendment will, therefore, limit the cost noted in the underlying Bill to New Haven Housing Authority based on the current population. I move the Amendment --

THE CHAIR:

Thank you, sir.

SENATOR MCCRORY (2ND):

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Thank you, Madam President.

THE CHAIR:

Will you remark further on Senate A? Will you remark further on Senate A? Senator Markley.

SENATOR MARKLEY (16TH):

Thank you, Madam President. I rise for a question for the proponent of the Amendment.

THE CHAIR:

Please proceed, sir.

SENATOR MARKLEY (16TH):

Through you, Madam President. I wonder on what --which municipalities will ultimately affected by this Bill as amended? I guess I would ask that question first. Are there any specific towns, cities, or projects that fall under this? Is there one, many, or how many?

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Thank you, Madam President. This Amendment really pertains to the City of New Haven. Through you, Madam President.

THE CHAIR:

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Senator Markley.

SENATOR MARKLEY (16TH):

Thank you, Madam President. Thank you for that answer. I guess I would ask the proponent of the Amendment if in fact there's a need for the generator backup at elderly housing projects why we're limiting it to projects in the City of New Haven? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Thank you, Madam President. Madam President, last year there was -- during the summer there was a huge -- we had a wave, heating wave where this particular housing unit, the generators failed the senior citizens in that community and they were out of electricity for a number of hours. Therefore, we're looking to seek relief for those individuals in that particular housing unit and, therefore, that was the only place that something like this was limited to so, therefore, we want to provide some support. I have the University -- I mean I have New Haven Housing Authority work on this particular issue. Through you, Madam President.

THE CHAIR:

Thank you. Senator Markley.

SENATOR MARKLEY (16TH):

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Thank you, Madam President, and thank you to the Senator for those answers and if I have further questions I'll ask them on the underlying Bill. Thank you.

THE CHAIR:

Thank you, sir, very much. Sorry, Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. Through you, I have a few questions to the proponent of the Amendment.

THE CHAIR:

Please proceed, sir.

SENATOR KELLY (21ST):

Thank you very much. This Amendment appears to only apply to privately owned multifamily housing. Was there a policy reason for that? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

No, no, no specifically, Madam President. It was just -- actually these units are managed by the Housing Authority of New Haven. Through you, Madam President.

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THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Madam President, I didn't quite get that answer because there was a lot of noise occurring behind me.

THE CHAIR:

I'd ask people in the Chamber to please lower their voices. There's debate going on between Senator Kelly and Senator McCrory and Senator Kelly was having problems hearing so if you keep your conversations outside of the Chamber. Senator McCrory, would you answer?

SENATOR MCCRORY (2ND):

Yes, Madam President. The units are managed by the New Haven Housing Authority. Through you, Madam President.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

So this is managed -- although it's privately owned, it's privately owned by the New Haven Housing Authority? Do I have that correct? Through you, Madam President.

THE CHAIR:

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Senator McCrory.

SENATOR MCCRORY (2ND):

Yes, Madam President. Through you.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Does this, I'm gonna say qualify for federal housing residents and tenants? Through you, Madam President.

THE CHAIR:

Senator McCrory. Can you repeat that again? I'm sorry, Senator Kelly, it was hard for me to hear so I'm sure it was hard for Senator McCrory to hear.

SENATOR KELLY (21ST):

Sure, Madam President. Does the facility have individuals that receive federal financing and these individuals are either tenants or residents? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Through you, Madam President. Yes.

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THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

And through you, Madam President. Are the -- I see that the Amendment is restricted to individuals by -- by age. Could we define what that age is?

Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Yes, Madam President. Senior -- senior -- senior citizens of age 62 and over. Through you, Madam President.

THE CHAIR:

Me sir. Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. Are there any individuals under 62 who qualify for housing and residency in the complex? Through you, Madam President.

THE CHAIR:

Senator McCrory.

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SENATOR MCCRORY (2ND):

Thank you, Madam President. I'm not quite sure if there's some individuals under the age of 62, but it's specifically designed for those who are seniors. Through you, Madam President.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

It appears from the language of the Bill that it's specific to one particular housing pro -- development. If there are individuals under the age of 18 that rent, would that disqualify them from falling under this Amendment? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Thank you, Madam President. I don't think there's any individuals under the age of 18 but I don't -- this would not disqualify those individuals who are living in this dwelling from this ability. Thank you. Through you, Madam Speaker -- Madam President.

THE CHAIR:

That's okay. Senator Kelly.

SENATOR KELLY (21ST):

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Thank you, Madam President. As I understand housing and in particular with regards to senior housing, there are some issues with both senior housing as well as individuals who are disabled and less than 62 and in those instances they all live in the same complex. My question here isn't whether or not people who are 62 or older would qualify for this because I don't think it's limited to individuals. It's actually limited to a certain complex and, therefore, my question is if there are individuals under 62, would that eliminate the purpose of the Bill going to that complex? Through you, Madam President.

THE CHAIR:

Sorry. Senator McCrory.

SENATOR MCCRORY (2ND):

Through you, Madam President. No.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Okay. So that wouldn't -- so then age is more inclusive than just over 62? Through you, Madam President.

THE CHAIR:

Senator McCrory.

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SENATOR MCCRORY (2ND):

From my understanding -- through you, Madam
President. Through my understanding, the majority - the vast majority of the individuals that live in
this complex are over the age of 62 and if there are
some individuals that are under the age of 62 that
would not limit it. Through you, Madam Speaker. I
mean Madam President, I'm sorry.

THE CHAIR:

That's okay. Senator Kelly.

SENATOR KELLY (21ST):

Thank you very much. I thank the Senator for his answers and I have no further questions. Thank you very much.

THE CHAIR:

Thank you, Senator Kelly. Will you remark further? Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Through you, a couple of questions to the proponent of the Bill.

THE CHAIR:

Please proceed, ma'am.

SENATOR OSTEN (19TH):

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Thank you very much. I would be concerned about other housing environments that don't fit within this qualification. Is it the Senator's intention in the future to require emergency generators in all housing authorities that provide services to seniors and the disable? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Thank you, Madam President. This particular Bill doesn't address all housing authorities or those individual housing units with senior citizens, but this specifically was just for the one in New Haven, but if we want to do something like that in the future there is something that we can work on like that, maybe another Bill. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

I'm sorry, Madam President, I didn't hear the very tail end of what he said. I apologize.

THE CHAIR:

Senator McCrory, would you repeat, sir?

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SENATOR MCCRORY (2ND):

So, yes, I was saying if -- this doesn't pertain to all housing units for seniors but it specifically ideal located for the one in New Haven, but if it's something like that we would like to see a policy for our state moving forward maybe that's something we can do in another Bill. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. forward to working with my colleague on that. on the fact that this state has seen a number of long-term outages, I think that this is something that should happen in housing authorities and wherever there are seniors and the disabled population makes it very difficult if we have to move people out of where they live and where they're most comfortable when they're in these types of situations, and put a Bill in before that's passed out of Planning and Development and some other committees, but never been successful in getting the funding and I would like to see us come up with a policy that requires emergency generators to be put in all new structures and renovating structures to make sure that we are, at a minimum, providing heat and enough electricity in these housing environments to satisfy any medical needs. Thank you very much, Madam President.

THE CHAIR:

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Thank you. Will you remark further on the Amendment? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I just rise to comment briefly on the Bill. I first want to thank my colleague, Senator McCrory, for his work on this Amendment and the underlying Bill, and I want to associate myself with the comments of Senator Osten.

Now I understand why the Amendment that's before us gives this Bill a much more narrow focus. I am, however, disappointed to see that we aren't trying to have these sorts of protections in place for senior housing of a wider variety and that we're not ensuring that in times of crisis these kinds of generators are available to maintain power for heating and elevators and other critical equipment that's necessary in these complexes.

It's too bad that this isn't being applied to towns of all sizes. I know many of us in this circle have been involved in the aftermath of several storms. I know during Hurricane Irene there was -- there were towns in my district at the time that had power out for 5, 6, 7, 8 days, and there were many emergencies with generators in facilities that house seniors and I'm glad we're moving forward with some proposal, but I wish this sort of protection was being given to seniors no matter what size the municipality that they live in and I hope in the future, as Senator Osten suggested, that we can find a solution that will protect seniors in housing of all types in all size communities. Thank you, Madam President.

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THE CHAIR:

Thank you. Will you remark further on the Amendment? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, to the proponent of the Amendment.

THE CHAIR:

Please proceed, sir.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, it's my understanding that the unit for the facility that this is gonna pertain to has five buildings. Is that your understanding? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Yes, Madam President. Yes. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

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And it's also my understanding that these five units are subsidized rent-controlled units. Is that also the Senator's understanding? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Yes. Through you, Madam President. Absolutely.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you and, Madam President, through you, the cost for putting in this generator for five units, which according to the Amendment, would -- the generator that would be hooked up to, number one, elevators; number two, water; number three, electricity; number four, heat; number five, lights. Do you have an understanding of what that total cost would be per unit for this to take place? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

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Through you, Madam President. The cost is estimated to be about \$350 thousand. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

And that cost of \$350 thousand, if I understood the answer correctly, is that per building or is that for the one generator? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Through you, Madam President. That would be the total cost.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

So it's your understanding that it's \$350 thousand for one generator. Will that include hooking up all of the units and the elevator and the items that the Bill discussed? Through you, Madam President.

THE CHAIR:

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Senator McCrory.

SENATOR MCCRORY (2ND):

Through you, Madam President. I believe they already have one for the elevators so the cost would be associated with the other four areas of the project. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

And through you, Madam President. Would this generator that's hooked up to the elevators be the same generator that's extended to the rest of the facility or are these new generators for the rest of the facility? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

I believe they'll be hooked up with the one that's already associated with the elevator. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

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Thank you, Madam President. And do you understand whether or not that generator that's on site has the capacity to take on the elevator currently and all the electricity and all the heating and all of the lights? Do you have an understanding whether or not that is accurate? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Through you, Madam President. Yes, the study that was associated with this, the work they've been doing over the last six months indicated that that'll be -- that'll be -- the cost will be accurate to service the needs of this particular project. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. I thank the Senator for -- well, let me just ask him to answer another question. Do you know of any economic relief that the owner can receive, since it's fixed income, to help pay for this additional cost? Through you, Madam President.

THE CHAIR:

Senator McCrory.

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SENATOR MCCRORY (2ND):

I'm not aware of any cost -- I mean not any resources that the Housing Authority would be afforded but it is known that this project will cost \$350 thousand. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

And is there a date certain for which they have to hook up all this electricity that you so describe? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Through you, Madam President. There is no date specifically identified in the Bill but it is the hope that by -- by the summer that this will be completed. Through you, Madam President.

THE CHAIR:

Thank you. Senator Fasano.

SENATOR FASANO (34TH):

And through you, Madam President. Number one, if they don't do what this Bill suggests is there a remedy in the Statute that would enforce the

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provision of the Statute? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Through you, Madam President. There's no remedy in here in this particular Statute that will require them to do that but the hopes is the fact that because of what happened last summer we wouldn't want to see a repeat occurrence so I would expect that they'll do what is necessary for them to get it done by this summer. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, as I understand the notes on the Bill, it talks about \$350 thousand per building, not total. Is that my correct understanding of the note located in the Amendment by OFA? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

One second, Madam President.

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THE CHAIR:

The Senate will stand at ease.

The Senate will come back to order. Senator McCrory.

SENATOR MCCRORY (2ND):

Thank you, Madam President. Madam President, OFA's estimate is \$350 thousand per building but I don't - quite sure they took into account that one of these generators have already been associated with the elevator so OFA is saved \$350 thousand so I'll leave it at that. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

So if it's \$350 thousand times five buildings, I'll just it's a million five, and that's just for the cost for the five generators at \$350 a generator and the fuel, but that doesn't, as I understand it, include the hookup charge with all the electrical work that has to be done. Does the good Senator agree with that statement? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

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Through you, Madam President. I will agree with \$350 thousand and, again, OFA did not take into account that a generator is already set in place for the elevators so, therefore, I will assume that it would cost a little more than \$350 thousand but I don't have an exact number. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Well in that case would the good Senator also agree with me that OFA doesn't know whether the existing Senate -- the existing generator has the capacity currently on site to be expanded to take other things into account besides the elevators? So assuming it does have this generator, there's no knowledge by anyone whether or not that generator is at its capacity with the elevator such that when you add other things it may cost a heck of a lot more. Is that a fair statement? Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Through you, Madam President. It's safe to assume that we don't know exactly what the generator that's already in the building has the capacity of so it's safe to assume that it would cost some more. Through you, Madam President.

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THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, I don't mean to put the good Senator on the spot but I thank him for his honest answers. Madam President, here's the issue. The issue is very simple. First of all, the effective date of this is October 17, 2017.

That means the low income folks that live in that building, if the generator didn't go in -- I don't know, maybe they have to be removed from the building, because we said by this date you shall have the generators in the building. Where are they gonna go? You're talking 1,400 people; 1,400 people are in that building now and by October 1st, the effective date, you must have a generator. If you don't have it you violate the Statute. Do you remove them and where do they go?

Bella Vista has been around forever. That's the project we're talking about. Bella Vista has been around forever. I understand the problem and the intentions of Senator Looney's Bill. I appreciate that, I really do. There was a fire, the elevator was out of service and there's a problem.

But here's the issue. We don't have enough housing in this state for low income folks. We don't. This one's been forever and we've got it, and now we've got someone who's operating a project that was built in the 60s or 50s -- well actually most of it was

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built in the 60s and then they added a couple buildings recently, and we're gonna tell a person who has a fixed income by us, a fixed rate of return by us, that you can have to put in \$1.5 million into this project by October 1st, which doesn't include hookup.

I can tell you I bought a generation -- generator for my business. At \$350 thousand, is the cost of the generator, maybe not for the building this size, I think it's gonna be more. Then you gotta build a pad 'cause it's gotta sit on a pad. Then you gotta run electricity under the ground. And if there's a generator on site for the elevator that's all that generator capacity is probably for 'cause you're not gonna do it for the whole building. This is gonna run 1,400 units.

So you ask why don't we have enough housing in this state? Because when the state gets involved and a building is built and then we change the rules and the person doesn't have the resources to get \$1.5 million in six months people say I'm not gonna do the housing through CHFA. I'm not gonna do the housing through the State of Connecticut because they change the rules midway through the project and in this case at the very end go back and change the rules.

I understand why the Bill was put forward. I get it. Prospectively you want to do that, fair game. Why? 'Cause when you do it prospectively the cost of that generator is built into the cost of construction which is built into the budget that you get from the State of Connecticut and the loans you receive. Prospectively I will sign up for this.

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Retroactively, we're hurting ourselves. We're shooting ourselves in the foot.

Remember when we talked about this Bill?

Predictability, stability. Predictability and stability. By doing this we take away predictability for those who want to partner up with the state to do good things like low income housing, and stability because we put these projects at risk. He can't go up on the rents. It's gotta come out of his pocket or the people get evicted. That isn't the deal we entered into. That is not what this contract says. That's the problem.

I think it's good with good reasoning. I understand Senator Looney's position and as stated by Senator McCrory. I understand it. But we're sending the wrong message. So Madam President, I vote against the Amendment because I just think this is not the right way to go about it. Prospectively, great. Retroactively, telling someone dig into your pocket, at least \$1.5 million and three -- I can't do the math that quickly -- let's say six months from now is a short period of time to find \$1.5 million in this economy with a fixed income on the building. I don't know what his mortgages are, but fixed income on this, Madam President, I will not be able to support this Amendment. Thank you.

THE CHAIR:

Thank you, sir. Will you remark further? Senator Looney. Good evening, sir.

SENATOR LOONEY (11TH):

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Good evening, Madam President. Madam President, speaking in support of the Amendment, first I want to thank Senator McCrory for his committee, for his hard work in developing this and bringing it out. In communications with the City of New Haven have indicated they have been in communication with the officials of Bella Vista who have not expressed the sense that this project would be impossible for them to manage or -- or sustain.

What happened was a few years ago there was a fire and power outage in the building and because each of the units, each of the five units, is at least 15 stories high there was a very significant health and safety hazard when the power was out. Many elderly and frail people were stranded in the upper floors of those buildings, were unable to get down, and a number of cases for a number of days and there was severe concern about many of these residents because they are with severe and complex medical conditions, in some cases needing electrical equipment, monitors, and things of that nature.

So since that time the management at Bella Vista has installed some generators capable of powering one out of four elevators in each of the buildings and there are four elevators in each building, and there is now a generator in one of the four in each building. But they don't provide power to any of the units which would be able to power medical equipment like ventilators or monitors that many of the residents need.

In some other -- in some other complexes emergency generators are wired to power, in addition to elevators, one outlet in each unit for critical medical equipment and were Bella Vista wired this

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way patients in need of medical support would not need to be relocated during emergencies as has been the case in the past, saving time and relocation costs.

The concern here is the nature of these buildings because they are high-rises that raise particular safety concerns for the residents who cannot easily get out in the event of an emergency and are dependent upon those elevators because many are frail or disabled so the city -- the Housing Authority has been in discussion with the management of the company that owns the buildings and the city has seemed to indicate that there is a working relationship there toward getting this done.

So I certainly agree with the comments of Senator Osten and Senator Flexer that ideally we should make sure that generators are in all buildings where they might be necessary for safety and health reasons. The reason for this one in particular is because we've already had a crisis in that particular building a few years ago and the nature of that crisis was exacerbated by the fact that these were high-rise buildings at least 15 stories high; in a few cases 18 or 19 stories.

So that's the reason and I would think that once the generators are installed this would make Bella Vista an even more attractive place to be, that there will be more people looking to -- to live there. There will be fewer vacancies and it will be something that will enhance the value of the property for the owners as well. So I would urge adoption of the Amendment and would thank Senator McCrory for his advocacy.

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THE CHAIR:

Thank you, Senator. Will you remark further? Will you remark further? If not, Mr. Clerk, I call for a roll call vote on Senate A. The machine is open.

CLERK:

Immediate roll call has been ordered in the Senate on Senate Amendment Schedule A. Immediate roll call has been ordered in the Senate.

THE CHAIR:

Would you check the board please and call up somebody 'cause the votes have disappeared, though I have them. I can take care of it. We're still waiting for Senator Leone.

The Senate will stand at ease. At this point we're having some flashing lights on your desks, though I can tell you who's winning this battle but I can't do it right now 'cause I'm still waiting for one more Senator to come. I can do that for you, thank you. I was the Controller. Should have stayed there.

Getting a little bit funny up here even. I have to tell you we are gonna be standing at ease waiting for the mechanics to come.

Senator Boucher. Senator Boucher, Senator Miner, Miner, do you want to vote again, please? Senator Fasano, you can't -- oh, that's a nice vote, Senator Fasano, but I don't think you'd like it.

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Senator Boucher has to come back to vote, please. This is bad. This is not working. The machines are not working so we are gonna stand at ease and check this out because we have Senator McCrory voting against his own Amendment.

We got a problem with the machines. The Senate will stand at ease and this vote count will not be taken right now.

We're gonna ask for a second roll call vote. The machine had been voided of all votes so it is a vote on Senate A again. Mr. Clerk, will you call the tally? The machine is open. I mean call the vote.

CLERK:

Immediate roll call has been ordered in the Senate on Senate Amendment Schedule A. Immediate roll call in the Senate.

THE CHAIR:

Senator Hartley, can you vote again, please? You have not shown up on the -- on the screen. Senator Hartley, want to try it one more time? Gentlemen, Senator Hartley's button is not working. Okay, it has -- it is now working.

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

CLERK:

On Senate Amendment Schedule A.

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Total number voting	36
Those voting Yea	18
Those voting Nay	18
Absent and not voting	g 0

THE CHAIR:

I'm sorry, the Bill has passed. The Amendment has passed. Will you remark further on the Bill? Will you remark further on the Bill? Senator Kelly.

SENATOR KELLY (21ST):

First of all, Madam President, I do find it extremely ironic that we're talking about generators and electricity and we can't get the board to work.

THE CHAIR:

Is it something we said, sir?

SENATOR KELLY (21ST):

I don't know. But I do rise because I'm gonna go back to my first years in the Senate when I was Ranking Member on Aging and serving with the good Senator Edith Prague from the 19th that this issue of electric or generators came to be and it was in the wake of San -- Hurricaine Sandy and that there were issues across the State of Connecticut and that is why every year I put a Bill in to do this.

But we have to do when we look at this is not only look at the need but how is it going to be funded. How are we going to deliver these services to people in need to make sure that seniors and people that live in this type of housing have the essential

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services that they deserve. And that's always been our problem is how on a state level can we afford to do that. And in this type of budget it's very difficult because we don't have the money because of decisions that are made here in Hartford.

But one of the things that you hear a recurring theme, and I heard it all weekend long when I went out to the various, you know, gatherings on Memorial Day weekend, about all the burden we place not only on local towns and our cities but also on jobs in the State of Connecticut. When the State of Connecticut wants something done we love to pass the buck but we don't put our money where our mouth is when we have the public policies.

That's the type of Connecticut that I'd like to see. The type of Connecticut that when it says something is necessary and important that we actually back it up with the money to do so, not to just pass the buck onto somebody and say, you know what, this is a good cause and it's so good it's gonna cost you \$1.5 million and you gotta come up with that in a couple months. That's not the kind of Connecticut I want to live but that's what we're doing here, is we're hijacking a very good idea, something that I think is necessary in senior housing, but it's done in a manner where we're not putting the money behind it.

And it shouldn't just be one place in the State of Connecticut. It should be across the State of Connecticut. But this is too narrowly tailored and it's not the intent of the type of Bills that I've requested and that I would like to see pass. Not only passed out of Aging -- but pass through the Senate, the House, and signed by the Governor.

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As a result, this Bill doesn't get us there. It passes the buck and it's narrowly tailored to one place in one city. And for those reasons I cannot support this.

THE CHAIR:

Thank you, sir. Will you remark further on the Bill? Will you remark further on the Bill? If not, Mr. Clerk, will you call for a roll call vote? The machine is open.

CLERK:

Immediate roll call has been ordered in the Senate. Roll call has been ordered in the Senate.

THE CHAIR:

Senator Formica, have you voted, sir? I don't have a -- it's not working.

Senator Formica, would you please stand and give your vote verbally so that we can record it on the screen? You are the only one, sir, except for me.

SENATOR FORMICA (20TH):

Thank you, Madam President. I rise for the purpose of voting.

THE CHAIR:

Please proceed, sir. In which way would you like to vote, sir?

SENATOR FORMICA (20TH):

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I vote No.

THE CHAIR:

Okay. At this time I will -- I can still close it and will still show that it's an 18/18 -- the machine is closed and it will show what you say, they said. There you go, sir.

Now though we had a lot of discussion today, I do believe it has to be done so I'm going to say I'm voting in the affirmative so the Bill passes 19/18.

I have asked for a -- the Senate will stand at ease so they can fix the machine.

The Senate now -- let me explain. We are gonna call the Senate back into order. There will not be any markings on the board because they are fixing the machine. We will have time to debate and discuss the Bills as we go. If the machine isn't quite ready at the time we will have to do a voice vote, standing voice vote or a standing something vote. So at this time I'm going to ask -- Mr. Clerk, is it possible for you to get the Bills to call, Mr. Clerk? Do you have the Bills that you can call? Please proceed, then, sir.

CLERK:

On page 9, calendar 235, Substitute for <u>Senate Bill</u> No. 874, AN ACT REQUIRING ELECTRONIC NOTIFICATION BY THE DEPARTMENT OF SOCIAL SERVICES.

THE CHAIR:

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Oh, Senator Moore. Good evening, ma'am.

SENATOR MOORE (22ND):

Good evening, Madam President, and thank you. I move acceptance of the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark?

SENATOR MOORE (22ND):

Yes, thank you. This Bill requires the Department of Social Services to release new guidelines contained in its provider bulletins ten days before the implementation if the guidelines are not being adopted as regulation. DSS must release the guidelines to all appropriate provider types in the Department's provider enrollment system that are formal recipients of bulletins and are affected by the state -- new guidelines as determined by the Department and any provider or person who has signed up to receive electronic notification a provider bulletin on the website maintained by or for DSS.

THE CHAIR:

Will you remark further on the Bill? Will you remark further on the Bill? If not, Senator Moore.

SENATOR MOORE (22ND):

Thank you, Madam President. Without objection, I ask that this be placed on the Consent Calendar.

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THE CHAIR:

Seeing no objection, so ordered, ma'am.

SENATOR MOORE (22ND):

Thank you.

THE CHAIR:

Mr. Clerk, will you call the next Bill?

CLERK:

On page 2, calendar 97, Substitute for Senate Bill No. 918, AN ACT CONCERNING A MUNICIPAL OPTION PROPERTY TAX EXEMPTION FOR GOLD STAR PARENTS AND SPOUSES. There is an Amendment.

THE CHAIR:

Senator Flexer. Good evening, ma'am.

SENATOR FLEXER (29TH):

Good evening, Madam President. Madam President, I move for acceptance of the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, ma'am?

SENATOR FLEXER (29TH):

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Yes, thank you, Madam President. Madam President, the Bill in front of us frankly is really appropriate for us to be taking up today. Many of us over the last several days have taken time to mark Memorial Day, give gratitude and thanks to the people who have served our nation in the armed forces and pay the ultimate sacrifice.

Starting last Thursday, Madam President, with the wonderful ceremony that you led for the Wall of Honor and throughout our Senate districts over the course of the past weekend and today on the original Memorial Day, and what my father would call the real Memorial Day, it's very appropriate that we're considering this Bill before us that would give additional municipal options for property tax exemptions for Gold Star parents and spouses.

Gold Star parents and spouses are the parents and spouses of those people in our armed forces who made the ultimate sacrifice and this Bill before us today would allow municipalities to provide a property tax exemption to a service member who was killed in action while performing active duty military service.

This Bill had broad support in the Veterans' Affairs Committee. I was proud to work on this Bill with my Co-Chair, Senator Martin, and I hope that the Chamber will support it.

Madam President, the Clerk is in possession of an Amendment, LCO 7588. I would ask that the Clerk please call the Amendment and that I be granted leave of the Chamber to summarize.

THE CHAIR:

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Mr. Clerk.

CLERK:

LCO No. 7588, Senate A, offered by Senators Looney, Duff, Doyle, Slossberg, Gerratana, Winfield, and Flexer.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. I move adoption of the Amendment.

THE CHAIR:

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

SENATOR FLEXER (29TH):

Yes. Madam President, the Amendment that's before us was drafted in response to a concern from the Legislative Commissioner's Office. This Amendment ensures that the provisions of this Bill are consistent with existing Statutes concerning similar property tax exemptions and I hope that the Chamber will support this Amendment. Thank you, Madam President.

THE CHAIR:

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Will you remark further on the Amendment? Senator Martin. Good evening, sir.

SENATOR MARTIN (31ST):

Good evening, Madam President. You know yesterday, Madam President, I had the honor to attend a ceremony in the town of Plainville that unveiled a beautiful monument that was dedicated to the -- to the mothers and families of those servicemen and women who gave their lives, and it was actually they -- I believe one of the first Gold Star monuments here in the State of Connecticut and, you know, we hear a lot -- we hear a lot on Memorial Day about the soldiers who serve our country and protect our freedoms and we don't always think about the soldiers' families and how they serve our country.

When a young man or a young woman joins the military their whole family actually joins, you know, the mothers, the fathers, the brothers and sisters, and their children, and they all become part of that military family which entails including sacrifices that they have to make. There's no pain quite like losing -- the loss of a child.

When they're born, you know, we have so many hopes and dreams for them and their future. We're proud of their every achievement and when they join the branch -- a branch of the military we're proud that they've decided to serve our country. The families of our nation's service members know there is the possibility that every time that they're deployed that they may not come home. Even with that knowledge, there's nothing that prepares a family for the call or that knock on the front door.

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So since the monument was to honor the Gold Star parents and their sacrifice for our country and for our freedom, like that monument that I attended -- that dedication yesterday, in a small -- my minuscule way this Bill provides some kind of recognition, honor, and thank you to the families whose loved ones have made the ultimate sacrifice.

So I urge my colleagues support the Amendment and the underlying Bill. Thank you.

THE CHAIR:

Will you -- will you remark further on the Amendment? Will you remark further on the Amendment? If not, I'll try your minds. All those in favor of Senate A please say Aye. Opposed? Senate A is adopted. We're on to the Bill now. Senator Flexer.

SENATOR FLEXER (29TH):

Madam President, if there is no objection, I would move that we place this item on our Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, ma'am. Mr. Clerk.

CLERK:

On page 14, calendar 304, Substitute for <u>Senate Bill</u> No. 1017, AN ACT CONCERNING UNSUBSTANTIATED ALLEGATIONS OF ABUSE AND NEGLECT BY SCHOOL EMPLOYEES.

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THE CHAIR:

Senator Boucher. Good evening again, ma'am.

SENATOR BOUCHER (26TH):

Good evening, Madam President. Madam President, I move acceptance of the Committee's Joint Favorable Report and passage of --

THE CHAIR:

The Bill.

SENATOR BOUCHER (26TH):

-- Substitute Senate Bill 76 -- no, excuse me, 1017.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, ma'am?

SENATOR BOUCHER (26TH):

Yes, thank you, Madam President. Madam President, this Bill generally talks about the -- an unsubstantiated claim against a teacher and upon a completion of an investigation of that report that a child has been abused or neglected by school employee, the Commissioner of Children and Families finds that such an abuse or neglect is unsubstantiated the Commissioner shall notify the school employee and the employee's superintendent, the employee school and school district of his or her findings and upon receipt of that would essentially remove any references to the report.

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Madam President, I move passage of the Bill.

THE CHAIR:

Ma'am, he did.

SENATOR BOUCHER (26TH):

Oh, that's right. Okay. Very, very good. Okay. May I further explain this Substitute Bill to our colleagues here in the Senate?

THE CHAIR:

Please proceed, ma'am.

SENATOR BOUCHER (26TH):

Thank you. This is a Bill that actually has come before the Senate a couple of times already. In fact, just a year ago, in fact, and passed unanimously through the House and Senate. There was some concern on the part of the administration and as a result because of those concerns it was vetoed. And this year there was a great deal of effort put into making sure that those concerns were addressed in this language.

It does so by putting into Section 2 of this Bill that if a finding by the Commissioner of Children and Families that a report of abuse or neglect is unsubstantiated shall -- it shall not prohibit the Department of Education or a local and regional Board of Education from either conducting for purposes of relating to professional certification or employment an investigation of the conduct of a

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school employee who is the subject of such unsubstantiated reported abuse or neglect, and also upon completion of such investigation taking action with respect to such employee's employment, professional certification, authorization, or permit including but not limited to actions with respect to discipline, salary, promotion, transfer, demotion, retention, or continuance of employment, termination of employment, or any right or privilege related to the employment provided such unsubstantiated report of abuse or neglect shall not be the sole basis for an action related to a school employer -- employee's employment, professional certification, and authorization or permit.

As you can see, there was a lot of effort put into language that would keep in the purview of the Board of Education and the local district to continuing to pursue if there's an -- a situation that is inappropriate or they feel is inappropriate within the classroom or in that school. However, it was shown many times by those that came forward that talked about this issue that an individual teacher, once she learns of the fact that there has been an allegation against them, is frequently devastated about such allegation and getting a label with the attendant consequences that can come out of nowhere.

These educators that have chosen this noble profession to help children and to have their spotless reputation called into question for no reason at all is inconceivable and contrary to the system of fairness. And that is why this issue has been brought before us a couple of times and why it was given serious consideration, why it passed the Education Committee, the House, and Senate previously.

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It is a difficult profession more and more. I had a lovely kindergarten teacher that I've known for over 30 years retire recently who said to me, "Senator Boucher, it has changed. The environment in which I work at" -- and this is one of the loveliest person you would ever meet -- said, "It has become so hostile so often that we feel under siege at times that it has become so litigious anymore" and that is a -- that is a kindergarten teacher.

One of the teachers that talked to us about their circumstances was a teacher in our vo-technical schools that gave such compelling testimony that ten years after this incident occurred to them when they were a first-time teacher when some students that did not want to take on classroom responsibility had an incident and an accusation was made that was completely untrue, the person had to defend themselves against these allegations that were false and malicious and they had no tenure protection at They were very fortunate that the school the time. and their union stood behind them and when there were unsubstantiated they were able to continue to teach and the decade that followed showed no similar accusation, but yet in their personal records it was still there. And it was very moving to hear that testimony when this teacher was brought to tears just thinking about what they went through those many years ago.

The good news is in this. It also continues, though, to protect our children because that -- that claim, that unsubstantiated claim, still resides within the Department of Children and Families so if there's further an incident there is a record that is maintained to make sure that there's no trend

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that has occurred and as you heard from the language in this particular rendition of this Bill there's a tremendous amount of leeway and freedom on the local School Board to certainly deal with a situation in a classroom that they're not comfortable with.

And I think that that should go a long way to preventing this Bill if it goes through, and I hope it does unanimously like it did before without these protections, that at this point in juncture it wouldn't be something that would be vetoed at the Governor's level. But today when teaching has become more and more difficult, when the classroom environment is more di -- and it's not just in difficult school systems in inner cities. It's in our suburban communities where too often many of my teachers find that there are parents that are quick to litigate and not consider the teacher's point of view, but oftentimes will defend legally and in courts indefensible behavior on the part of their Those are rare, thank goodness, but own children. it does occur with more frequency and it has become a difficult environment.

Teachers oftentimes don't get the respect that they deserve and they work in an increasingly more difficult environment. So I think that we worked really hard to make this Bill a good one for everybody concerned and that on balance it takes both sides in protecting children and also, you know, protecting teachers as well.

So for that purpose I certainly know that this is going to be a roll call vote, Madam President, and I hope that my colleagues would vote in support.

THE CHAIR:

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Thank you. Will you remark further? Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Through you, a couple of questions to the proponent of the Bill.

THE CHAIR:

Please proceed, ma'am.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, through you, my good colleague spent some time talking about a case and, through you, in that case was not that school employees supported by both the union and the administration, through you --

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you, Madam President. Yes, through you. That teacher was heartened to be defended even though they were a first-time teacher and didn't have the tenure protection that many others would, but they were supported and were allowed to continue with their career.

THE CHAIR:

Senator Osten.

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SENATOR OSTEN (19TH):

Thank you very much, Madam President, and through you. In that case the teacher did not need tenure protection because through an assessment by both the administration and the union the teacher was not held accountable for false or, as my colleague described, malicious accusations. Through you, program.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you, Madam President. I believe that the teacher that testified testified that they had to defend themselves against allegations that they considered false and malicious as the new teacher. However, they were heartened that they were able to continue their career but it hurt them terribly because even though those claims were unsubstantiated their personnel files -- the documents regarding the accusations remained. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President, and Madam President, through you. So the employee was heartened that they were supported by both the administration and her -- his or her union yet felt

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that having that fact in their record that they were cleared of an accusation, not only found not to be unsubstantiated but apparently cleared of that accusation, that they felt that that should not be in their file? Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER (26TH):

Yes. The reason that it concerned them, and they were fairly emotional about this, they felt that if someone for some reason filed an FOI request on their file, all the documents that refer to the report would be there and that is what concerned them and lingered and cast a shadow over them over those many years. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President, and through you. Again, in the same file would it say that the teacher was cleared of any accusations? Through you, Madam President, if my colleague knows.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER (26TH):

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Madam President, I don't know that for a fact. I would hope that that certainly would be the case. I would hope that that would be the practice. I believe that they were concerned that it would raise some -- some doubts in whoever was taking a look at it and I think that given that a personnel file is used for many reasons that the fact that it remains with the Department of Children and Families would be substantial enough to allay anyone's concerns that there could be a record just in the event in some other situation there might be a pattern that needed to be pursued. But for this teacher the fact that it was in their personnel file was enough to cause them a great deal of -- of -- of concern of emotional distress. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Moving on because quite frankly I think if it said she's cleared -- she or he is cleared, then I think that that would provide them with some relief. But through you, if an employee that is a certified employee moves from school A to school C and commits the same sort of abuse how is the school administration going to know of the previous allegation? Through you, Madam President.

THE CHAIR:

Senator -- Senator Boucher, sorry.

SENATOR BOUCHER (26TH):

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Thank you, Madam President. Madam President, I believe that, again, any record brought to the Department of Children and Families is kept on record and it would be there and I believe that -- that this does not, as I said, does not preclude the local Board of Education, the superintendent, the building -- the principal and others from continuing to make note of a person's behavior with regards to discipline, with regards to the school climate, possibly the class climate. Any concerns that they might have with that individual's behavior would continue to be in the personnel file.

The only -- the only caveat would be that -- that the unsubstantiated report would not be the sole purpose of action against the school employee's employment, professional certification, authorization, or permit. Through you, Madam President. So any other negative action would certainly continue to be in the personnel file. It would not expunge everything. It is just that particular incident that was proven to be unsubstantiated and raised to a very serious level. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President. I think that the term unsubstantiated does not mean that it's proven to not have happened. It just means that there's a lack of enough information to substantiate. Being unsubstantiated does not negate the fact that an

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abuse could have occurred but I would go back to the -- where the allegations are kept.

If the allegations are kept at the Department of Children and Family and kept in the office where school A is and they move to the other end of the state to school C, again, how is that administration gonna know about the previous allegation of abuse to -- that -- that would lead to showing a pattern of bad behavior? Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you, Madam President. Madam President, first of all, I would maybe challenge the way that this was phrased that somehow that for some reason there is -- seems to be the thought that because an unsubstantiated claim of abuse or neglect has been proven unfounded, that somehow that that abuse and neglect did occur, and I would challenge that thinking right now because in fact this kind of charge is taken very, very seriously. This is not just passed over. The Department of Children and Families and the schools, because of the litigious nature of something like this and about the concern about the safety of a student, would be taken very seriously and not lightly be able to be proved unsubstantiated.

If it's unsubstantiated it means that it was false. This was a false accusation and as such shouldn't that particular -- it's a criminal act in fact. But if that's not true then it should not be in the

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record. However, this clearly states in Section 2 that any finding by the Commissioner of Children and Families that as a report or abuse is unsubstantiated shall not prohibit the Department of Education or the local or regional Board of Education from conducting for purposes related to professional certification or employment investigation of their own of the conduct of the school employee who is the subject of such unsubstantiated report of abuse or neglect, or upon completion of such investigation taking action with respect to such school employee's -- their employment, which means of course it would be in their record there at the local school, their professional certification, authorization or permit including but not limited to actions with respect to discipline, with respect to their salary, promotion, transfer, by the way, which is your concern, I believe, demotion, retention, or continuance of employment including being fired, termination of employment, or any right or privilege related to employment provided that this unsubstantiated report of abuse and neglect should not be the sole purpose because it was just proven unfounded by the Department of Children and Families for an action related to their employment and so on.

So with an abundance of caution, this language was put in this Bill just to make sure that concerns that were just expressed were addressed. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

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Thank you very much, Madam President. Madam President, through you. I believe my good colleague is in error when she said unsubstantiated means unfounded. Unsubstantiated means that the -- the facts of the case don't have enough wherewithal to support it. Unfounded means that the -- that the allegations were cleared. We're talking two different things here so I go back to the unsubstantiated piece.

Unsubstantiated is not the same thing as clearing someone of a bad action. Unsubstantiated means by a term of art that -- that there were -- that there was not enough proof or the child was in a way unable to explain what happened to them. things that are different in nature and I go back to if the Department of Children and Families has an unsubstantiated case of abuse in office A and the employee moves to another school outside of that regional area for the Department of Children and Families, how is the next administration going to know if there is a pattern of abuse that are -- that is in a way putting the children in the next school, and we have passed legislation here in this circle before that has ultimately been signed by the Governor saying that we could not move problematic employees from spot to spot without showing what those problems were.

So this is in effect negating some of the laws that we have passed providing protections to children so, again, two different things, unfounded and unsubstantiated, by a term of art and moving people around to essentially in effect disguise or hide possible allegations of abuse and not allow administrations to know if they are receiving an

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employee that may be problematic are concerns for me and I understand that we don't want to have employees bear the burden of unfounded or false or malicious claims, but that is not the same thing as unsubstantiated and I get concerned that we're moving this in a direction that may not be where we want to be on how we would handle problematic, possibly problematic, employees and for those reasons, and I may have more questions as we debate the issue, for those reasons as we stand today I cannot support the Bill.

I understand the work that people have put into it but as of this minute I feel that if we had changed these terms to unfounded or allegations of which someone was cleared because they were determined to be false or malicious, but unsubstantiated is a totally different legal term of employment and I am concerned with that and so I -- while I appreciate my good colleague's passion on education and I actually don't know anybody that's more passionate about education than her, I do have a problem with this Bill and I unfortunately cannot support it and I apologize. Thank you, Madam President.

THE CHAIR:

Will you remark further? Will you remark further? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I rise for the purpose of some questions to the proponent, please.

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Please proceed, sir.

SENATOR DUFF (25TH):

Thank you. Madam President, I also -- preface my remarks as well and associate myself with Senator Osten's questions with regard to this issue. this Bill has been voted on in the past, has been vetoed by the Governor, and certainly I think any of us respect the teachers in our state and have supported them tremendously through the work we've done in this circle and we've done in a very bipartisan basis and myself, as a former long-term substitute teacher many, many, many years ago getting out of college, understand some of the dynamics that are in our school systems these days, but I -- I do share some concerns as well with regard to this particular issue and thought that I would also try and see if I can understand this a little bit as well.

The -- Senator Osten had talked about the word unsubstantiated which was a point of the main -- I think the main thrust of -- of this particular legislation and the State Department of Education had mentioned and talked about that word in their testimony and I wondered if the Committee agreed with the Department when they used the term unsubstantiated, meaning that it is a legal term of art and that the definition is -- did not meet the statutory definition of abuse or neglect set forth in our General Statutes and does the Senator remember that testimony and did the Committee accept that definition or the testimony of the State Department of Education when it came to the term unsubstantiated? Through you, Madam President.

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THE CHAIR:

Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you, Madam President. Madam President, we listened very carefully to all sides of this issue. I think we can get into the semantics of a definition of unsubstantiated but the -- but the really important word here is having proof and there is no question when there is a criminal act it will be prosecuted. They will find proof and they will substantiate a claim and take appropriate action.

But in these cases when they do a thorough investigation, not just by the school system, but by the Department of Children and Families and oftentimes even by the -- our law enforcement agencies as well, and there's found to be no proof as was in the case of one of our testifiers who was a teacher that was carrying this burden with them for a ten-year period and talked about this. It was compelling enough and the unfortunate circumstances that are being replicated more frequently now caused a great deal of concern.

And as we have worked so hard and all of us included have worked and supported every Bill that's come before us that would not allow for teachers to move from one position to the other to escape some bad action or behavior or, and this is the worst case, if there was a criminal act, we would -- we all were on board with that. But we also have to have some balance in the process and I think that's why this is a very valid debate to be having so that we can

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express that kind of concern to have a balance particularly in such a field as education. Through you, Madam President.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President, and I believe the good Senator brings up a good point. If the word unsubstantiated isn't -- is not the correct word and the word proof is the correct word then why isn't the word proof in the Bill and what is proof? What -- what does that mean? What would that mean legally if we had the word proof in the Bill from a standpoint of it were a child versus an adult, what does -- how does that -- how is that fair really to either party because obviously nobody wants to get blamed wrongly, but also on the other hand if you have a child that certainly meets a different standard because they have to be comfortable in what they're reporting.

So if *proof* is really the important word here why is that not in the Bill and what does that exactly mean legally? Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you, Madam President. I thank the good Senator for his question and I think that's why we

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have a Department whose whole purpose is to be the experts in the area of -- of children in the -- and the protection of children and having the kind of legal resources that are experts in that field, certainly much more expert than any of us in this circle would be in this area, and it would be up to them in order -- in their investigation to find that there is cause to pursue a claim that was made that a criminal activity had taken place and this is their reason for being and this is why this Bill directly relates to both the Department of Children and Families that continues to have these allegations on record and also allows the local school district to pursue their own investigation. Through you, Madam President.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I appreciate the explanation. When we talk about abuse or neglect, does that include child abuse? Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER (26TH):

I would absolutely believe that that in fact would be the case and whatever activity would relate to that particular topic that we have in all of our Statutes, I believe, and that is certainly the area

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of expertise of the Department of Children and Families.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would that also include sexual abuse? Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER (26TH):

I would absolutely assume that that would. Thank you, Madam President.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. So the issue really here is that as we know through hearing from victims in other areas outside of our public school system about abuse and neglect, especially child abuse or sexual abuse, that is a standard sometimes that is difficult to reach and so, therefore, especially when you're dealing with school children, again, you want it to be fair on either side for the adult and the child but you want to make sure that if anyone is doing something wrong they're property

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prosecuted, that there is a bar in which you can meet that rather than getting to -- having some sort of unsubstantiated, I guess, which is a legal term of art, I guess if we're to do that, but not using the word proof in the Bill that causes some concern about how this is written in a way that does weed out bad actors in the public school system.

Now again, I'm sure 99.9 percent of our teachers are doing the right thing and the good thing but we do entrust our children in the school system each and every day for 180 days and we need to make sure that they are safe and as safe as they can be.

So my concern also is that -- and I'm all set with my questions, I think, for now Senator, thank you, is that there's just really this -- this bar that I'm not sure where it is with the term unsubstantiated that if there's no fact pattern that is existing on this Bill, meaning that it -- it -folks -- teachers are doing things that creates a pattern that they're -- a pattern may not then exist if it hasn't met this level and then also if the State Department of Education also has to investigate that then they do a second investigation after the Department of Children and Families which, again, to my understanding any kinds of abuse or neglect, that could be very traumatic to the child. We have the Human Services Council in Norwalk and the Children's Connection and they try to work all together -- all the agencies together at one time to do one interview because they know how traumatic that is for small children and I imagine it's very traumatic for adults as well, but especially for small children.

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So I just -- I just have real concerns with this legislation and I certainly would never question the intent of the proponents of the Bill of this 'cause I know what they're trying to do, but I have some major concerns over how this would work in practice and most importantly in how we're protecting our children in our school system. So I will listen to the rest of the debate at the moment but as it stands right now I'll be opposing the Bill. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Senator McCrory.

SENATOR MCCRORY (2ND):

Thank you, Madam President. Madam President, a couple of questions to the proponent of the Bill.

THE CHAIR:

Please proceed, sir.

SENATOR MCCRORY (2ND):

Thank you, Madam President. In Section 2 it states that the school district can actually do an investigation after the Department of Children and Families about that -- the allegation is unsubstantiated. My concern is if the school district does an investigation and found out that something took place, they can't name it, and the person actually goes to a point where it says the educator will lose his license, one would think that there was something that took place that was so detrimental that the educator had lost his license.

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My concern is what was said by my colleagues. Many times what's said in the business aspect, I'm an educator and where there's smoke there's fire and so often that -- I can talk from my own personal experience, someone who was charged with a case against a child and once the information came out it was revealed that years ago that this person had did the same thing in another school district.

So my question would -- is if a person is found in a situation where it was unsubstantiated, is that information lodged somewhere at the DCS office or is it somewhere at a local School Board office?

Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you very much, Madam President. Just to clarify the language of this Bill, it doesn't say that they may continue an investigation when something was found to be false. It says that it doesn't prohibit the school district from conducting something of their own. In other words, they can choose to if they want to or not depending on the facts or the situation. Now right now there's nothing to say that a school system will necessarily access the records of another school or wherever the other employer -- employee worked. It depends on the process that each School Board has or their personnel department has, as you well know that.

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And I would tell you that this certainly if it was an accusation of sexual abuse, something of that level, we -- the situations we're talking about here is basically bad behavior, maybe a teacher's reaction to that bad behavior, that they were, you know, that maybe there was an accusation falsely that the teacher somehow was abusive to them in that behavior, but when you're talking about something that we're talking about here, it raises it to a whole another level.

I have to tell you when I was newly appointed to the State Board of Education some years ago the very first case I had to read about was taking away the certification of a teacher of an incident that happened, sexual abuse at a high school 17 years prior and the vote, by the way, was 4 to 5 and I was the fifth vote to actually take that certification away from that teacher over an abundance of caution, of concern that somehow they could continue to practice in -- in a classroom where something like that might occur. So you can imagine how concerned I am about entertaining any legislation of this kind that we're discussing.

So in the -- in the cases that we saw and discussed in the Education Committee it had less to do with sexual abuse -- now could be some sort of hostile behavior, a discipline issue and, as I said, increasingly now, as you probably know being in the education profession, can see that the climate has become a great deal more hostile to teachers and the -- the -- it's -- typically more and more it seems like the teachers at fault even before they've had a chance to even defend themselves and it has risen to a point where this kind of legislation was thought to bring some balance to the process without

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negating any of the investigatory, you know, certainly process that occurs, particularly with such a serious case that you're describing and I do believe that even today it's very difficult to -- unless there -- there begins to be a pattern, as you said, that can be pointed out and I think the best place for it to be would be with the Department of Children and Families that can generally be accessed by any School Board itself versus, you know, reaching into the various placements, particularly if they were from out of state.

But I -- I think it's -- it's becoming better known now from state to state and we have certainly now registries that can be accessed and we do background checks now in a way that we've not done in the past. So I think there's enough safeguards in the system for us to not be as concerned. It certainly didn't seem to be the concern of the House and Senate previously when there wasn't as strong a language as we're looking at right now and just only a year ago. Through you, Madam President.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Thank you, Madam Speaker. So my question will be if a potential employer wants to hire -- and I want to save -- I want to save teachers who are doing the right things. I know that this profession has gotten a lot difficult in ways but we also gotta look at the best interest of children. So my question will be if a potential employer wants to hire a teacher or individual and that potential

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employer, can it ask the Department of Children and Families -- just ask the question whether this individual has been -- there's any allegations that has been substantiated or unsubstantiated -- can you get that question answered by the Department of Children and Families? Through you, Madam Speaker.

So basically I want to know if the employer -- was the -- if the employer asks were there any unsubstantiated allegations, can I get a answer? Through you, Madam Speaker.

THE CHAIR:

Sorry. Senator Witkos, why do you stand, sir?

SENATOR WITKOS (8TH):

Thank you, Madam President. I ask that this Bill be PT'd at this time.

THE CHAIR:

Seeing no objections, so ordered, sir.

The Senate will stand at ease.

The Senate will come back to order. Senator Duff.

The Senate will stand at ease still.

Now, Senator Duff.

SENATOR DUFF (25TH):

Thank you. Thank you, Madam President. I move that we mark this Bill PT please and --

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THE CHAIR:

Already have, sir.

SENATOR DUFF (25TH):

Oh, thank you. And then we move to a vote on our Consent Calendar if the Clerk can call those Bills and then have a vote.

THE CHAIR:

Mr. Clerk, will you please call the Bills on the Consent Calendar and then the machine will be open.

CLERK:

Page 2, calendar 97, Senate Bill No. 918.

THE CHAIR:

Okay, hold on. Now it's closed?

Senate is standing at ease. Okay, ready?

Okay, please announce again. The machine will be open. Okay, we're gonna try to call all the Bills on the Consent Calendar. Go ahead.

CLERK:

Page 2, calendar 97, Senate Bill 918. Page 9, calendar 235, Senate Bill 874. Page 45, calendar 141, Senate Bill 287 and 48. Page 48, calendar 303, Senate Bill 1014.

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THE CHAIR:

At this time everybody please vote on the Consent Calendar. The machine is open. Thank you, Mr. Clerk.

CLERK:

Immediate roll call has been ordered in the Senate on the first Consent Calendar for the day. Roll call has been ordered in the Senate.

THE CHAIR:

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

CLERK:

On today's Consent Calendar.

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

THE CHAIR:

Consent Calendar passes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, that concludes our business for today. I would yield at the moment for announcements or points of personal privilege, please --

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THE CHAIR:

Sorry. Are there any announcements or points of personal privilege? Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. The Senate Republicans will have a caucus tomorrow morning at 11:00 a.m. in the caucus room.

THE CHAIR:

Thank you. Senator Doyle.

SENATOR DOYLE (9TH):

Thank you, Madam President. The Judiciary Committee will have a Committee meeting a half hour before the first Chamber goes in which we believe is the House. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. It is our intention to meet at noon tomorrow here in the circle and for the Senate Democrats to have a mandatory 11:00 caucus tomorrow morning, a mere 12 hours from now, and with that, Madam President, if there's no other points or announcements I will move that we adjourn subject to call of the Chair.

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THE CHAIR:

So ordered. Please drive safely.

(On motion of Senator Duff of the 25th, the Senate at 11:02 p.m. adjourned subject to the call of the chair.)

ATTEST: