

**S - 707**

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2017**

**VOL .60  
PART 6  
1990 - 2383**

tm  
Senate

1  
May 31, 2017

CONNECTICUT GENERAL ASSEMBLY

SENATE

Wednesday, May 31, 2017

The Senate was called to order at 12:04 o'clock p.m., the President in the Chair.

THE CHAIR:

Senator Frantz is going to do the Pledge of Allegiance. The Senate will please come to order. Members and guests, please rise. Attention to our Reverend Noele.

NOELE R. KIDNEY:

Please bless us with an inner strength so that our lives and our work may be a blessing on others. Amen.

THE CHAIR:

I'm going to ask Senator Frantz to come up and lead us in the Pledge of Allegiance.

SENATOR FRANTZ (36TH):

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:

tm  
Senate

2  
May 31, 2017

Thank you, sir, and at this time, Mr. Clerk, do you have anything on your desk?

CLERK:

Yes, Madam President. The clerk is in possession of Senate Agenda No. 1, dated Wednesday, May 31, 2017.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move that all items on the Senate Agenda No. 1, dated Wednesday, May 31, 2017, be acted upon as indicated and that the agenda be incorporated by reference into the Senate journal and transcript.

THE CHAIR:

So ordered, sir. At this point, I'd ask if there any points of personal privilege. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Mr. Speaker. I have two points of personal privilege, please. I have a constituent here from Norwalk, Andrew Melansopolis [phonetic] and he is somebody who is very interested in the political process and will be working this summer in our State party this year and has shown a keen interest in our government and working to better our society here in the state of Connecticut and I would ask that the Chamber give our normal warm welcome to

tm  
Senate

3  
May 31, 2017

Andrew and I imagine one day he may be sitting in this circle himself, so Andrew, if you can stand up and the Chamber please give a normal warm welcome.

THE CHAIR:

Welcome, Andrew. Thank you for coming up and thank you for all your work back home, too. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. My second point of personal privilege, I have some folks here in the Chamber from the Tiny Miracles Foundation. I have George Colabella and some of his folks from the Tiny Miracles Foundation. I've gotten to know them over the last few years. They really do really great work with their nonprofit and I thought it'd be a great opportunity to recognize them for their work as well. And, so if I can ask George, come on up over here and we have a citation for you I would like to read and present to you. It's introduced by myself and members of the Norwalk Delegation and Senator Carlo Leone.

As well, it says be it hereby known to all that the Connecticut General Assembly hereby offers its sincerest congratulations to the Tiny Miracles Foundation in recognition of your outstanding work in hospitals to provide support for families of premature infants. Your work fills a unique and often overlooked need of preemie parents, an emotional support system which lasts past the hospital stay. We thank you for the many families who you have helped during their time of need and the entire membership extends its very best wishes on this memorable occasion and expresses hope for

tm  
Senate

4  
May 31, 2017

continued success given this 31st day of May 2017. And again, as we've had many conversations and we certainly know all the good work that you do in your nonprofit raising money and helping families, especially at their time of need, and we certainly want to extend our thanks as a Senate to you and as a General Assembly to all the work that you do. Thank you.

THE CHAIR:

Thank you all so very, very much for all you do. We do appreciate it. At this time, points of personal privilege, Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you, Madam President. With all of the dark clouds swirling over Hartford these days, I have some really, really good news for the Circle and for the state of Connecticut and beyond and that is Grace Elizabeth Liaga [phonetic] was born several hours ago born to Adam and Katelyn Liaga [phonetic] at 6 pounds 7 ounces and 20 inches long. I think they're watching so if the Senate Circle could stand up and wave at one of the cameras, we wish you our best and all of our love. Thank you. Thank you, Madam President.

THE CHAIR:

Thank you. I'm glad everything went well. And, points of personal privilege? Senator Suzio.

SENATOR SUZIO (13TH):

tm  
Senate

May 31, 2017

Thank you, Madam President. Point of personal privilege if I may.

THE CHAIR:

Please proceed, sir.

SENATOR SUZIO (13TH):

Thank you. I would like to introduce to the Circle here Gail Egan who is President of the Connecticut Condo Owners Association and her associate, Judith Doneiko. The Connecticut Condo Association Owners are comprised of a small group of volunteers whose mission is to give condo owners greater rights and protections, as well as to educate them on their rights and responsibilities. Under Gail's leadership, the CCOC has championed legislation that provides the Connecticut Department of Consumer Protection with enforcement powers to investigate property managers and fine them if they practice illegally and the Association has also led the fight for other condo owners' right. Gail, right here. I would ask you all to give them a warm welcome to the Senate. (Clapping).

THE CHAIR:

Thank you for protecting the people of the state. Are there any other points of personal privilege? Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. I stand for a point of personal privilege.

tm  
Senate

May 31, 2017

THE CHAIR:

Please proceed, sir.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. I'm very happy to welcome some special people from western Connecticut. They are the Inzero family and there are a whole bunch of them here. Dad is out parking the car. Oh, he's up above, okay. Hi dad upstairs. We have Tony and Tony Jr., Marie, Krista, Sarah, and Ryan Inzero and this is a very famous family in western Connecticut. They live in Brookfield. I've adopted them as my constituents, but they're also the creators of Candlewood Coffee Roasters, a very successful small business in Connecticut thanks to their hard work and I believe they sort of live, eat, and breathe coffee and they've done a great job with it here in Connecticut. We're very proud of them and I'd like to pass on to Senator Miner from your District.

THE CHAIR:

Senator Miner. Do you accept the --?

SENATOR MINER (30TH):

SENATOR MINER (30TH):

Yes, Madam President. Thank you. I'd like to also welcome the family here to join us today. They certainly do demonstrate what I think Connecticut does best which is small homegrown local entrepreneurs that've found a niche market and have done very well with it and so I would ask of the

tm  
Senate

7  
May 31, 2017

Circle join me in thanking them for being here and welcoming them with our usual applause. (Clapping).

THE CHAIR:

Thank you all very much and thanks for starting a new business here. Any other points of personal privilege? Seeing none. Senator Flexer.

SENATOR FLEXER (29TH):

Good afternoon, Madam President. I rise for a point of personal privilege.

THE CHAIR:

Please proceed, ma'am.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I just rise to remind our colleagues that Senator Martin and I and the members of the Veterans Affairs Committee are hosting the Help a Hero event collecting various goods and items for the South Park Inn which does a tremendous job serving homeless Veterans from all over our state and I'd like to invite my colleagues to visit the truck outside and to make any donations that they brought with them today. Thank you, Madam President.

THE CHAIR:

Can I add to that to also bring your camera. The Veterans out there really do like taking pictures with you, and if you could bring money or gifts. Never mind. Thank you, though. Senator Duff.



tm  
Senate

May 31, 2017

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I'm just going to mark a few items go so we can move on and I'll mark the other items go as we move on, but this is just a continuation of our list from last night. So, I'm just going to mark four go at the moment. On Calendar, Page 3, Calendar 116, S.B. 546, go; on Calendar, Page 10, Calendar 241, S.B. 4, go; on Calendar, Page 13, Calendar 286, S.B. 986, go; and on Calendar, Page 10, Calendar 244, S.B. 413, go, and if the clerk can go in that order, please.

THE CHAIR:

Thank you. Mr. Clerk.

CLERK:

Calling from today's Calendar on Page 3, Calendar 116, S.B. 546, AN ACT CONCERNING PARTICIATION IN PROVIDER DIRECTORIES AND PROVIDERS ACCEPTING NEW PATIENTS ON OUTPATIENT SERVICES. Favorable report of the Insurance Committee.

THE CHAIR:

Senator Larson. Good afternoon, sir.

SENATOR LARSON (3RD):

Good afternoon, Madam President. I just would like to acknowledge this fine clerk team we have here. They got their original start in the great city of east Harford. Thank you so much for that warm favorable move there. Madam President, I move

tm  
Senate

9  
May 31, 2017

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 LARSON (3RD):

Yes, thank you Madam President. This bill was introduced by Senator Kennedy and Senator Martin Looney. The reason for the bill is simply this bill provides more detailed framework for how insurance providers manage and display their directories for public view and how often they must update the information. Main change in the bill makes in addition to what Public Act 16205 did, is require insurance provider to make distinctions in their directories of who exactly is accepting new or outpatient services. This would be helpful to individuals to navigate directories easier and know what healthcare providers they can go to in advance, thus saving them time and search of their provider. Thank you.

THE CHAIR:

Will you remark further on the bill? Senator Kenney. Good afternoon, sir.

SENATOR KENNEDY (12TH):

Good afternoon, Madam President. I rise in support of this bill. I want to thank my friends and colleagues, Senator Kelly and Senator Larson, for making this small, yet important change to Public

tm  
Senate

10  
May 31, 2017

Act 16205. As the good Senator just said, we have an important law that requires that participating providers list certain types of information, but unfortunately, there is a slight flaw that is confusing and misleading because even though a doctor may be technically accepting somebody's insurance and technically taking new patients, many physicians do not see patients on an outpatient basis. They only see patients in a hospital, and therefore, are not available to make an appointment with a patient, so this is an important remedy and important improvement in the existing law and I encourage my colleagues to vote in favor of this measure. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Remark? If not, Senator Larson.

SENATOR LARSON (3RD):

Thank you, Madam President. If there is no objection, I'd ask that this bill be placed on our consent calendar.

THE CHAIR:

I see no objections. So ordered, sir.

SENATOR LARSON (3RD):

Thank you.

THE CHAIR:

Mr. Clerk.

tm  
Senate

11  
May 31, 2017

CLERK:

Page 10, Calendar 241, Substitute for S.B. No. 4, AN  
ACT CONCERNING MUNICIPAL ELECTRICAL UTILITY  
COOPERATIVES. Favorable report of the Energy and  
Technology Committee.

THE CHAIR:

That I believe is S.B. 413, sir. I apologize.  
Please proceed. Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you. Good morning, afternoon, Madam  
President.

THE CHAIR:

Good afternoon, sir.

SENATOR WINFIELD (10TH):

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, sir?

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. This is a bill  
that comes to us through the Energy Committee. I  
believe it came to us in a unanimous vote. What the  
bill does is it makes some changes to how municipal

electric utility cooperatives work. Those changes would include prohibiting holding meetings outside of the state, public hearings, retreats, and strategic retreats. It would also require that within seven days of receipt, the annual forensic audit that is required under the bill be posted to the website. Currently, the boards of the CMEEC --.

THE CHAIR:

I'm sorry. Senator Winfield. Can you wait one second? I apologize. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move that we just PT this as we're waiting for an amendment, please. If we can move on. Stand at ease. We have to move on to the next bill.

THE CHAIR:

Wait a minute. Which one do you want? Stand at ease or move on to the next?

SENATOR DUFF (25TH):

Well, one is PT. Two is stand at ease for a moment.

THE CHAIR:

Stand at ease. The Senate will come back to order. Senator Duff.

SENATOR DUFF (25TH):

tm  
Senate

13  
May 31, 2017

Thank you, Madam President. If the clerk can please call the next bill on the calendar, please?

THE CHAIR:

Mr. Clerk.

CLERK:

Calendar, Page 13, Calendar marking 286, S.B. 986,  
AN ACT CONCERNING THE LEGISLATIVE COMMISSIONER'S  
RECOMMENDATIONS FOR MINOR AND TECHNICAL REVISIONS TO  
STATUTES CONCERNING GOVERNMENT ADMINISTRATION.  
Favorable report of GAE.

THE CHAIR:

Senator Flexer. Good afternoon, ma'am.

SENATOR FLEXER (29TH):

Good afternoon again, Madam President. Madam President, I move for 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 FLEXER (29TH):

Yes. Thank you, Madam President. Madam President, this like other bills that've been before us this year from other committees is just the Legislative Commissioner's office recommendations for changes

tm  
Senate

14  
May 31, 2017

and technical adjustments to the statues that govern government administration elections and I urge the Chamber to support this bill. Thank you, Madam President.

THE CHAIR:

Stand at ease. The amendment has been called. The amendment has been called and it was PT'd at the point of discussion, so at this time we would hand the microphone over to Senator Somers. It has already been called. Senator Somers, we're gonna call you in one second. The clerk is going to call the amendment again and we'll let you take it over from there, ma'am. Mr. Clerk.

CLERK:

LCL 7938 which previously was designated Senate Amendment Schedule A.

THE CHAIR:

Senator Somers. Good afternoon.

SENATOR SOMERS (18TH):

Good afternoon. Should I move adoption again? Okay. Well, this amendment is put on --.

THE CHAIR:

The motion is on adoption.

SENATOR SOMERS (18TH):

Okay. Motion on adoption of the amendment.

THE CHAIR:

Please proceed, ma'am.

SENATOR SOMERS (18TH):

Yes. This amendment as spoken to before allows a municipality to stop a gun range from being in their town if they decide to have a referendum or town hall meeting to vote against it and I urge adoption of this amendment and I would ask for just a voice vote on that.

THE CHAIR:

Will you remark further on the amendment? Will you remark further on the amendment? If not, I'll try your minds. Those in favor of the amendment, please say Aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? Amendment passes. Speak more on the bill itself. Is there any? If not, then I'll guess we'll have a roll call vote, ask for a roll call vote. Mr. Clerk. The machine will be open. Please call for roll call vote and the bill.

CLERK:



tm  
Senate

16  
May 31, 2017

An immediate roll call has been ordered in the Senate. An immediate roll call has been ordered in the Senate. All Senators please report to the Chamber.

THE CHAIR:

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

CLERK:

Total number voting	36
Those voting Aye	36
Those voting Nay	0
Those absent	0

THE CHAIR:

The bill passes. The Senate will stand at ease. Sorry, Senator Duff.

SENATOR DUFF (25TH):

The Senate come back to order?

THE CHAIR:

The Senate will come back to order.

SENATOR DUFF (25TH):

Thank you. Just a yield for a point of personal privilege, please?

THE CHAIR:

tm  
Senate

17  
May 31, 2017

Oh, I'm sorry. Senator Flexer for point of personal privilege.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, my goal is to talk as much as I can today. I rise for a point of personal privilege to introduce some special guests that are here with us in the Chamber. Earlier in today's session, I talked about the Help a Hero Event that's going on outside and with us today we have a number of special guests who do a lot of critical work in supporting Veterans from throughout our state and two of those folks work at the South Park Inn who are here with us today; Brian Baker who is the Assistant Director and I believe Rich Linin, [phonetic] who is from the American Legion is also outside manning the truck and we're grateful to have him here today and there's a few other guests, and if I could have your indulgence, Madam President, my colleague, Senator Leone, will introduce them.

THE CHAIR:

Senator Leone, will you accept the yield, sir?

SENATOR LEONE (27TH):

Thank you, Madam President. I accept the yield gladly and I want to thank Senator Flexer for taking the lead on introducing our Veterans and those who help our Veterans for all the very much right reasons and I want to take the time to welcome the Homes for the Brave from Bridgeport with Vincent Santilli, the CEO, and Kathy Beardsworth, the Director of Communications and Outreach. Both these

organizations do such a wonderful job in outreaching to our Veterans in the Veterans community and getting our Veterans back on their feet and into the community as great citizens as they are just naturally, so I want to thank them for all the work that they do. I know them firsthand and many times they are if not the last hope, but also a first step for our Veterans, so what they do is really God's work and I want to give them thanks for all that they do and also for the event that's out here today, they do that every year and it's a great show of support, so thank you for the indulgence, and if could from the Senate, give them a warm round of applause for all that they do and welcome them here today. [Clapping]

THE CHAIR:

Thank you so very, very much for all you do and we really do appreciate it. We know that we hold our Veterans at a very high rank and thank you for doing what you do. God bless you. Senator Duff.

SENATOR DUFF (25TH):

Thank you says the Lieutenant of the Chamber. She holds you in very high rank absolutely. Thank you, Madam President. Madam President, would the Senate please stand at ease?

THE CHAIR:

The Senate will stand at ease. The Senate will come back to order. Senator Duff.

SENATOR DUFF (25TH):

tm  
Senate

19  
May 31, 2017

Thank you, Madam President. Madam President, would the clerk please call as the next go, Calendar Page 48, Calendar 309, S.B. 1033?

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you. Calendar Page 49, Calendar 309, 1033, please.

THE CHAIR:

Thank you. Mr. Clerk.

CLERK:

On page 49 Calendar 309, Substitute for S.B. No. 1033, AN ACT CONCERNING MUNICIPAL FORECLOSURE ACTIONS ON TAX LIENS AND LIENS ON BLIGHTED REAL ESTATE.

THE CHAIR:

Senator Cassano. Good afternoon, sir.

SENATOR CASSANO (4TH):

Good afternoon, Madam President. I have before me a bill I would like to move acceptance of the Joint Committee's favorable report and passage of the bill. I'll waive its reading and seek leave to summarize.

THE CHAIR:

tm  
Senate

20  
May 31, 2017

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

SENATOR CASSANO (4TH):

Yes. The bill basically involves foreclosure actions on blighted real estate and what it does is it speeds up the process so that these bills would move to the front of the line so we could deal with these on a quicker basis. I do, however, realize that the clerk has in possession an amendment. I believe the LCO number is 6914.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 6914, Senate A, offered by Senator Cassano.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Yes. Very simply, this changes the date, effective date --.

THE CHAIR:

Move for adoption, sir?

SENATOR CASSANO (4TH):

I move adoption of the amendment.

tm  
Senate

21  
May 31, 2017

THE CHAIR:

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

SENATOR CASSANO (4TH):

Yes. The purpose of this is to change the effective date from October 2, 2017 to January 1, 2018, the reason being the court is in the process of updating its computers. Their system would be done and this would be able to be a much easier flow, so I would urge adoption of the amendment.

THE CHAIR:

Will you remark further on the amendment? Will you remark further on the amendment? Senator Logan.

SENATOR LOGAN (17TH):

Thank you, Madam President. I stand in favor of the amendment and I urge my colleagues to do the same.

THE CHAIR:

Thank you. 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 ayes have it. The amendment is adopted. Senator Cassano.

tm  
Senate

22  
May 31, 2017

SENATOR CASSANO (4TH):

There is no further information. There are no questions. I would ask to be placed on the consent calendar.

THE CHAIR:

Will you remark further on the bill? Will you remark further on the bill? If not, we'll move it to the consent calendar if there's no objection. No objection seen.

SENATOR CASSANO (4TH):

Thank you.

THE CHAIR:

Thank you. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the Senate stand at ease, please?

THE CHAIR:

The Senate will stand at ease. The Senate will come back to order. Points at personal privilege. Senator McCrory.

REP. MCCRORY (7TH): Thank you, Madam President. Good afternoon.

THE CHAIR:

Good afternoon, sir.

REP. MCCRORY (7TH):

With me today I have a group of students of Hartford Jumoke Academy Charter School. They recently participated in the Tails of Hope Foundation's Youth Ambassador Working Dog Program, known as YAP. Since Jumoke's approved Science and Technology School program was a stimuli enrichment curriculum designed to improve relationships between K9 law enforcement and the community. Students learned about national security, canine careers, and volunteer opportunities. They also designed and built K9 agility equipment that was donated to the Hartford Police Department K9 Units. The students study with a number of individuals, and I don't want to include all of them, but a few I do want to name. Linda Blake who is the President of the Tails of Hope Foundation, Detective Steven Sida [phonetic] with the K9 Unit with the Hartford Police Department and another staff member with Jumoke Academy. This ring of honor I would like to give them a warm welcome from the Senate here at the State Capitol. Can you give them a great hand for outstanding work they've done all year? [Clapping]. Thank you, Madam President.

THE CHAIR:

Thank you all very much for coming. Congratulations and thanks for coming here today and what a great idea that you had. Keep up the good work. Thank you. The Senate will stand at ease. She Senate will come back to order. Senator Duff.

SENATOR DUFF (25TH):



tm  
Senate

24  
May 31, 2017

Thank you, Madam President. Madam President, would the clerk please call Calendar Page 28, Calendar 421, S.B. 623?

THE CHAIR:

Mr. Clerk.

CLERK:

On Page 28, Calendar 421, S.B. No. 623, AN ACT ESTABLISHING THE 7/7 PROGRAM TO ENCOURAGE THE REDEVELOPMENT OF BROWNFIELDS AND UNDERUTILIZED PROPERTY.

THE CHAIR:

Senator Frantz. Good afternoon, sir.

SENATOR FRANTZ (36TH):

Good afternoon, Madam President, and thank you for that. I move acceptance of the committee's joint favorable report and passage of the bill.

THE CHAIR:

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

SENATOR FRANTZ (36TH):

Thank you, Madam President. I appreciate that. Connecticut has an incredible history in manufacturing that goes back well over 200 years ago, up to 200 years ago I should say, and that's a lot to be proud of. In the wake of some of these

different industries that have come and gone, there are a lot of residual of Brownfields in the state that need attention. Some of these buildings are absolutely incredible examples of architecture, are in beautiful places, and certainly in useful places from a commercial point of view, so all of the Brownfields efforts that we make in the state of Connecticut are well-received and well-intended. It has been a challenge to get many of these different Brownfields resolve and remediated because of the liability issues and a variety of other issues that go along with it as well.

So, what this bill does, S.B. 623, also known as the 7/7 program, is - what it does is it tries to offer incentives to potential developers and owners to come in and remediate these Brownfields to the point where they can have a viably commercial operation running and what it does in a nutshell is it offers during the first seven years after the owners redevelops a DCD approved property, Brownfields property, the owner then qualifies for a corporation, business, or personal income tax credit against the income attributed to that redeveloped property, so none of those benefits are given until the place is up and running and that is after seven years. In addition, a sales and use tax exemption applicable to items purchased for this commercial enterprise for use at that property is granted as well. And, then the owner also qualifies to have the redeveloped properties tax assessment frozen for five years at its predevelopment value which is a very valuable incentive for potential property owners.

And, then if the property was remediated during this period, the owner then qualifies in year A, so in

tm  
Senate

May 31, 2017

other words, this is the second part of the 7/7, for an additional seven year benefit beginning in that eighth year and the benefit is a business or personal income tax deduction of up to 8.57-percent for eligible expenses that the owner incurred during the remediation process. So, that's it in a nutshell and Madam President the clerk should have an amendment LCO No. 7668 in his possession.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 7668 Senate A offered by Senators Frantz, Hartley, et al.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

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

THE CHAIR:

Motion is on adoption. Will you remark, sir?

SENATOR FRANTZ (36TH):

Yes. Thank you, Madam President. Simply what LCO 7668 does is, in line 58, it strikes a licensed environmental professional, and in line 57, it

tm  
Senate

May 31, 2017

strikes environmental professional again, and in inserts an eligible owner. The reason for that is that the Environmental Engineering Society did not feel comfortable because there was no definition as of yet as to what a Brownfield exactly is, so until we get that figured out in statute, it doesn't make sense for them to be required to do this because they really in fact can't do it legally and that's something that the Commerce Committee and other committees will go to work on promptly if this bill moves forward. Thank you, Madam President.

THE CHAIR:

Will you remark further on Senate A? Will you remark further on Senate A? Senator Hartley, no. So, 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 remark further on the bill as amended? Will you remark further on the bill as amended? Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Madam President, and good afternoon to you, Madam. The proposal before us part of an urban strategy which will speak to the reenergizing lands that hitherto fore have been off the tax rolls and have been fall, lied fell for all this time. Madam President, the proposal itself is a very robust

proposal and I would like to ask the clerk who is in possession of LCO 8089 to please the call the amendment and ask that I be granted leave to summarize, Madam.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8089 Senate B offered by Senators Looney, Duff, and Hartley.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Madam President. I move adoption.

THE CHAIR:

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

SENATOR HARTLEY (15TH):

Yes, indeed. Thank you, Madam President. The amendment anticipates the ability to sustain the commitment which --.

THE CHAIR:

Senator Hartley, Senator Duff has asked for --.

SENATOR DUFF (25TH):

tm  
Senate

29  
May 31, 2017

Thank you, Madam President. Can we stand at ease for a moment, please?

THE CHAIR:

The Senate will stand at ease. The Senate will come back to order. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I yield back to Senator Hartley. You've got the floor.

THE CHAIR:

Senator Hartley. Will you accept the yield, ma'am?

SENATOR HARTLEY (15TH):

Yes, indeed. Thank you, Madam President. Madam President, before us is LCO 8089. I would ask that we withdraw that LDO, madam?

THE CHAIR:

Seeing no objections. So ordered.

SENATOR HARTLEY (15TH):

Thank you. Thank you, Madam, and the clerk should now be in possession of LCO 8121.

THE CHAIR:

8121. Mr. Clerk, will you please call it?

CLERK:

tm  
Senate

May 31, 2017

LCO No. 8121 Senate C offered by Senators Looney, Duff, and Hartley.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Madam President. I move adoption.

THE CHAIR:

Motion is on adoption. Will you remark further?

SENATOR HARTLEY (15TH):

Yes. Thank you, Madam President. Madam President, the LCO that is in front of us is a correction to the previous LCO which was a technicality pointed out to us by OFA. It simply anticipates the ability to sustain the commitments that will be offered in the underlining bill which is a very robust program and so in view of the fiscal climate which we find ourselves in it is very important to know what we can sustain programs and our commitment, and hence, we have LCO 8121 before us. It simply says that the participants, the applicants to the 7/7 program, will receive the benefits when the accountability report indicates that in fact the state budget will be in surplus, madam.

THE CHAIR:

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

tm  
Senate

31  
May 31, 2017

SENATOR FASANO (34TH):

Good afternoon, Madam President. Madam President, I just received this, so I may just take a moment to -  
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THE CHAIR:

The Senate will stand at ease.

SENATOR FASANO (34TH):

Thank you. Thank you, Madam President.

THE CHAIR:

The Senate will come back to order. Senator Fasano.

SENATOR FASANO (34TH):

If I may to Senator Hartley. Senator Hartley, just seeing the amendment for the first time, so I apologize. In reading the amendment, it says that this particular bill, the participant may receive the benefits under this section only when the most recent submission. First question, we'll say submission. Is that submission for the 7/7 program or what is that submission of? Through you, Madam President.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):



Thank you, Madam President, and through you. Yes. In line 5, only when the most recent submission of both the Secretary of the office of Policy and Management and the office of Fiscal Analysis, and so we have as we are very familiar with the accountability reports, and that is the information that they work to put together for that accountability report which will indicate what the budget surplus or deficit would be. So, we know that in fact we can fund the program so as not to have applicants midstream in a program which we are unable to fund. I think perhaps our history sometimes is that we initiate a program and then we find ourselves having to redefine in a certain way and I think perhaps we have some of those right now in the current budget we're dealing with. Thank you. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President, and I thank Senator Hartley, but recent submission, I'm just wondering, is that the submission of the budget analysis, is that submission of the application with respect to the process or project? What is that submission pertaining to? Through you, Madam President.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

tm  
Senate

May 31, 2017

Thank you, Madam President, and through you to Senator Fasano. It is my understanding that it is the submission, as it says in line 5, by both Secretary of OPM and OFA, so they in putting together their accountability report do a comparison and so that because in past history we recall different numbers. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. I understand what the import of what the amendment is referring to, Madam President. Madam President, part of this bill is not a requirement of funding. That is to say, Madam President, what this bill talks about is not funding, but what it talks about is not paying taxes in the future. Madam President, what this bill has is two parts, so let's be clear.

It starts off with a piece of property that has not been used for over a set of years, 10 years, and a town designates this property as eligible for this program, so that's the municipal component. And then if somebody were to develop the piece of property, they would not pay property taxes for seven years municipality-wise other than what it was assessed at. So, if they built a building and finished the building and started work at the building, they would not pay taxes. That's the incentive to start building. They also would not pay sales taxes over seven years. OFA places a fiscal note because it's saying it's losing that money, but it's money they never had. If the

property sat there for 10 years, they don't have that money to begin with, so you're not losing the money, so it's not being funded, so I guess the question I have is what is the concern over their funding if there is no money unless I misunderstand the bill, if there is no money from the state to this property, there's just money not being received by the state in the best case scenario, so there's no requirement to ensure adequate funds. So, I'm just curious as to whether my analysis is inaccurate. Through you, Madam President, to Senator Hartley.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Madam President, and my apologies. Is there perhaps an abbreviated version to the question? My apologies.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

I guess, Madam President, the question I pose is, there's no money coming from the state to the applicant in this bill as I understand this bill. Is that correct? Through you, Madam President.

THE CHAIR:

Senator Hartley.

tm  
Senate

35  
May 31, 2017

SENATOR HARTLEY (15TH):

Through you, Madam President. So, as the tax credit program works, it follows the development. Through you.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President.

THE CHAIR:

Senator Duff. Sorry.

SENATOR DUFF (25TH):

Thank you, Madam President. If we can PT this item, please and stand at ease for a moment?

THE CHAIR:

The bill will be PTd and the Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If the clerk would now please call Calendar Page 10, Calendar 249, S.B. 4?

THE CHAIR:

Mr. Clerk.

tm  
Senate

36  
May 31, 2017

CLERK:

On Page 10, Calendar 241.

THE CHAIR:

It was PTd. It's fine.

CLERK:

Calendar 241, Substitute for S.B. No. 4, AN ACT  
CONCERNING MUNICIPAL ELECTRIC UTILITY COOPERATIVES.

THE CHAIR:

Senator Winfield. Try it again, sir. Good  
afternoon.

SENATOR WINFIELD (10TH):

Yes. Good afternoon again, Madam President. I  
believe I already moved and had begun to explain it,  
so I will finish. I was almost finished explaining  
it. The other thing that this bill, S.B. 4, does  
when dealing with municipal electrical utility  
cooperatives is it changes the way that we deal with  
their Boards and makes the legislative body of the  
municipality able to appoint one of the members.  
Having explained what the bill does, I will yield to  
Senator Osten for an amendment.

THE CHAIR:

Senator Osten. Do you accept the yield, ma'am?

SENATOR OSTEN (19TH):

I do accept the yield. Thank you very much, Madam President. Madam President, the clerk is in possession of LCO No. 8137. I asked that the amendment be moved and I be given leave to summarize?

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8137 Senate A offered by Senators Osten, Somers, et al.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. This is a strike-all and I urge passage of the amendment.

THE CHAIR:

Motion is on adoption. Will you remark?

SENATOR OSTEN (19TH)

Thank you very much, Madam President. Madam President, this amendment would be a strike-all amendment and essentially what this amendment deals with and what this bill started out as was a result of an incident that happened down in eastern Connecticut where the Connecticut Municipal Energy Consortium ran somewhat astray and it allowed

members to go on offsite trips that were expensive and ultimately led towards an undermining of the public trust of very good, very positive organization whose mission was to keep the prices for our rate payers in eastern Connecticut low. As a matter of fact, they worked with many businesses in the area in order to decrease the costs they had on utilities. To name two would be the Mohegan tribe and its gaming industry and electric boats and its rather expansive industry on building the best subs in the United States, I would actually say in the world, but we wanted to put forth a piece of legislation that dealt with the problems that incurred as a result of the undermining of public trust.

And, so what this amendment does is it requires that meetings and public hearings be held with minutes resulting from those and the correct posting much akin to what happens with our meetings up here or meetings at a local level. It requires audits. It does have an initial requirement of one audit that would deal with a look-back over five years.

What we're trying to do is to make sure that this very good organization works within the trust of the community. This is a bipartisan amendment and all of my colleagues down in the southeastern section of the state were to put it mildly outraged and dismayed by what happened and we feel that and I feel that we need to do a piece of legislation that clearly outlines what should happen with this organization regarding their activity with the residents in our communities. We think that Connecticut pays some of the highest electric rates and this is a mechanism and has worked in the past to see a decrease in the cost to our rate payers in

the area and we could not see what happened with this mission and the fact that there were some many egregious oversteps that had happened that allowed folks to not have that real clear trust that is so necessary in today's world in particular revolving around government organizations and we also feel that government organizations have an obligation to be as transparent as possible. I urge my colleagues to pass this amendment and to quickly forward this to our colleagues downstairs and I would remind everybody that we need organizations like CMEEC, but we also need them to act in the good faith of the people that entrust them with their care.

This is exactly what this piece of legislation would do and I so appreciate Senator Winfield, Senator Formica, Senator Somers, and all my colleagues downstairs who worked to make sure that we were engaging the public, addressing their concerns, and putting forth a piece of legislation that had common sense, transparent policies in it, and required a look back and had some public participation in the Board itself, so I'm hoping that this legislation passes quickly and moves forward. Thank you, Madam President.

THE CHAIR:

Will you remark on Senate A? Senator Somers.

SENATOR SOMERS (18TH):

Yes. Good afternoon, Madam President. I wanted to stand or rise and speak on this amendment. This amendment is very important to the citizens of one of the towns that I represent in Groton. And, this amendment really is about getting to the truth and



transparency and protecting the rate payers that reside in Norwich, Groton, Bozrah, Jewett City, south and east Norwalk. These municipalities all have locally owned electric companies, utility companies, and they are all part of something called CMEEC which stands for the Connecticut Municipality Electric Energy Cooperative. This group was formed, or this cooperative was formed, in 1976 as a way for the smaller municipal electric companies to come together to form a power purchase agreement to buy the best blended rate on the market so they could provide to their rate payers the lowest price for energy on the market.

In 1976 it was a novel idea. Now times have changed and there are other cooperatives that are available on the free market. And for years, CMEEC did a great job and they delivered energy. I was a beneficiary. I lived in Groton. We had some of the lowest electric rates of anyone around. Unfortunately, CMEEC lost its way and we're not exactly sure when that happened, but what we do know is that there's highly questionable financial spending that has occurred over a period of time.

Most recently, it's come to light that they spent close to \$1.2 million dollars of rate payer on lavish trips, four trips to the Kentucky Derby. The last trip they took cost nearly \$400 thousand dollars. It was \$360 thousand dollars. Forty-four people attended and only eight worked for CMEEC. This is a retreat that later on we found out after hearing the ethics hearings in Norwich that the money was taken out of the rate stabilization fund that is used primarily to keep rates down for municipal electric rate payers. CMEEC has talked to me directly about the funds they hold for each one

of the municipalities. They hold a rate stabilization fund. They hold an equity fund and they hold an economic development fund. All of those funds are held at CMEEC for each municipality that requests them. What we don't know is what happens to that money when it's pulled out of those funds and how it's used, but what we did find in our further investigation that we have learned through the ethics hearings we've had is that rate stabilization money was pulled from an account again that's used to keep energy costs low and it was used to go on these trips.

We also found that during some further inquiries, I had asked for the CMEEC budget and I had asked for a copy of a CMEEC invoice to one of the local municipalities' electric companies. To this day, I still have not received them. They are considered trade secret and confidential. At one point, a municipal company in Wallingford was part of this cooperative, but they had pulled away. Wallingford was kind enough to give me a copy of an invoice and on that invoice what we saw was an inflation of the wholesale price from CMEEC to the local municipalities. It was a dollar surcharge for every megawatt served. This went into something called a margin fund. Actually, they don't call it a margin fund. They call it "margin".

So, as things progressed, it was clear that we did not have a good handle on how the financials were being spent and the account of the revenues, so in a bipartisan manner we came together and developed this amendment which basically will have CMEEC do a five year look back and a forensic examination by a certified financial forensic auditor to look at exactly all the money coming in, all the money going

out. It will look at travel expenses. It will look at credit card receipts and it will hopefully restore the public's trust in how money is managed at CMEEC. It's interesting that CMEEC did not report any of these trips on their annual report either. There is no PURA regulation. The Attorney General has no oversight. This is a creature of the legislature because it was created by the legislature and I feel that we as legislators have a duty to the citizens that are paying into this CMEEC Corporation through their utility companies to make sure that they are getting their money's worth and that their money is spent properly.

To-date, CMEEC really has sort of had free rein on how they spend their money. Many of the things that are required in this bill they should already be doing. We require them to post minutes and agenda online. That's something a \$300 million dollar company should know that they have to do. No matter what happens with this legislation, I can tell you that the bipartisan support that we have received to restore the public trust has been overwhelming. We have many people on Energy and Technology that have come forth and have been very unhappy with what they've seen and they have come to me personally and are glad that we have been able to come to a bipartisan amendment that will help again restore the public's trust.

I would like to thank Senator Osten, Senator Formica, Senator Winfield, Representative Lonnie Reed for all their hard work on this amendment and I urge its passage and I hope that my colleagues will join me. Thank you very much.

THE CHAIR:

tm  
Senate

43  
May 31, 2017

Thank you. Will you remark further? Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR FORMICA (20TH):

Thank you. Briefly, I'd like to add my two cents on this particular bill and thank everybody for working on this bipartisan arrangement. When this news came out of this retreat back in November, I immediately reached out to the two chairs at the time, Representative Reed and Senator Doyle about the opportunity to be able to look into this as we move forward, and as things developed and committee leadership changed, I'd like to commend Senator Winfield for picking up the ball and moving this along with Representative Reed because this is an opportunity that the legislature needed to address and I think that this amendment and this bill addresses that opportunity by requiring CMEEC to conform to certain operational opportunities that will make a better organization.

They are a good organization. They've worked hard to save money for many of their customers, but these requirements just need to be tightened up and I urge my colleagues to vote in support of this bill. Thank you very much, Madam President.

THE CHAIR:

tm  
Senate

May 31, 2017

Thank you. Will you remark further on Senate A?  
Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. Good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR FONFARA (1ST):

Madam President, I rise for a comment on the bill and maybe more of a matter of perspective. I've been around long enough to be here and as former chair of the Energy Committee, having many, many meetings with and about CMEEC, and there was a time not too long ago when there were people in this building that put CMEEC forth as the model that they wish every town in Connecticut could be a part of. I've had many a meeting with the organization in the past and know the dedication that those folks have and the fact that the residents and the businesses of CMEEC's territory have enjoyed the lowest rates in the state in most cases.

And, in fact, there is a reason for that, many of them being that they are exempt from most of the requirements that our investor-owned utilities are subject to, energy efficiency and renewable energy requirements that the state has and this building has put forth on our investor-owned utilities the municipal electrics are exempt from and many of the taxes that we have put on the investor-owned utilities the municipals are exempt from and a whole host of other costs that we as an institution here,

the legislator, felt was necessary. The investor-owned and CMEEC are exempt from. Mainly because they have wanted to stay out of this building, they went out of their way to make sure that we did not bring them up in conversations actually for years. That was the practice and I'm not rising, Madam President, to speak on the issues that have brought this bill before this Circle, but I do want to bring some perspective to the issue and sometimes be careful what you ask for, you might just get it and that many of the people of this state would enjoy the rates that the folks that CMEEC covers and the commitment that that organization has had for decades now.

I would say, though, that I doubt very seriously if most people in this Chamber or downstairs, when asked to vote on saying do we want to end or reduce our commitment to renewable energy to energy efficiency, to a host of other initiatives that we ask our investor utilities to undertake, most people would say no we don't. There's a reason. If we believe we have high rates in Connecticut outside of the municipal electrics, there's a reason why we do because we have said there are things we want our utilities to embrace and to support and there's no free lunch for that, Madam President. If we want clean air, if we want to have the energy that we have come to rely on to be there and available to us all the time or almost all the time, there's a cost for that. If we don't want people to be shut off in the middle of winter on a subzero day, there is a cost for that and I could go on and on and on, but I just wanted to rise, Madam President, to speak more to the point of the work that the organization and I heard the proponents of the bill address that, but just some perspective going back a couple of decades

now of experience with respect to CMEEC and the work that the organization and individuals at that organization have done. Thank you, Madam President.

THE CHAIR:

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

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment passes. Will you remark further on the bill? The amendment is now the bill. Senator Winfield.

SENATOR WINFIELD (10TH):

Just to be sure I'd ask this be voted by roll call.

THE CHAIR:

Mr. Clerk. Hold on. We're going to stand at ease for a second. Mr. Clerk, will you please call the bill and the machine will be open for roll call vote.

CLERK:

~~Immediate roll call has been ordered in the Senate.~~  
Immediate roll call has been ordered in the Senate.

THE CHAIR:

tm  
Senate

47  
May 31, 2017

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

CLERK:

S.B. No. 4,	
Total number voting	36
Those voting Aye	36
Those voting Nay	0
Absent, not voting	0

THE CHAIR:

The bill passes. At this time, are there any points  
of personal privilege? Senator Looney.

SENATOR LOONEY (11TH):

Madam President. For point of personal privilege  
and an introduction.

THE CHAIR:

Please proceed.

SENATOR LOONEY (11TH):

Thank you, Madam President. We're joined here in  
the Chamber today by a young man from New Haven who  
was my original legislative aide when I first came  
to the Senate in 1993. He was my aide for my first  
two terms in the Senate. He then moved to  
Washington D.C. and became a key staff member for  
the Mayor of Washington D.C. at the time, Mayor Tony  
Williams. He then became a Washington D.C. lobbyist  
for a time and then after that changed direction for



a new and exciting career. He moved to Los Angeles and is a successful screenwriter and film producer now, so I would like to introduce to the Chamber for our warm welcome someone whom we used to see around here a great deal in the early and mid-1990s, Jim Warrick. [Clapping]

THE CHAIR:

Jim, it's wonderful to see you again. There are many people around here who wouldn't recognize you, but I do, so do me a favor, don't write any of those playwrights about the times when you were around. Thank you very much. Take care, Jim. Good seeing you. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I'd like to ask the clerk to go back to the item we just marked PT, Calendar Page 28, Calendar 421, S.B. 623.

THE CHAIR:

Mr. Clerk.

CLERK:

On Page 28, Calendar 421, S.B. No. 623, AN ACT ESTABLISHING THE 7/7 PROGRAM TO ENCOURAGE THE REDEVELOPMENT OF BROWNFIELDS AND UNDERUTILIZED PROPERTY. Senate A has been adopted. Senate C has been designated.

THE CHAIR:

Senator Hartley.

tm  
Senate

49  
May 31, 2017

SENATOR HARTLEY (15TH):

Thank you, Madam President. So, last we spoke, before us was LCO 8121 which simply is for the purpose of ensuring to the participants in the 7/7 program that there has been a definitive commitment to them in the program. Thank you, Madam President.

THE CHAIR:

Thank you. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, just one question for Senator Hartley.

THE CHAIR:

Please proceed, sir.

SENATOR FASANO (34TH):

Thank you, Madam President. Senator Hartley, when they make this submission of their application for the program and at that time it shows that there is a budget surplus, is that a snapshot or if it goes into a negative in the budget they lose the program? Through you, Madam President.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

tm  
Senate

50  
May 31, 2017

Thank you, Madam President, and through you to Senator Fasano, the father of the 7/7 program. Yes, indeed. It is a snapshot in time. It is a criteria when then indicates to the participant that yes, you are in the program and you will be sustained in the program. Thank you, sir. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Thanks Senator Hartley for that answer and I find the amendment to be a friendly amendment to the bill. Thank you, Madam President.

THE CHAIR:

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

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate C is adopted. At this time, any more discussion? Senator Frantz.

SENATOR FRANTZ (36TH):

tm  
Senate

51  
May 31, 2017

Thank you, Madam President, I appreciate that and I'm glad we got through that discussion there because this is a good bill. The underlying bill is a very good bill in that it will allow the potential of one of these Brownfields to be realized going forward, and as I was saying before, we have a lot of them in Connecticut and it does bode well for our future if this does move forward.

I will point out that it made it through the Finance Committee 51 to 0 and Commerce 21 to 0 and I'd also like to thank my co-Chair, Senator Hartley, whose always an awesome person to work with on any of these initiatives and Representatives Yaccarino and Simmons in the House and also our own Senator Fasano for coming up with this idea in the first place. Thank you very much, Madam President.

THE CHAIR:

Thank you. Will you remark further on the bill? Will you remark further on the bill? If not, Mr. Clerk, will you call for roll call vote?

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:

tm  
Senate

52  
May 31, 2017

S.B. 623,	
Total number voting	36
Those voting Aye	36
Those voting Nay	0
Absent, not voting	0

THE CHAIR:

The bill passes. [Gavel]. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the clerk now please call the bills on the consent calendar followed by a vote, please?

THE CHAIR:

Absolutely. Mr. Clerk.

CLERK:

On page 3, Calendar 116, S.B. 546; on Page 49, Calendar 309, S.B. 1033.

THE CHAIR:

Okay. At this time, please call for roll call vote on the consent calendar and the machine is open.

CLERK:

Immediate roll call has been ordered in the Senate on consent calendar No. 1. Immediate roll call has been ordered in the Senate.

THE CHAIR:

tm  
Senate

53  
May 31, 2017

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

CLERK:

On consent calendar 1,	
Total number voting	36
Those voting Aye	36
Those voting Nay	0
Absent, not voting	0

THE CHAIR:

The bill passes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Could you ask does the Clerk have Senate Agenda No. 2?

THE CHAIR:

Mr. Clerk.

CLERK:

Is in possession of Senate Agenda No. 2, dated Wednesday, May 31, 2017. It's been reproduced and is on Senators' desks.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

tm  
Senate

54  
May 31, 2017

Thank you, Madam President. I move that all items on Senate Agenda No. 2, dated Wednesday, May 31, 2017, be acted upon as indicated and the Journal be incorporated by reference in Senate Journal and transcript.

THE CHAIR:

So be it. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, will the Senate stand at ease, please?

THE CHAIR:

The Senate will stand at ease. The Senate will come back to order. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, would the Clerk please call Calendar Page 15, Calendar 313, S.B. 985?

THE CHAIR:

Mr. Clerk.

CLERK:

On Page 15, Calendar 313, S.B. No. 985, AN ACT CONCERNING CONFLICTS OF INTEREST DUE TO AN EMPLOYER OTHER THAN THE STATE UNDER THE STATE CODE OF ETHICS. There is an amendment.

tm  
Senate

55  
May 31, 2017

THE CHAIR:

Senator Flexer. Good afternoon again, ma'am.

SENATOR FLEXER (29TH):

Good afternoon, 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, the bill before us today applies existing laws concerning substantial conflicts of interest of the State and the State Code of Ethics for Public Official and State Employees to conflicts that involve the public officials or the state employee's employer or the spouse's employer. This measure enjoyed board bipartisan support in the GA Committee. I want to thank my colleague, Senator McLachlan, for his support of this bill and I hope that the Chamber will support it. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the bill?  
Senator McLachlan. Good afternoon, sir.

SENATOR MCLACHLAN (24TH):



Good afternoon, Madam President. I stand in support of the bill. I just want to clarify that some elected officials may have concern that it spreads too far a wide net in this ethics regulation proposed. I will say that this has been looked very carefully over the last several years and we've discovered that there are some loopholes in current state statute. Whenever an elected official here in the Connecticut General Assembly or elsewhere has a concern, they can very simply select two choices. One is recusal on the matter or two is seek out guidance from our ethics officials here in the state of Connecticut. I urge adoption. Thank you, Madam President.

THE CHAIR:

Will you remark further? Senator Miner. Good afternoon, sir.

SENATOR MINER (30TH):

Good afternoon, Madam President. Madam President, I was reading this language earlier and am concerned not to the extent that I'm in opposition, but concerned that this may actually be a significant change, not only a significant change to the public, but a significant change to members of this Chamber and the Chamber downstairs. And, so I come to that opinion by looking at lines 28 through 40. With respect to the fact that it no longer is limited to, in my reading, whether or not the individual or the individual's immediate family would benefit. It's a matter of whether the employer outside of this Chamber would benefit.

And, so when I look at this language, I think to myself, so let's say I was a member of the City Council in the city of Hartford, and in that role, I was an employee. I actually got a stipend. If in advocating for the city of Hartford, the city of Hartford ended up with a significantly larger amount of money through the budgetary process than any other municipality, what I'm questioning is whether or not that would require any member of this Chamber or the lower Chamber in voting for that budget to have to file an affidavit acknowledging the fact that that occurred, that in advocacy for the community that your employer would've benefited at a rate higher than any other municipality.

In fact, the language says up or down, so in supporting a budget where there a monetary loss, I think it's conceivable that you'd have the same obligation to seek out that opinion and file that written statement and so I'm not really sure if I can get this answered through a question, but I'd like to try and that is, in Section B, is my read of Section B correct? Through you, Madam President to the proponent of the bill.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. If I could just ask for a clarification from my good colleague and neighbor, Senator Miner, for his read of Section B.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Certainly, Madam President. So, in reading Section B, the deviation from past language, in the past it seemed to me that there had to be a direct benefit to you, to your spouse, to some member of your immediate family, there had to be a direct connection. So, if I cast a vote and my wife was a bookkeeper in the town of Warren and Warren somehow got additional revenue and quid pro quo for that she was getting a \$2,500 dollar kick in her stipend, then that would be a very direct, very real conflict of interest. In this case, it appears to me to say that if there's a direct monetary gain or loss for the other employer, it's no longer required that it be direct to the employee's spouse or immediate family, so that's my question. Am I correct that this is a change that would require a written statement should I vote on that budget? Through you.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. My interpretation of this is that while a written statement under this proposal in front of us could certainly be done out of an abundance of caution, many of our colleagues and many folks who fall under the purview of this existing statute choose to go above and beyond in their interpretation of our state ethics laws and filling out that written statement I think would be

going above and beyond. My interpretation is that what is before us, the scenario that my colleague has described, would instead of a deminimis nature in terms of the benefit to the employer and would be a broad - it wouldn't be a narrow benefit that was directly for the particular employee or that employer.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President, and I thank the gentle lady for her response and so the response included the words or the caveat of deminimis and so if she could help me then understand what is the threshold of deminimis? When do we cross that deminimis threshold in whether or not I would be well-advised to file that written statement or not file that written statement? Is it a dollar threshold or is it a change in policy? Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Existing law that is outlined here in the bill that's before us describes an interest of a deminimis nature is an interest that is not distinct from that of a substantial segment of the general public or an interest in a substantial conflict with the performance of

official duties as defined in Section 1-85 and has a potential conflict of interest.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Again, I thank the gentle lady for her response. I'm not opposed to the language. As I said in the onset that this is something that I think moving continuously looking at this issue and trying to move in this direction where we provide people an opportunity to seek an opinion, make a statement, make it clear to the public what our intentions are, are all good in terms of our public role here. I guess I'm hoping to point out that deminimis as I understood it was, that if I took action on a corporate policy or a tax policy here and it affected me the same it affected anyone like me all across the country with regard to the value of a stock or any number of things, that I was such a small fish in that big pool it didn't really matter.

In this case where we do things here that directly impact municipalities, that directly impact budgets, that directly impact professions, I think this language is a significant change. I'm not saying it's a bad change. I'm just saying I think it's significant and I think it bears us really paying attention to as this bill moves forward, assuming it will pass the House and then be signed by the Governor, because the last thing I think we want to do is to get jammed up because we're trying to help a community through some economic times or we're

tm  
Senate

61  
May 31, 2017

trying to correct a policy statement. That's really the only point that I was trying to make. I think in this case it is less clear because it gets away from the language dealing directly with the employee and the employee's immediate family and now talks about the employer. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the bill?  
Will you remark further on the bill? Senator Bye.  
Good afternoon.

SENATOR BYE (5TH):

Good afternoon, Madam President. A couple questions for the proponent of the bill.

THE CHAIR:

Please proceed, ma'am.

SENATOR BYE (5TH):

Senator Flexer. Through you, Madam President. As we consider the current state of the law versus the change, how would that impact somebody in their workplace? What would change from today to the day this becomes law in terms of the steps they would need to take if they had substantial conflict of interest with their workplace?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, this proposal in front of us expands existing law so that a public official would have to include both their employer, their outside employer, and their spouse, and their spouse's employer and they would have to go to the office of State Ethics like many of us do now to get an opinion on various issues that may come before them in their role as a public official.

And, then under this proposal they would either be able to excuse themselves from that debate and the role that they have in that particular issue or they could file an official statement under potential penalty of a false statement explaining the nature of the potential conflict and why despite the conflict they believe they can move forward in an unbiased way. They can participate, as the bill before us says, fairly, objectively, and in the public interest in such matter. And, that statement will be filed with the office of State Ethics and I think that's a great improvement in our existing law.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Thank you, Madam President, and through you, another question for the proponent of the bill. In the Circle, oftentimes I ask Senator Witkos if I could use him as an example. If a bill comes up that concerns his company, he recuses himself and leaves the Chamber for that vote, what does this bill change about this or would there be instances during which he would not need to recuse himself from the

tm  
Senate

63  
May 31, 2017

vote because he worked for a company that may be impacted by that policy? Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH)

Through you, Madam President. Again, the scenario that you just described, our colleague would still work with the office of State Ethics to determine what the best course is, and the scenario that you just gave, the good Senator could certainly continue to recuse himself from those matters, but if a situation did arise where there was a potential conflict and he did not see it that way, he could file this statement and explain why the conflict did not exist and why he could continue to participate, again fairly, objectively, and in the public interest on that matter.

THE CHAIR:

Senator Bye.

SENATOR BYE (5TH):

Thank you. I thank the gentleman for her answer. I have one last question. Through you, Madam President, what does it mean to have an influence on the policy? Would that include trying to affect a bill during the process, through the committee process, and the bill development and the compromises on that bill? Would that all be included in the type of activities that would



tm  
Senate

64  
May 31, 2017

require such approval from the office of State Ethics? Through you, Madam President, and that's my last question.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. There is - all of the things that the good Senator just described could fall within the proper discharge of the public official's duties or their employment in the public interest, so someone could choose to file this statement and say that they could participate behind the scenes in all the ways you just described. On a matter, they could just choose to do it at the point of a vote and those are the sorts of things I think this legislature needs to continue to look at. Through you, Madam President.

THE CHAIR:

Thank you. Would you remark any further? Will you remark any further on the bill? Will you remark any further on the bill? If not, I guess I'll call for roll call vote. Mr. Clerk, 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:

tm  
Senate

65  
May 31, 2017

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

CLERK:

S.B. 985,

Total number voting	35
Those voting Aye	35
Those voting Nay	0
Absent, not voting	1

THE CHAIR:

The bill passes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the clerk now  
please call Calender Page 10, Calendar 244, S.B.  
413?

THE CHAIR:

Mr. Clerk.

CLERK:

On Page 10, Calendar 244, S.B. No. 413, AN ACT  
MAKING MUNICIPAL UTILITY COMPANIES' BOOKS AND  
FINANCIALS SUBJECT TO DISCLOSURE UNDER THE FREEDOM  
OF INFORMATION ACT AND CONCERNING MUNICIPAL ELECTRIC  
UTILITIES AND RATE DESIGN STUDIES. There are  
amendments.

THE CHAIR:

Good afternoon, Senator Formica, again.

tm  
Senate

66  
May 31, 2017

SENATOR FORMICA (20TH):

Good afternoon again, Madam President and thank you. I rise to move acceptable 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 FORMICA (20TH):

Yes, Madam President. Thank you. This is a bill that came out of one of the previous bills that we discussed earlier today in giving utilities the opportunity to disclose under Freedom of Information Act. This requires municipal utilities that their books and accounts be subject to FOI and exempts municipal utilities from studying electrical vehicle rates if they already have recently. This is a good bill and I urge adoption and I thank the members for this consideration on this particular bill.

THE CHAIR:

Thank you. Will you remark further? Will you remark further on the bill? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, I would ask the clerk to call LCO 8061.

THE CHAIR:

Mr. Clerk.

tm  
Senate

67  
May 31, 2017

CLERK:

LCO No. 8061, Senate A, offered by Senator Fasano.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, we'd move the amendment and request permission to summarize.

THE CHAIR:

Motion is on adoption. Will you remark sir?

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, what this essentially does is it allows a municipal electrical energy cooperative, it requires them to maintain a detailed and accurate accounting of expenses. Madam President, I would ask to withdraw that amendment. Apparently, there is a new amendment and withdraw that amendment.

THE CHAIR:

I see no objection. So ordered. The amendment is withdrawn.

SENATOR FASANO (34TH):

And, I ask the clerk to call LCO 8175.

tm  
Senate

May 31, 2017

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8175, Senate B, offered by Senators Fasano and Winfield.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Madam President, this is the right amendment. Madam President, I am joined on this amendment by Senator Winfield and I thank him very much. Madam President, once again this is an amendment to the underlying bill. What is required is to maintain a detailed and accurate accounting of expenses paid. It also requires employee labor expenses using detailed employee timecards and not to charge more than the expenses incurred by the service or agent. The point is that when these expenses are paid, there's not supposed to be a surplus to the municipal electric companies. It is supposed to be net neutral; however, and there's other supporting documents that go along with this. However, Madam President, without knowing what these documents are, there's no way of actually knowing what the costs are and what the recovered costs are. Madam President, you may or may not recall that there has been a problem recently with respect to a certain municipal electrical cooperative that has raised some concerns.

Madam President, what this does is sort of stop that at the pass. That is to say this would require a reporting such that anybody who's part of this cooperative can look at this reporting and determine whether or not those expenses are matched to what is recorded. Madam President, this is just a failsafe protected measure to ensure an accurate bookkeeping, and more importantly, those folks who are outside looking in can ensure that this is an accurate match-up to what is said to be the expenses when it's not.

Madam President, I recognize to some extent one may argue that this requires more bookkeeping. I appreciate that, but an ounce of cure is worth a pound of something as the old saying goes like that, so I think what this does is certainly make sure that we get our information out there, sunlight out there, so Madam President, I look forward to adoption of this amendment. Thank you, Madam President.

THE CHAIR:

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 B, please say Aye.

SENATORS:

Aye.

THE CHAIR:

tm  
Senate

70  
May 31, 2017

Opposed? Senate B passes. Will you remark further on the bill? Will you remark further on the bill? Senator Fasano.

SENATOR FASANO (34TH):

Madam President, I also have LCO 8178.

THE CHAIR:

Mr. Clerk, will you call the amendment, please?

CLERK:

LCO No. 8178, Senate C, offered by Senators Fasano, Witkos, Markley, and Winfield.

THE CHAIR:

Okay. Senator Fasano.

SENATOR FASANO (34TH):

Madam President. Apparently this cleans up some issues with the last amendment which are minor and technical and that's all it really does. Thank you, Madam President. I move the amendment --.

THE CHAIR:

Thank you. This motion is on adoption. Yes, sir. Thank you. Okay. Will you remark further on Senate C? Will you remark further on Senate C? If not, I'll try your minds. All those in favor, please say Aye.

SENATORS:

tm  
Senate

71  
May 31, 2017

Aye.

THE CHAIR:

Opposed? Senate C is adopted. Now, are we on the bill? We're on the bill. Senator Bye.

SENATOR BYE (5TH):

Thank you, Madam President. Quick question for the proponent of the bill.

THE CHAIR:

Please proceed, ma'am.

SENATOR BYE (5TH):

Through you, Madam President. I just want to assure that this bill pertains only to electric service. Through you, Madam President.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Yes. Through you, Madam President. That's correct.

THE CHAIR:

Thank you.

SENATOR BYE (5TH):

Thank you.



tm  
Senate

72  
May 31, 2017

THE CHAIR:

Will you remark further on the bill? Will you remark further on the bill? If not, Mr. Clerk, will you please call for 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:

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

CLERK:

S.B. 413,	
Total number voting	34
Those voting Aye	34
Those voting Nay	0
Absent, not voting	2

THE CHAIR:

The bill passes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, would the clerk just mark a few items go so everybody has an idea where we're heading to next. Thank you, Madam President. If we can call as our next item, Calendar Page 29, Calendar 425, S.B. 734; followed

tm  
Senate

73  
May 31, 2017

by Calendar Page 17, Calendar 335, S.B. 941;  
followed by Calendar Page 6, Calendar 176, S.B. 889;  
followed by Calendar Page 9, Calendar 239, S.B. 959;  
followed by Calendar Page 23, Calendar 390, S.B.  
1005; followed by Calendar Page 46, Calendar 156,  
S.B. 836? Thank you, Madam President.

THE CHAIR:

Mr. Clerk.

CLERK:

On Page 29, Calendar 425, Substitute for S.B. No. 734, AN ACT ESTABLISHING A TAX DEDUCTION FOR CONTRIBUTIONS TO A CITIZEN IN NEED ACCOUNT. There are amendments.

THE CHAIR:

Senator Frantz. Good afternoon, again, sir.

SENATOR FRANTZ (36TH):

Good afternoon, Madam President. Thank you for that. We appreciate it very much. You know, times are challenging in the state of Connecticut these days and we as a state, unfortunately, are having a tough time funding our social service programs and our commitments to those who are desperately in need of many of these different services and we're also from time to time accused in this Chamber of not thinking creatively enough to move the state forward, to figure out new funding streams for these different programs that are so vitally needed for people in need.

tm  
Senate

May 31, 2017

So, I'm pleased today to introduce to the Chamber, S.B. 734, which AN ACT ESTABISHING A TAX DEDUCTION FOR CONTRIBUTIONS TO A CITIZNES IN NEED ACCOUNT. And simply put, what it does is, and we all know that Connecticut does not allow itemized deductions nearly 100-percent; what this does is for the first time in a long time, if perhaps not ever, allows for there to be an itemized deduction with personal income tax within the state of Connecticut.

It not only allows that, but it doubles it. The idea here is that if people elect to contribute to a Citizens in Need program, which this statute would establish, they will get not only 100-percent tax deduction, but they will get a 200-percent tax deduction which is something that's completely unheard of in the state of Connecticut. In addition to that, that taxpayer would be eligible to take advantage of the federal IRS deduction as well, and when you put those two elements together, it creates a lot of incentive for people who are particularly concerned about other people to pay close attention to this and perhaps consider giving to that Citizens in Need fund.

And, I think it makes a lot of sense because it's essentially a costless or nearly costless exercise or experiment to see if this concept would work and would be a win-win for the people of Connecticut because now all of a sudden you're getting to fund the social service programs that've been neglected over the last few months and years in many cases. And, you're also delivering a benefit to the taxpayer that they were not able to take advantage of prior to this, so it's a novel way of trying to raise the revenues that are necessary in these difficult times for the state of Connecticut and I

think it's a wonderful creative gesture here. And, so what I'd like to do is to yield to the originator of this concept if it's okay with you, Madam President, and that's Senator Len Suzio.

THE CHAIR:

Senator Suzio. Will you accept the yield, sir?

SENATOR SUZIO (13TH):

I'd be very pleased to accept the yield, Madam President. Thank you. And, thank you, Senator Frantz, for the introduction of S.B. 734. I urge my colleagues to support this bill because of its impact on the poor and its impact on the budget. Last December, I was perusing the local paper and I read a story about how the energy assistance program, the LIEA program, which is there to help the poor heat their homes and their apartments, was running low on money.

And, I started thinking about, wouldn't it be nice if we could contribute something to the fund to help people heat their homes and I realized that there's no tax deduction in Connecticut to encourage that kind of behavior to contribute to the citizens who really do need our help and assistance, and as I thought more and more about it, I realized it's not just the LIEA program, but also all sorts of social service programs that are offered to the needy, to the poor, to parents with disabled children, to senior citizens. I thought of Care for Kids. I thought of Choices at Home. I thought of the Connecticut Aids Drug Assistance program; just one program after the other that all are threatened in terms of our budget crisis right now.

We are going to be staring at a budget deficit that's growing day by day, week by week, to shocking proportions and there's no doubt that there's gonna be some cuts in funding of some of these very important and needed programs by the poor so the poor, the neediest of the neediest.

So, I thought about, why not establish a special fund that would be controlled by the state of Connecticut called the Citizens in Need Fund which would help to restore funds to these programs that are badly needed by our citizens and families, and as I thought more about it, I thought, why not come up with the idea of making it deductible and at the same time maybe even making it double deductible to really attract attention.

And, I went to a couple of tax experts here in the state of Connecticut, Professor Pomp at Yukon and Bill Saas who's a CPA and one of the lean tax experts in Connecticut as well and they both said from a tax point of view it definitely works. It could be very appealing and very attractive and we did some more research on it to see what experience other states have had, and while other states do allow charitable deductions, no state has ever set up a program that is along these guidelines. So, from a budget point of view, I want to make certain that this potential legislation achieves two what to many people might appear to be contradictory goals at the same time.

We are able to cut taxes and simultaneously increase revenues to the state of Connecticut and the increase in revenues is not dollar for dollar. It's eight to 10 times the amount of the tax cost of this bill. To make certain that my colleagues understand

tm  
Senate

May 31, 2017

how the concept works and how it impacts the budget, I just want to explain it in a little detail, but basically if someone has a \$100,000 dollars a year adjusted gross income, which is what Connecticut's state income tax is based on, if they were to donate \$1,000 dollars to this fund under the proposed program, they would be entitled to deduct \$2,000 dollars from their adjusted gross income, reducing it to \$98,000 dollars. If that taxpayer was in the five-percent bracket and basically under the proposal, they'd be entitled to a \$2,000 dollar deduction which effectively in the five-percent bracket would save them \$100 dollars on their state income tax.

In other words, the state of Connecticut would get 10 times the revenue of the tax loss that would be foregone under this proposal. Moreover, it is suggested or structured in such a way that Connecticut's citizens who make the contribution would be eligible for federal income tax deductibility as well thereby leveraging and multiplying the benefit all the more for Connecticut citizens. Why not in effect keep more of our dollars here in Connecticut rather than sending them down to Washington, D.C.?

So, basically it's a no lose proposition. And, by the way, I did go to Commissioner Sullivan and I did speak to him at the urging of some of my colleagues who said, why not speak to the Department of Revenue Services, to see what impact it would be and Commissioner Sullivan assured me that it would be very easy for the Department to implement if the legislature should approve it and he said it would have almost no cost to the Department, so this is one of those propositions that is a no-risk no-lose

tm  
Senate

May 31, 2017

proposition. We can only gain by it. We've got nothing to lose by it and some of you might think, well what is the potential? I'll give you an idea. In 2015, the latest year I could find tax data from the federal government on Connecticut residents, \$3.6 billion dollars of charitable contributions were reported and itemized by Connecticut residents that year and it's estimated that amount is understated by another 25-percent for people who don't itemize their deductions.

So, it's estimated that close to \$4.3 billion dollars of charitable contributions are made by Connecticut citizens every year. If we were to capture just one-percent of that amount, that's \$43 million dollars and personally I do believe that's a very realistic goal. If we were to capture \$43 million dollars of contributions, it would cost us only about 10-percent of the amount in terms of lost tax revenues, \$4.3 million dollars. It's just a win-win proposition for the state of Connecticut. It's a win-win situation for those who are our neediest citizens who need help the most. And if I may, Madam President, the clerk is in possession of an amendment. It's under LCO 8108. I ask the clerk to please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8108, Senate A, offered by Senator Suzio.

THE CHAIR:

tm  
Senate

79  
May 31, 2017

Senator Suzio.

SENATOR SUZIO (13TH):

Madam President. I move adoption of the amendment and waive the reading.

THE CHAIR:

Motion is on adoption. Please proceed, sir.

SENATOR SUZIO (13TH):

Thank you very much. The amendment to the original bill basically is to in effect restrict the use of the funds that would be brought forward from this program should it be adopted and limit it to the neediest cities in the state of Connecticut and their citizens. And, specifically it would limit the use of the proceeds to Bridgeport, New Haven, Hartford, Waterbury, Norwalk, Danbury, New Britain, Hamden, Bristol, and/or Meriden. In other words, these are some of the biggest cities in the state and also the cities that have the highest poverty rate, the cities which have the highest concentrations of people, Connecticut citizens and families, who need the social services programs provided by our state and which are threatened by our dire budget situation.

I urge and I hope to see a unanimous vote in this body because this is again a proposition that will benefit the neediest of our citizens at no cost to the state government. It will be not a problem in terms of the budget itself, and in these times when we're looking at a budget that is collapsing day by day, to have a program which enhances our ability to



reach out and support the neediest of our citizens without exacerbating the budget situation, but on the other hand actually helping the budget situation, I urge unanimous approval by all my colleagues in the Senate of this amendment. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark Senator Fasano on Senate A, please?

SENATOR FASANO (34TH):

Thank you, Madam President. I apologize for sort of going out of turn in the Circle, but I have to be at another meeting and I wanted to comment on the bill and the amendment brought in by Senator Suzio. You know, in this building very rarely do we think out of the box and very rarely do we think of innovative ways to try to move something along. So, let's take a look at what this does. What we're saying is people are gonna pay money into a fund and the deduction is going to be less than the amount of money that actually goes into this fund. So, we've got their money. It is there. It is tangible. It can be withdrawn from that account and then what we're gonna do to make the bill even better, we're gonna dedicate this fund aptly named Citizens in Need and we're gonna put it to some of the largest cities in the state of Connecticut.

Think about it. We're not gonna grant money from our tax base. We're not gonna loan money. We're not gonna put ourselves into debt. We're gonna use cash, cold cash in a deposit account, to fund various activities. It's a win-win-win. Now, it's

foreign to the Circle to see something that doesn't fit our general diagram of how we do things in the building. I understand that, but identify the downside. When Senator Suzio brought this up maybe six months ago or so, I said there's gotta be a catch. There has to be something wrong because it sort of makes too much sense that you're able to put money away, get a deduction, and in effect, there's more money with the state, so something, what's the catch?

And when you look at it, there is no catch. Politically, it makes sense. Business-wise, it makes sense. If you're gonna give me \$60 dollars and I'm gonna give you back 20, see me outside. I'll do that every day of the week until you get tired of doing it. That's what all this thing is. We're getting 60. We're giving the person back 20. That's a good deal. Now, maybe I'm missing something, but I tell you, I looked at this in many different ways. The fiscal note kind of talks about you're losing money, but they're not looking at the full game plan here which is money in an account that offsets that fiscal note. It's there. It's not a promise. It's not a business entity that's gonna get jobs and sooner or later we're gonna get the money back like a first five or some other initiative. This is an honest return day one with no risk to the state of Connecticut and an upside. This is better than being the house in a casino. You're ahead of the game without any risk.

And now we're gonna fund those areas that this Circle and the Chamber downstairs are dealing with at this very moment. How are we gonna fund DCS? How are we gonna fund Pilot? How are we gonna fund construction projects in our cities? How are we

gonna fund job programs? And, we struggle with that. What are we going to take from to fund this? This answers that question. You don't have to worry about that now. Citizen in Need Fund is there to be pulled upon. Madam President, this amendment makes the underlying bill better and that's why I don't want to wait 'til the underlying bill to talk. This amendment makes the underlying bill better and certainly makes all the sense in the world. I look forward to its passage. Thank you, Madam President.

THE CHAIR:

Will you remark further? Senator Witkos.

SENATOR WITKOS (8TH):

Thank you and good afternoon, Madam President.

THE CHAIR:

Good afternoon, sir.

SENATOR WITKOS (8TH):

I also stand in strong support of the amendment as proposed by Senator Suzio. You know, just yesterday we gathered around the Circle to discuss a deficiency plan and there seemed to be a rush over the course of the end of last week and the beginning of this week because there was a program known as the Birth To Three Program where bills needed to be paid so folks felt it was of the utmost urgency to come forward and make sure that the money was transferred from account to account to pay for this program, but there's only so much money. There's so much of the piece of the pie that can be delivered

and we were able to accommodate that and this is just one more. If you want to say it, this is the confectionary sugar on the piece of the pie, an additional piece of funds that the three of the 10 largest communities in our state can make themselves available to all the different social service agencies for these fantastic programs that we have in our state. It gives the folks that have the ability and the wherewithal to donate yet receive a reduction off their state and federal tax return in exchange for donating hard cash dollars to the state of Connecticut which can be used not in a specific program, but in a community and those programs up to that community can be decided which ones have the best return on its investment, so I stand in strong support of the amendment and ask for the Chamber's adoption. Thank you, Madam President.

THE CHAIR:

Thank you. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam Chair. I rise and would ask a couple questions of the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR FASANO (34TH):

I'm familiar with the bill. I did have this in Finance and I voted against it because if I remember correctly we were pretty much under the gun of the House going into session or something like that. We

tm  
Senate

May 31, 2017

didn't really have a lot of time to ask questions.  
So, I'd like that opportunity now.

THE CHAIR:

This is on the amendment, right, sir?

SENATOR FASANO (34TH):

I'm sorry.

THE CHAIR:

We're on the amendment, not the bill.

SENATOR FASANO (34TH):

On the amendment, right.

THE CHAIR:

Thank you, sir.

SENATOR FASANO (34TH):

You've identified 10 cities. Why are we identifying  
10 cities as opposed to people in need?

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Yes, and through you, Madam President. It's the  
people in need in those cities. In other words,  
it's not going to the cities as municipalities, but

tm  
Senate

May 31, 2017

is going to be restricted to the social programs offered through the state to people who reside in those cities. Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

And it seems, I don't know how we do the geography, but a lot of people don't cross the river. The river's not cement. It's water. As you go east, east Hartford, Manchester, Willimantic, in any cases from any people, among the poorest people in the state of Connecticut. Manchester is the center of social services east of the river. The numbers of people that spend hours on the phone and hours in line to get services are incredible and they're not included in the bill and I don't know the process for doing that, but if it was people in need based on finance or something as opposed to picking 10 towns. I think they're one of the 10 largest towns now, east Hartford next door and Willimantic, a little ways out, all have the same problems.

If this was people in need in our urban areas, whether they be relatively small like Willimantic or in the larger urban areas, I think it would be great, but to be able to pick some and not others, I have a problem with, and if there's a way we could do that here as an amendment or suggestion, even if we hold out, I think that would make a significant difference because everybody in need would have an opportunity, so that was real concern. I don't think there's a real economic impact, a negative impact, on the taxpayer as far as because the

tm  
Senate

May 31, 2017

money's going to another - the last part of this question is, is this money protected from sweeps?

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Yes, and through you, Madam President. Yes, the money would be put into a lockbox controlled only by the Department of Social Services. It would be restricted to the programs that are offered through the Department of Social Services and to the people who are qualified for those services. And, going to your question about the restriction that is in the amendment insofar as the 10 cities that have been identified, I envision that as a starting point that if the program catches on and becomes very successful, there's no reason to restrict it to the original 10 cities or towns that we're identifying in the amendment itself. And, if it does indeed reach the success I think it has the potential to do of tens of millions of dollars, then it can and should be expanded so that every citizen who basically benefits from the social services offered by the state and are qualified by virtue of their income or lack of income and their needs, that every citizen in this state would eventually be eligible, but this in effect establishes a prototype, a program which we can grow and learn from and become even more successful over time. Thank you, Madam President.

THE CHAIR:

Thank you.

tm  
Senate

87  
May 31, 2017

SENATOR FASANO (34TH):

Thank you. Through you, Madam President. One more question.

THE CHAIR:

Please proceed, sir.

SENATOR FASANO (34TH):

Again, going back to, if we were to make that change if you adopted this the way it is at this time, you'd have to come back to the legislature to make additional changes. If this was at the discretion of the Department of Social Services based on need, we would not have to come back here and the neediest of people would be served, not only in those 10 towns, but in other towns as well. Would you be agreeable to making that distinction?

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Through you, Madam President. I would be agreeable to anything that we can do to help any and all citizens in Connecticut. Again, the original bill did not have the restriction of the 10 cities in it, but we thought - the thinking was, look it, where are the greatest concentrations of poverty and people in need because we'll have more benefit and bang for the buck if we concentrate the resources that we generate from this rather than dispersing it



tm  
Senate

May 31, 2017

everywhere throughout the state. And again, they can become the prototypes that we can use to expand the program, but I have no objection. If the Chamber were to say, 'no, we like the original bill as unamended' and passes is that way, I would be just as happy to do that as well, but my thinking was by virtue of offering the amendment was let's - in the first couple of years, it'll be new. People will be learning of the program's existence. I am certain once it catches fire, and by the way, I think any tax advisors in Connecticut that catch wind of this, we are probably going to see some I think pretty substantial donations made by people who have the means and the income to do so and I think it'll explode in terms of the potential resources that we can offer to the citizens of Connecticut.

So, the thinking again was let's learn from our experience in the first couple of years and then focus it on 10 cities or towns, but if you were to vote against this, through you, Madam President - if Senator Cassano were to vote against this and say 'no, but I'm going to vote for the underlying bill', I would not have a problem with that at all. I'd be the first to come over and shake Senator Cassano's hand.

THE CHAIR:

Thank you, sir. Senator Fasano.

SENATOR FASANO (34TH):

Yes, and one last question again. I would assume that somehow Senator Suzio that we would be able to put together some kind of a program that you

mentioned the accountants. Would we be as a state in touch, would Social Services be in touch? How do we get the word out because the concept's a great concept, but if people don't know about it, it's a problem.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Just to clarify, I think the questioner is asking how will we communicate with potential donors? Through you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Yes.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

I can just tell you the people who are the most likely to contribute to this program are the people who have advisors, tax advisors, who are up on things like this. And, by the way, when I was first conceiving of the program, it was in December when I was reading about the LIHEAP program and what was I doing at the time? I was reviewing my contributions

tm  
Senate

May 31, 2017

and writing out more checks to more charities and I thought this would be great if I had something to contribute. I would've contributed to this fund. In fact, if the legislature does pass this, I want to be the very first donor to the Citizens in Need Fund. I will write out a check for \$1,000 dollars the very first day this becomes law. Through you, Madam President.

THE CHAIR:

Thank you. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President.

THE CHAIR:

Senator Gerratana. Good afternoon, ma'am.

SENATOR GERRATANA (6TH):

Good afternoon, Madam President. Thank you, Madam President. I have some questions for the proponent of the amendment.

THE CHAIR:

Please proceed, ma'am.

SENATOR GERRATANA (6TH):

Thank you. Senator Suzio, I just want to know how this is going to work or what you envision. The first thing is, how would this amount of money - the underlying fiscal note says it would be the account

tm  
Senate

91  
May 31, 2017

would probably take it about \$300 thousand dollars on the underlying bill, of course, but for this amendment, you do say that monies in the account shall be expended by the comptroller in consultation with the Commissioner of Social Services to assist residents and the money should not be used for administrative purposes, but what I want to know is, with this amount of money, how would it be determined that it would be distributed? Would there be a formula to it? Perhaps you could explain to me.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Yes. And, I'm actually glad you brought up that question because I do want to correct a comment that was made by Senator Fasano about this having a cost. The actual fiscal impact as developed by the Office of Fiscal Analysis is positive from day one. It shows \$300 thousand dollars of revenue annually and then about \$140 or 50 thousand dollars of cost in the first year, decreasing to about 120 thousand I think in the second year and we could all argue or debate how much money it will raise, but whatever it does raise would be used by the Commissioner of the Department of Social Services and directed to programs that the Commissioner feels should be the priority programs.

I would leave considerable discretion to the Commissioner to determine where the biggest bang for the buck would occur and where the most important needs are. It would be up to the Commissioner just

like it is today with the Commissioner working with the budget he's allocated. He determines what the priorities are when he spends money and if he has to cut spending to the programs. Through you, Madam President.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. The amendment in lines 11 and 12 is very broad and who receives benefits from social services programs. I know you talked about LIHEAP. Well, there are many, many social services programs that DSS administers. Given the amount of money, I still don't understand how the actual distribution -- did you consult with DDS to ask them how this or what amount would be distributed? Would there be a cap on the amount? Would there be a - when someone I assume would apply for this, would they be told, well, you can get \$10, \$15, or I'm trying to understand how this would be carried out. Thank you.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Through you, Madam President. Yes. I want to make sure there's no misunderstanding. I'm not advocating that the money be distributed as cash to people as recipients. I am advocating that the money would be used to support the social service

programs for the clients of the Department of Social Services, those people who benefit from any one of the dozens of programs administered by the Department itself. It could be Care for Kids. It could be the Connecticut Age Drug Assistance Program. It could be any of those programs at all, all of which are threatened today by the budget crisis that we're confronting today and all of which face potential devastating cuts which will hurt many people, the people who need help the most, and this I hope the proceeds from this will go a long way towards mitigating that damage and maybe even exceeding it so that we can actually not only prevent the loss of those badly needed services, but we might actually be able to increase those services. Through you, Madam President.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. Well, it was not clear to me from the language in this amendment that it would go to DDS and then be distributed in these communities to be used in general I guess to help people in the communities who may --. In other words, what you're saying, is that this would offset the cost if you would of people who receive benefits, social service benefits, so I'm trying to think of how that would work. So, is this some sort of, this fund would kind of reimburse DSS for money that they would expend for people who are receiving these benefits, so it wouldn't go directly to the person?

SENATOR SUZIO (13TH):

And, through you, Madam President. That is absolutely correct. There is no intention for the money that would be collected to be distributed as cash to beneficiaries who are decided by the Department of Social Services. No. The whole idea is to support programs that already exist that are operating on underfunded accounts already and whose funding is threatened, so I think of Care for Kids for example as a good example which is a program which is teeter tottering in terms of its funding. I would say and hope that the Commissioner might make that one of his priorities. I also want to point out I don't want to get into micromanaging the Department either.

I mean we do trust the Commissioners that run our various departments to decide what their priorities are and where the money goes. That's both when they're bringing their budgets forward to us and when the Governor is telling them they have to cut their spending. They are the ones who are deciding where those spending cuts are occurring, so my hope is that the funds that come in through this program, the millions of dollars I hope that we raise voluntarily from Connecticut citizens, will go to help to restore or preserve programs like Care for Kids, the Energy Assistance Programs, food pantries that benefit, the Husky Healthcare Program.

I mean there's dozens of programs that could benefit from this, the shelters for battered women, all of which--- there's so many programs I think most of our citizens would be surprised by what the state of Connecticut does to help the neediest of the needy and we all know, every one of us in this Circle, know that the funding for all those programs is

threatened right now and very likely to be cut. This is a way of countering that threat, and I hope more than countering it, I hope actually giving us a means of sustaining these programs not with taxes that are imposed on people, but with voluntary contributions from our citizens. What better way to help those in need than they get it voluntarily from people of charitable impulse rather than at the point of the taxman coming to collect the money. Through you, Madam President.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. One last question, if the money is going to DSS from this account, how does DDS determine that it will be used only for residents who receive social services and these communities only?

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Through you, Madam President. I know that the DSS has offices throughout the state. They know the residents and the location of people who are beneficiaries to their programs, so it'll just be a question of just saying at least initially for the first couple of years, this program would be restricted to people who have their residence in one of the communities that are identified as the



priority communities at the initial part of this program. So, I think that's identifying who's qualified by virtue of their residence would be a very easy thing for the Department to do. Thank you. Through you, Madam President.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. I have no further questions, but I am puzzled as to how DSS would accept money from this fund and then somehow or another -- it isn't a reimbursement, but expend certain dollars only on these particular residents in this city from this fund, so I thank the gentleman for answering my questions. I appreciate that. I think there's more work that has to be done here, but I understand the good intentions. Thank you so much, Madam President.

THE CHAIR:

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

SENATOR MINER (30TH):

Thank you, Madam President. Very briefly, last year I think the Chamber may remember that there was an incident where the Department of Agriculture took custody of I think it was about 40 horses and Representative Ziobron did a Go Fund Me page, and as I recall, I think it raised about \$12 thousand dollars.

The Department of Agriculture accepted the money and made the expenditures. It seems like these agencies can figure this out. This is certainly a radical idea. I would say it's probably no more radical than establishing a Go Fund Me page and I don't know how successful it will be or won't be, but given the situation that we're in, what if it worked? What if it actually fulfilled the dream that Senator Suzio has and others have? So, I'm inclined to support the language, support the bill, and would hope that the least problem that we have is that our agencies can't figure out how to make these good dollars work out to the benefit of the people that we need to help. Thank you, Madam President.

THE CHAIR:

Thank you. Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. Good afternoon, Madam President. Madam President, I rise for a few questions of the proponent.

THE CHAIR:

please proceed, sir.

SENATOR FONFARA (1ST):

thank you, Madam President. Senator Suzio, I believe I heard you correctly that you indicated it was your estimate, based on some data that you received, that there is approximately \$430 million

tm  
Senate

98  
May 31, 2017

dollars in charitable contributions made by Connecticut taxpayers? It that accurate?

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

thank you, Madam President. No. The amount was 4.3 billion. There were 632 thousand taxpayers in Connecticut who itemized their deductions and claimed charitable deductions on their federal tax return in 2015 and it's estimated by philanthropic groups that there's another 25 to 30-percent of donations that are not itemized and it's an estimate, so I took I think it was the 3.6 billion was what those - 630 thousand taxpayers claimed and added another 6 to \$700 thousand dollars to come up with the \$4.3 billion dollars.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

So, I misheard you. Instead of 430 million, which I thought was a significant number unto itself, but I was off by a factor of 10, 4.3 billion dollars.

SENATOR SUZIO (13TH):

Yes. That's correct. Through you, Madam President.  
Yes.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

That seems like a fairly successful process that's going on right now to me to be able to generate those kinds of contributions. Why would we need a program such as you're offering here today which the Office of Fiscal Analysis I believe estimates a gain of about 300 thousand if Connecticut residents are contributing \$4.3 billion dollars in charitable contributions currently? Through you, Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

through you, Madam President. Because I know that Connecticut citizens are motivated, one by a charitable impulse, but two, they're also motivated by the tax aspects of what they do. And, right now Connecticut is a pretty stingy state if I may say so because we don't allow nickel for charitable contributions as a deduction on our state income tax returns. We are pretty exceptional in that sense. I think it's high time that Connecticut adopted a policy which encouraged our citizens to support charities, and if they're already donating 3.6 billion plus another 700 million or so, then just think how much more - if we can add just one-percent to that and that's what I estimated we might be doing. That's \$43 million dollars. Maybe it might be 10-percent. It could be \$400 million dollars for

all I know. I'm not gonna go out on a limb that far and project it, but I think the very fact that Connecticut citizens, and they are claiming \$3.6 billion dollars' worth of deductions, so they are itemizing those deductions. They are getting the federal tax benefit. I think they'll be motivated that much more by a double deduction on Connecticut state income tax. I think it's exciting. I'm really jazzed about it. I just can't wait and hope that we do try it. I hope that we are innovative enough and fearless enough to give this thing a try because it is a no-risk proposition. There's no way we lose on this. There's everything to gain and nothing to lose. That's why I think it's worth a try. Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. I guess I have a few more questions for the proponent, madam.

THE CHAIR:

Please proceed.

SENATOR FONFARA (1ST):

I would like to thank you. I would like to address this particular point because often we hear why is the government injecting itself into a space if the private market is addressing a problem by itself. In this case, again billions of dollars being donated by residents of our state to charity of

tm  
Senate

101  
May 31, 2017

their choosing, no government interference, no in any way that we are requiring anyone to participate, no hand of government mandating anything, no mandate here, and yet I believe you said, Senator Suzio, that \$4 billion dollars is currently contributed to charity by our residents. Why do we need government to inject itself into this space when it seems to be working far better than I would suspect most people sitting around this Circle would ever believe? Through you, Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Thank you, and through you, Madam President. Thank you very much for that question, Senator Fonfara. I can only say this. I know that the wealthiest of the wealthy are motivated by tax implications and it is a consideration when they donate and we have done nothing to encourage that impulse or make that appeals to Connecticut's wealthy residents. Why wouldn't we do so? It seems to me we are overlooking a fantastic opportunity and it's not interfering at all. It's all voluntary. In fact, the federal government does that.

The federal government in most other states does allow charitable contributions as tax deductions. Connecticut does not. I think that's almost scandalous when I think about it. Why would we not want to have a government policy which encourages our citizens to voluntary give money to a good cause to a needy cause to help out our most needy citizens. I was confronted by parents who have

learning disabled children who were begging me not to cut programs that are provided to them by the Department of Social Services. I mean my heart was bleeding for these people and I know and every single one of you in this Circle know that the funding for those programs is threatened right now. This is a proposal which helps to mitigate that and maybe even avoid those cuts that are coming down the pike. Why not use the charitable impulse? Why not appeal to people? If a tax deduction works and we know it does, there is no doubt it does, then why not give this a try? And, remember there's no risk to us in this.

This is not like, 'oh, we might give up \$50 million dollars of taxes and maybe get nothing in return'. There's no risk. This is like - to me, it's the safest bet you could possibly make and I would urge every one of you when you cast your vote in the next few minutes think of some needy citizens that came to you who are begging you not to cut their programs and you know you're going to be cutting some of those programs as things stand right now. This gives us the hope and this gives them the hope that we can preserve those programs that they're counting on that they do need and there's no risk for us to do that. Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. I'm certain that the gentleman knows that as being one of 187 members of this General Assembly and 36 of this Circle that he

certainly has the ability to affect the outcome of how this institution spends its money to address the needs of those individuals that you represent who asked you to cast your vote in favor of not cutting those programs. I know the gentleman understands that, but through you, Madam President, Senator Suzio, is there anything in our law that prevents the individuals that you believe this proposal will incent, is there anything in our law that would currently prevent people or deny people the right to contribute to charity?

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Through you, Madam President. Through you. There's nothing that prevents people from contributing to charity, but there is a policy which discourages it. We discourage it when we - the federal government itself and every, almost every other state, has a tax policy which encourages this impulse which encourages people through tax motivation to help out charitable institutions. Why are we not doing that here in Connecticut? That to me is a scandal. Here we are going to be looking at cutting money to programs that are badly needed by people and we have an opportunity possibly to raise tens of millions of dollars to help out at no risk and no cost to the state and we're kind of having anxiety about it for some reason. It will not cost us anything and it's not so much that people are prevented from doing this now, it's just that they need more encouragement and every government I know of except for the state of Connecticut does encourage



charitable giving by its tax policy. We do not. In fact, our tax policy actually discourages it because we don't give any recognition for charitable giving. That to me, I find that almost embarrassing that here we are the richest state in the country and we don't recognize charitable contributions for the calculation of our state income tax. That is shocking and scandalous to me. Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

thank you, Madam President. I'm glad the gentleman clarified and underscored that there's nothing in Connecticut law currently that would prohibit someone from contributing to charity, and in fact, Connecticut residents do that in abundance as the gentleman has stated both while using a deduction and those that are not.

another question for the proponent, Madam President. Madam President, through you, can you tell me, Senator Suzio, how the list of cities that are enumerated in the bill were identified? Was there a process by which they were selected?

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Yes. Through you, Madam President. The first thing we did is we identified the largest cities, the urban centers of Connecticut, and then we looked at poverty statistics. So, for example, Greenwich, Connecticut is one of the bigger cities in Connecticut, but it doesn't have such a high poverty level as some of the other cities. So, it was a combination of the concentration of the population and the poverty and also by the way of the racial and ethnic characteristics of the area, too. We wanted to help out not only those that were poor, but those who are minorities especially. Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. So, you have chosen in your process to identify by race who will be beneficiaries irrespective of their poverty level or if I could ask for clarification or their poverty level and their race? Through you, Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Through you, Madam President. We looked at the demographics of the cities in Connecticut and we decided that obviously first of all the concentration or size of the population would be number one. Number two; we looked at the poverty

statistics and said okay, which cities have the highest levels of poverty in the population and we also looked at the composition of the population demographically that is racially and ethnically because we know that minorities tend to have a higher concentration or higher issue incidence of poverty, so we tried to reach out and identify the communities in Connecticut that had the neediest populations and the greatest concentration of populations. Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. So, you could have a community outside of one of these cities in which the degree of poverty or the degree of poverty and racial concentration were such that it was significant, but did not have the population that these particular communities had, and therefore, they would not receive this benefit that would be realized by this program. Is that accurate? Through you, Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Through you, Madam President. The cities that we selected have the highest numbers of people, of people who are in poverty, and people who are

tm  
Senate

107  
May 31, 2017

identified racially as minorities. Through you,  
Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President, but the question is,  
if you had a community that had a high concentration  
of individuals who are in poverty, first had to be  
recipient of these programs in poverty and  
additionally were a concentration of racial or  
ethnic, certain populations, but did not exist in  
these six or seven, eight, towns, they do not reside  
in those, they would not be beneficiaries of this  
program?

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Through you, Madam President. There are people who  
would be characterized as a minority population or  
people who would be below the poverty level who are  
not in those cities that we selected that initially,  
of course, would not be because of their proximity  
or their location, would not be eligible for  
participation in the program, but again, I want to  
point out that in the initial year or two of the  
program when it's just getting started, the research  
is going to be fewer and the thinking was, let's  
focus the initial resources and concentrate them  
rather than dilute them over the entire state. It

was felt that would have a much more beneficial impact if the impact was concentrated on areas where there is the greatest density of population in need. That would result in getting the biggest bang for the buck, and if this program does take off like I strongly suspect it will, I don't see any reason why in the next several years it can't and should not be expanded to the entire state. Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. Lastly, through you, Madam President, Senator Suzio you indicated there was no risk to this program, but when we understand better the way the amendment would work, if one is a resident of one of the enumerated communities, a recipient of social service programs operated by DSS, and again they were a resident of that community, they would receive a benefit from these expenditures. Would that mean that if you reside in one community one of these listed, the level of benefit would be such that it'd be greater than the level of benefit in a community that is not enumerated in this bill and how would that not create a risk of sending a message that if you want to receive a greater benefit, a greater social service benefit in the state of Connecticut, you should reside in one of these communities to do so. Would that not be a likelihood? Through you, Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

With all due respect, Madam President, I would suggest that you'll find that the services that are already being offered are highly concentrated in the communities that we've targeted and the resources are there and the focus is there simply because the need is there. The need is greater in those areas. That's not discriminating against people or not in those areas, it's just putting your limited resources to their best use and getting the biggest bang for the buck and I hope that someday we generate so much money from this program we'll have plenty to go around for everybody in Connecticut.

And, by the way, I would also point out to you, Madam President, that this does not necessarily affect the level of service that a particular beneficiary gets, it affects the number of beneficiaries. For example, we're gonna cut out the Care for Kids Program. It was threatened to be totally abandoned basically not so long ago. Money from this could be used to sustain the Care for Kids Programs in those communities, so I wouldn't look at it as a certain beneficiary gets 50-percent more benefit than a beneficiary living outside these communities, it enables us to serve a greater segment of the population rather than a restricted segment, and since those are the communities that have the largest number of people in need, that's where the resources are gonna have the best impact and the biggest bang for the buck. Through you, Madam President.

THE CHAIR:

tm  
Senate

110  
May 31, 2017

Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. I'd like the gentleman to if he would respond to the question more specifically. My question is, if this through this program that the recipients, and I would like to clarify. It is my understanding that the programs that would be beneficiary of this currently do not make decisions on the benefit level based on where you live. If you qualify because of your level of poverty or whatever the other conditions are that would make you eligible and you receive that benefit, whether you live in Enfield or whether you live in Saybrook or whether you live in Kent or whether you live on the border of Rhode Island, in our cities, in our suburban communities, in our rural communities, you receive that benefit.

That is my understanding of how our social service programs work, not based on where you live, but based on what your conditions are and your eligibility based on those conditions, but this program would say in fact if you live in a particular community, in fact only 10 communities in our state, a state of 169 cities and towns, only 10. If you live in one of those, your benefit will be greater than if you do not reside in one of those communities. Isn't that accurate, Senator Suzio? Through you, Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Through you, Madam President. No, I would say that's not accurate. What we're saying is that there'll be the resources will be focused in those communities, but there's more people that need those resources in the community, so it's not as if some beneficiary in the community is gonna get 50-percent more benefit than someone who's not in the community, it enables us to serve more people where the need is the greatest.

And, by the way, state tax policy has always been focused on what can we do to help out our cities and towns? We're looking at debate coming up maybe about whether we're gonna give \$40 million dollars to help the city of Hartford out. Well, if we're gonna give \$40 million dollars to help the city of Hartford out, why don't we give them millions of dollars more to every other city and town in Connecticut as well? The truth is that we're always making decisions about the geographic location, the need of the community, what the characteristics of the community are, and we know the urban areas are where the greatest concentrations of poverty are and the greatest need, therefore.

So, it's just common sense to make available the resources to maximize the bang for the buck if you will that our money is being used and getting the greatest benefit for the dollars that we're spending. And again, I would hope, I don't envision this restriction to be a permanent restriction. I want it to help out communities like Hartford and New Haven and Bridgeport right now because that's where the need is greatest. That's where there's far more people who are in need of these services are being threatened to be cut right now. I'm hoping in two or three years, we're gonna be back in



this Chamber saying, 'wow, look, we've raised \$100 million dollars, let's expand it, let's do it throughout all of Connecticut', but I think we have to realize that we're gonna have limited resources, and therefore, we have to prioritize where we're gonna put those resources and to me it's gotta be where we get the greatest bang for the buck and where the greatest need is, where the greatest concentration of poverty is, where the greatest people in need or the greatest concentrations of people in need are.

And, I'm hoping two or three years from now, we can get rid of even the 10 city limit and let's go and do it for the whole state. I'm hoping this becomes an example for the rest of the country to follow. We can lead the way in a very positive way showing Connecticut is compassionate and charitable and let's use that charitable instinct and tax motivation to maximize the benefit for those who are in need. Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. I don't want to belabor the point, but it is important in terms of my vote on this amendment and I'd like to ask the gentleman specifically because his statements have been that it wouldn't result in a discrepancy between one community and another. So, if I am a recipient or not or could be soon a recipient or eligible for support from the Department of Social Services and I reside in Wallingford currently and I understand

that if I were to live, if I have a friend, a relative, family members who lives in Meriden and this program is in effect and it is achieving the results that you believe it could and I learned from my family member, my friend, a coworker, that the services that I would receive in the value of those services would be greater in Meriden than they are where I reside -- first let me ask the gentleman is that a scenario that could likely happen? Through you.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Through you, Madam President. Right now in Meriden, I would venture to say there's 10 times more affordable housing in Meriden than there is in Wallingford for example, but that doesn't discourage us from building affordable housing or making more affordable housing available in Meriden, so and yet you have to live in Meriden to get that benefit and not in Wallingford or Cheshire for that matter.

So, I just don't think that the distinction that's being drawn here is a significant distinction, that all the time in our housing policy -- you take a look at the 26 affording housing projects that were built in 2016. They were in targeted communities where the greatest concentrations of poverty are. No one's saying, 'oh, that's not fair or that's discriminating against people in Cheshire, poor people in Cheshire', so I just think that this goes on all the time and I think focusing it on this particular program is inconsistent. If we're going

to focus that kind of attention on this program, then every other social service that we offer, we ought to take a close look and say, 'well, why is it being concentrated in the cities' because that's where all, and by the way, that's where all the third parties are. The charitable organizations that offers services to the poor. They're there where this need is the greatest. They're in Meriden. They're in New Haven. They're in Bridgeport. They're in Hartford. They're not in Cheshire or Greenwich. They're where the need is and that's what we're saying. Let's take the millions of dollars that we're gonna generate from this program and put it where it's needed the most just like we do all the other services that we offer to our citizens. Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. I'm sorry the gentleman has decided not to address the question and the reason we're focusing on this is because this item is before us. It's before the Chamber. We're not speaking about any other housing program or any other social service initiative. We're speaking about the introduction of a new program, that according to this amendment if it were to prevail, would result in by the proponent's known acknowledgement a greater benefit concentrated in these eight of 10 communities and the question was, if I were a resident of the city of Wallingford, town of Wallingford, and I realized that the benefit in Meriden, not too far away, were greater, how

could that not result in a migration to these communities by individuals who are smart, who understand, they can read, they can learn, they can talk to people to understand where the benefits are. You've indicated that this amendment would incent people to contribute more. Well, are you suggesting that people who are recipients of services wouldn't be incented and make decisions on where they live in order to get the best benefit for their children, for their family? I think, Senator, you would consider that. I certainly would consider that. This is not the domain of only a certain group, I don't think that you're representing that that's the case. I know that that's not the case, but the question is, would this, how could this not result in individuals making decisions that would further concentrate poverty, that would further result in concentration within our school systems, within our communities, which as my colleague, Senator McCrory, represented recently and articulated better than I could ever.

There is poverty. There is concentrated poverty and then there is fill in the blank. The Good Senator represented the other day was Hartford, but I think most of these communities that you've enumerated here would fill in that blank equally.

SENATOR SUZIO (13TH):

If I may answer, through you, Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

The reason why people are concentrated in our cities partly is because that's where the services are. That's where the affordable housing is, and in effect, state policy on a ubiquitous basis, not on an exception basis. It's biased in that respect. I know most of the poor don't have their own automobiles. They rely on public transportation or they walk or they bicycle to where they're going, so I know that the folks in Wallingford that are poor and needy have a harder time getting to services they need than the folks in Meriden because there are more agencies in Meriden. There are more locations in Meriden. There's more affordable housing in Meriden that's there and many of those programs are administered by the state of Connecticut.

It's ubiquitous. It's imbued in all programs in the social services that the state of Connecticut uses, so why the monies that would be forthcoming from this program would be somehow administered in a way that's inconsistent with the rest of state policy and rest of state social services is to me it's not the main focus. The thing is if we can raise money to help out people, why not do it? If we don't do this, if we don't proceed with this, then they'll be tens of millions of dollars of resources that we're denying to people who are in need, so I would urge the focus to be, and by the way Senator, I want to complement you. You ran I thought the Finance, Revenue, and Bonding Committee -- the way you ran that committee was very fair, very open-minded, and receptive, and I appreciate that having sat on that committee under your leadership and I also understand and respect, through you, Madam President, that the good Senator is very well-

tm  
Senate

117  
May 31, 2017

thought of and has a great reputation up here and is a tough questioner which I notice that, Madam President, you didn't order me to prepare for Senator Fonfara, but I'm getting prepared now. I'm getting my baptism of fire. Thank you, Madam President, through you.

SENATOR FONFARA (1ST):

Thank you, Madam President. Madam President, I did not rise, and I indicated such, I had questions, but unfortunately, I feel I have to rise in opposition to the amendment before us for the reasons associated with my questions. I think to, and this isn't just with respect to this proposal, but any that would come before us for consideration that would in any way seek to further concentrate intended or otherwise, and I do not believe for a moment that Senator Suzio is offering this to further concentrate poverty, but I do believe it would result in that, particularly if this is as successful as he indicates it could.

I think it does require more time and more consideration. There may be in fact a value to this, but I believe we need to understand it better and figure out how to take advantage of those that might in fact be incited further to contribute, already a considerable amount, much more than I ever believed and I thank the good Senator for enlightening us regarding the amount of contributions to charity that the residents of this state make currently, but I do believe it needs more time and so for that reason I'm going to oppose the amendment and I hope we can do that by roll, Madam President. Thank you.

THE CHAIR:

Roll call vote would be had. Will you remark further on the amendment? Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you, Madam President. Madam President, I rise to support the amendment and commend the good Senator for bringing this forward. It is a creative way to try to help those that most need it in this very bad economy, this very bad budget period. I can't even say budget year because it has been a long period of difficult budgets and deficits. And, it is a voluntary way to help those most in need that the state now has fewer and fewer resources with.

I might add and it reflects the most generous country on earth and the people in it that donate over 350 billion with a B every year to nonprofits. This whole area of providing of services in this fashion, in a voluntary way in a charitable fashion, is something that American has been identified with and is the envy of the entire world. This is a really creative way to go about it. I know that we did have this public hearing in Finance. It was discussed at great length and I just wanted to rise to say that it is something that I would support and hope that our state might think about as one way to address some of those that have tremendous needs, particularly in our inner cities. Thank you, Madam President.

THE CHAIR:

tm  
Senate

119  
May 31, 2017

Thank you. Will you remark further on the amendment? Will you remark further on the amendment? If not, Mr. Clerk, will you call for roll call vote on the amendment and the machine will be 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:

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

CLERK:

On Senate amendment Schedule A,	
Total number voting	35
Those voting Aye	17
Those voting Nay	18
Absent, not voting	1

THE CHAIR:

The amendment fails. [Gavel] Will you remark further on the bill? Will you remark further on the bill? Senator Fonfara.

SENATOR FRANTZ (36TH):

Call me Fonfara if you want. Call me Ray. France, England, whatever.



tm  
Senate

120  
May 31, 2017

THE CHAIR:

I would normally look to my right and see you.  
Never mind.

SENATOR FRANTZ (36TH):

I'm not to the left of you. I'm in fact to the  
right, so you can turn around and then I'll be on  
your proper side.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you, Madam President. I appreciate that very  
much. So, before the underlying bill is -- I did  
not realize that my colleague has something to offer  
the Circle.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. I appreciate the yield  
if that's what it was.

THE CHAIR:

Please accept the yield, thank you.

SENATOR FONFARA (1ST):

tm  
Senate

121  
May 31, 2017

Madam President, I have an amendment at this time, LCO No. 7542. May it please be called and I be permitted to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 7542, Senate B, offered by Senators Looney and Duff.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

I move adoption, Madam President.

THE CHAIR:

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

SENATOR FONFARA (1ST):

Madam President, I think the debate that we just engaged in, Senator Suzio and myself, indicates just how potentially complicated this subject could be and that is in no way to cast aspersions on the intent of the bill, the underlying bill, but in fact, to help us understand it better. And, therefore, this amendment would call for a study by the Finance, Revenue, and Bonding Committee in consultation with the Commissioner of Revenue Services to examine various things regarding

deductions of our income tax and against our income tax and that would include the effect of deductions on taxpayer behavior, as well as on what the most effective rate would be for those deductions and which deductions are utilized by the largest portion, percentage of taxpayers. And, I think the gentleman, Senator Suzio's initiative would be included and I could represent that that would be included in our effort. The effort in fact intrigues me and I would like to know more, but I think having the opportunity to spend some time on this over the interim to come back with not only what the specifics of this particular amendment would call for, but also to examine further the impact of Senator Suzio's Citizens in Need account initiative and in particular how we might be able to do so in a way that would generate additional and get a better understanding of the impact of this both positively on our state and potentially negatively, so for that reason, Madam President, I urge adoption of the amendment and I ask for roll call vote. Thank you.

THE CHAIR:

Thank you, sir. Senator Frantz, would you like to speak on Senate B? Thank you.

SENATOR FRANTZ (36TH):

Indeed I would. Thank you, Madam President. So, I rise respectfully to urge my colleagues to vote against this amendment. I see this as such a great idea. It's a refreshing idea. It's creative. It's really thinking outside of the box. We are in desperate, desperate shape when it comes to raising revenues. We know that our tax base has been

eviscerated by some people's measure and that future quarters and future years are not gonna be nearly as good as we would expect them to be and want them to be. Therefore, we do need to have to start thinking creatively, and yes, there are some issues that you raised which could be of concern, but this is essentially a costless exercise, costless experiment, to see if this concept works. It's only gonna cost a few, \$60 thousand dollars or something like that, from an administration point of view to put this into place to see if in fact we can raise as much as 3 or \$400 thousand dollars the first year and then maybe five times that because it's getting great press in the following calendar year or fiscal year.

So, I think that whatever risks there could be that have been raised by Senator Fonfara are far outweighed by the state's ability to perhaps raise these new revenues to take care of those who are desperately in need and whether they're in the hardest hit cities or just outside of them or in the rural areas, it really is irrelevant because there's so much that's gonna be cut and has been cut already that if we don't get another source of revenues into the social services area, there are gonna be that many more people who are hurting regardless of where they are. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on Senate B?  
Senator Suzio.

SENATOR SUZIO (13TH):

tm.  
Senate

124  
May 31, 2017

Thank you, Madam President. I have some questions for the proponent of the amendment.

THE CHAIR:

Now, you'd better prepare yourself, Senator Fonfara. Senator Suzio.

SENATOR SUZIO (13TH):

Through you, Madam President. Yes. The amendment proposes a study of all "existing deductions" against the state personal income tax. Would the proponent please enumerate what those deductions are that are the existing deductions that would be the object of this bill? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. If Madam President and the Chamber would allow me to violate the rule of reading.

THE CHAIR:

Please proceed, sir.

SENATOR FONFARA (1ST):

I'll be quick because I cannot commit these to memory in such a short time or maybe ever, but they would include through you, Madam President, the interest on U.S. government obligations, exempt

dividends from certain qualifying mutual funds derived from U.S. government obligations, Social Security benefit adjustments, refunds of state and local income taxes, tier one and tier two railroad retirement benefits and supplemental annuities, military retirement pay, 25-percent of income received from Connecticut teacher's retirement system, beneficiary share of the Connecticut's fiduciary adjustment gain on sale of Connecticut state and local government bonds, Connecticut higher education trust shed contributions, and other and you have to specify what those would be. The taxpayer would have to specify. Through you, Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Thank you and through you, Madam President. Based on that reading of the deductions, there is no deduction right now for a charitable contribution as is contained in the underlying bill. Through you, Madam President, would that be true?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. I believe that is accurate.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Thank you. And, just one final question for the proponent, the underlying bill and the amendment which has just been defeated, by the estimate of the Office of Fiscal Analysis would've generated hundreds of thousands of dollars of revenue above the cost of administering the program. Why does the proponent reject the idea of a bill that would generate conservatively hundreds of thousands of dollars to the benefit of the state and the poor who benefit from social services programs in lieu of a study which will take time and money? Why would we not want to in effect use the idea as a test itself and a study simultaneously? Why does the proponent advocate foregoing the hundreds of thousands of dollars of estimated benefits from OFA in lieu of a study that will cost us money and gain no revenues? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. Briefly, firstly because of the fact that as the gentleman suggested, we have not done this before. This would be the first time that we are offering such a deduction from our income tax. We've tried and I think for the most part succeeded at keeping our income tax as clean as possible. This would make a change to that. I think it would benefit the effort and your effort, Senator Suzio, if we understood fully or

much better prior to implementing such a program how best it could be implemented, how best it could be established so that there is an understanding and a comfort of what the full impact would be both positively and negatively and for that reason I believe putting time into this to understand it better would be of benefit to our state in general. Through you.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Thank you and one final question through you, Madam President. I noticed that the deadline that is in the proposed study is December of 2018, about 20 months from now. Given the urgency of the state situation and the potential benefits of the underlying proposed piece of legislation, why has the study itself been delayed to be produced until the end of next year? Why do we not have a shorter deadline so that we can act on it next year in the next legislative session? Through you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. I don't disagree that if the committee in consultation with the Department of Revenue Services could complete its work prior to next session in February that it would be properly



tm  
Senate

128  
May 31, 2017

before us. I don't think anyone would prevent that from happening; however, I think it's better if we did have the time if we needed it to be able to be required to report back within a period that would allow us to learn as much as we can about this particular subject, but certainly we're not required to do that by then. It would not prevent us from acting next session. Through you.

SENATOR SUZIO (13TH):

Thank you. I have no further questions for the proponent and I know that he's a man of such influence up here. I'm certain that that study can be brought forward before the start of the next session at the beginning of next year. Thank you, Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Madam President, I'd like to withdraw my request for roll call vote at this time.

THE CHAIR:

It will be withdrawn. At this time, would you remark further on Senate B? Would you remark further on Senate B? If not, I'll try your minds. All those in favor of Senate B, please say Aye.

SENATORS:

Aye.

tm  
Senate

129  
May 31, 2017

THE CHAIR:

Those opposed? I think the Ayes have it. The Ayes have it. Okay. So, anybody want to speak on the bill? Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you, Madam President. So, before we vote on the underlying bill, I did want to thank my great co-chair, Senator Fonfara. He's made some reasonable points today, but hopefully they will be addressed in the future, in the not too distant future, and I hate to see a good idea go by the wayside because of some concerns that are maybe legitimate to a certain degree, but once again, we're in such dire straits when it comes to revenues for the state of Connecticut. I think we need to be doing everything we possibly can right now to be raising these revenues, so I would make that appeal to the 35 others of you out there that this is a really good idea. It's costless essentially and let's give it a whack here and see if this is gonna help the state of Connecticut. It's all in the name of the people who desperately need these revenues and these social service programs going forward. Thank you, Madam President.

THE CHAIR:

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

SENATOR SUZIO (13TH):

tm  
Senate

130  
May 31, 2017

Yes. Madam President, the clerk has an amendment, LCO No. 8181. Would the clerk please call the amendment?

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8181, Senate C, offered by Senator Suzio.

THE CHAIR:

We'll stand at ease for a moment.

SENATOR SUZIO (13TH):

Thank you. Thank you, Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Thank you, Madam President. I respectfully withdraw the amendment.

THE CHAIR:

The amendment will be withdrawn. At this time, I'll ask will anybody remark on the bill? Will anybody remark on the bill? If not, I'll ask Mr. Clerk, will you call for a roll call vote and the machine will be open.

tm  
Senate

131  
May 31, 2017

CLERK:

Immediate roll call has been ordered in the Senate.  
Immediate roll call has been ordered in the Senate.

THE CHAIR:

This is the bill. Senator Formica. Senator Formica. All members have voted. All members have voted. The machine will be closed. Mr. Clerk, will you please call a tally?

CLERK:

S.B. No. 734,

Total number voting	35
Those voting Aye	31
Those voting Nay	4
Absent, not voting	1

THE CHAIR:

The bill passes. [Gavel] Mr. Clerk.

CLERK:

On Page 17, Calendar 335, Substitute for S.B. No. 941, AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS REGARDING REVISIONS TO LOCAL EMERGENCY MEDICAL SERVICES PLANTS.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

tm  
Senate

132  
May 31, 2017

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 acceptance and passage. Will you remark, ma'am?

SENATOR GERRATANA (6TH):

Yes. Thank you, Madam President. Madam President, this bill comes to us from the Department of Public Health. It will require municipalities to update and submit their EMS plan every five years. Currently, they have the option to do it as they see fit. DPH explained in their testimony that it's important for each community to have an updated EMS plan. The bill also establishes protocol and timeframes for submission and approval of the EMS plans. I know talking with DPH they are very willing to help municipalities become compliant. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the bill? Will you remark further on the bill? Senator Somers.

SENATOR SOMERS (18TH):

Thank you, Madam President. As Senator Gerratana, my co-chair has explained, this is very important for DPH to ensure that we have quality EMS service throughout all communities both rural and urban and I would urge passage of this bill. Thank you.

tm  
Senate

133  
May 31, 2017

THE CHAIR:

Thank you. Will you remark further on the bill?  
Will you remark further on the bill? If not,  
Senator Gerratana.

SENATOR GERRATANA (6TH):

Madam President, if there is no objection, I would  
ask that this be moved to our consent calendar.  
Thank you.

THE CHAIR:

I see no objections. So ordered. Senate will stand  
at ease for a moment. The Senate will come back to  
order. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the clerk now  
call as the next go, Calendar Page 17, Calendar 461,  
H.B. 7106? I'm sorry, Madam President. Calendar  
Page 33, Calendar 461, H.B. 7106.

THE CHAIR:

Thank you, sir. Mr. Clerk.

CLERK:

On Page 33, Calendar 461, Substitute for H.B. No. 7106,  
AN ACT CONCERNING AUDIT REPORTS FILED WITH THE  
PUBLIC UTILITIES REGULATORY AUTHORITY.

THE CHAIR:

tm  
Senate

134  
May 31, 2017

The Senate will stand at ease for a moment. I'm sorry, Senator Formica. I'm sorry. Were you standing starting to bring the bill out? I apologize. Senator Formica.

SENATOR FORMICA (20TH):

That's all right. Good afternoon once again, Madam President.

THE CHAIR:

Good afternoon, sir.

SENATOR FORMICA (20TH):

I move acceptance of the Committee's Joint favorable report and passage of the bill in concurrence with the House.

THE CHAIR:

The question is on acceptance and passage. Will you remark in concurrence?

SENATOR FORMICA (20TH):

Thank you, Madam President. Yes, this is a bill that would provide some relief from telecommunications companies who now currently have to provide separate audits for their national accounts and for the state of Connecticut. This would provide a combined opportunity where they would be able to only need one national audit which would suffice and we think this solves a problem and is a prohibitionist bill and helps move things forward, so I would urge adoption. Thank you.

tm  
Senate

135  
May 31, 2017

THE CHAIR:

Thank you. Will you remark further on the bill?  
Will you remark further on the bill? Seeing not.  
Senator Formica. Do you want to put it on consent?  
No, we don't. We're gonna call a roll call vote.  
Mr. Clerk, will you please call roll call vote on  
this bill? 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:

Would all members please stay in the Chamber? All  
members please stay in the Chamber. Your Majority  
Leader who I asked to stay in the Chamber because  
we're gonna do a consent calendar right after you  
leave. We're going to be doing consent calendar.  
That's the reason, but if you can run fast, you can.  
Go and gun, Senators. Run and go. All members  
voted. All members voted. The machine will be  
closed. Mr. Clerk, will you please call the tally?

CLERK:

On H.B. 7106,  
Total number voting 34  
Those voting Aye 33  
Those voting Nay 1  
Absent, not voting 2

THE CHAIR:

The bill passes. Senator Duff.



tm  
Senate

136  
May 31, 2017

SENATOR DUFF (25TH):

Thank you, Madam President. Would the clerk now please call Calendar Page 27, Calendar 417, H.B. 7250?

THE CHAIR:

Mr. Clerk.

CLERK:

On Page 17 --

THE CHAIR:

27.

CLERK:

I'm sorry, 27, Calendar 417. It is --

THE CHAIR:

7250.

CLERK:

It is H.B. 7250, AN ACT CONCERNING DESECRATION OF AN ABANDONED CEMETERY.

THE CHAIR:

Thank you. Senator Doyle.

SENATOR DOYLE (9TH):

tm  
Senate

137  
May 31, 2017

Good evening, Madam President.

THE CHAIR:

Good evening, sir.

SENATOR DOYLE (9TH):

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?

SENATOR DOYLE (9TH):

Yes, Madam President. This piece of legislation passed unanimously out of the Judiciary Committee 39 to nothing. What it does is over the past several years we've created the crime of interference with the cemetery or burial grounds and basically the desecration of our burial grounds. The past legislatures have dealt with that issue. The current law, it's a class C felony. What this piece of legislation simply does is it deals with the situation where someone damages or desecrates an abandoned cemetery where for over 40 years nobody's been buried. It's really a clarifying piece of legislation. It corresponds with the past intention of the legislature. I think it makes good sense and it just protects the sacred buried. Thank you, Madam President. I urge the Chamber to approve it.

THE CHAIR:

tm  
Senate

138  
May 31, 2017

Thank you. Will you remark further? Good evening,  
Senator Kissel.

SENATOR KISSEL (7TH):

Good afternoon, Madam President. I stand in strong support of this legislation as well. I'd like to be associated with remarks of my friend and colleague, Chairman Doyle. When we passed the original legislation protecting cemeteries, I think we all contemplated that abandoned cemeteries would be included in that, but apparently there has been various disagreements regarding that and so as Senator Doyle indicated this clarifies the point that desecration of a cemetery, whether it's abandoned or not, is a crime in the state of Connecticut. I can't really imagine anything to be more sacred than where other human beings are laid to rest and would urge my colleagues to support this bill. Thank you, Madam President.

THE CHAIR:

Thank you. Senator Miner.

SENATOR MINER (30TH):

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

THE CHAIR:

Please proceed, sir.

SENATOR MINER (30TH):

Thank you, Madam President. So, as this is constructed as it's written, if there is no marker, if there is no delineation of where perhaps a private cemetery -- if you go back and look at some very old farm property, you'll find that there actually are burial grounds there. Some of them may have headstones. Some of them may not. In the case where there's been no demonstration, no written record, would this pertain? Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Through you, Madam President. I would say it would condition upon if it's objectively evident to be a graveyard or cemetery would be appropriate. I mean, you have an interesting question. I guess your point is, Senator, what if it's on a particular farm, they have one little headstone, I mean it is what it is. I would think if its' identifiable to be a burial place, it could be covered under this statute. Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you. My last question then; so that stone if it were placed on the ground would have to have some writing on it that would demonstrate that there's actually someone there as opposed to a stone that

tm  
Senate

140  
May 31, 2017

may be conveniently laid up against a tree for someone's pet or something like that? Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Through you, Madam President. And your hypothetical clearly laid against a tree would not apply; however, there are, for instance, in my town there's old cemeteries that don't have marked gravestones and don't have markings on them 'cause they're so old. So, I don't want to say in the record if there's no writing on a stone, it's not applicable because there are some that are just worn off over time. So, your hypothetical makes sense, if it's a stone against a tree and it clearly doesn't look like it, but we have many cemeteries that are so old and so abandoned, you may not have markings, so for the purpose of legislative intent, markings are not required to desecrate a cemetery. Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I thank the gentleman for his response.

THE CHAIR:

tm  
Senate

141  
May 31, 2017

Thank you. Will you remark further? Senator Leone.

SENATOR LEONE (27TH):

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

THE CHAIR:

Please proceed, sir.

SENATOR LEONE (27TH):

Thank you, Madam President. If, as we're talking about abandoned cemeteries, if we're talking about a cemetery say a few hundred years ago and there are no headstones, but there's historical records that a cemetery was once there and there doesn't seem to be any graves or no proof the bodies are even there, would this be applicable?

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Through you, Madam President. The answer is no, because like in any criminal statute, you need intent to desecrate, so any criminal laws need intention to break, so in your hypothetical, if say you purchased land and you happened to dig it up and it turned out there were unknown graves, you do not have the requisite mens rea or intent. Through you, Madam President.

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

But, if it was an abutting property and someone disputed it, if you were doing some work and it went onto the abutting property and someone disputed it for the fact that it was once an abandoned cemetery, would that fall under this proposed legislation? Through you, Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Through you, Madam President. It that hypothetical was proposed, I would before I started digging up, I would try to establish whether it is, but clearly there's a factual issue in your hypothetical. Whether it is or it isn't a cemetery, I would advise a client to determine what it is before you start digging, but again, even if you in good faith determine it was not a cemetery and you dug and there was, you would not have the requisite intent to be charged. Through you, Madam President.

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. I'll leave it at that for now. I understand the intent of this bill, but I think it does open up another door for some

tm  
Senate

143  
May 31, 2017

potential future litigation and that was the concern that I had, so I appreciate the answers. Thank you.

THE CHAIR:

Thank you. Will you remark further on the bill?  
Will you remark further on the bill? If not, 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:

Senator Suzio. Senator Formica. Senator Miner.  
Senator Formica. All members have voted. All  
members have voted. The machine will be closed.  
Mr. Clerk, will you please call a tally?

CLERK:

H.B. 7250,	
Total number voting	35
Those voting Aye	32
Those voting Nay	3
Absent, not voting	1

THE CHAIR:

The bill passes. Senator Duff.

SENATOR DUFF (25TH):



tm  
Senate

144  
May 31, 2017

Thank you, Madam President. We have some items for our consent calendar, please.

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar Page 21, Calendar 378, H.B. 6979, I'd like to mark that item for the consent calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 32, Calendar 450, H.B. 7196, I'd like to mark that item for the consent calendar.

THE CHAIR:

I'm seeing no objections to the order, sir.

SENATOR DUFF (25TH):

On Calendar Page 20, Calendar 368, H.B. 7173, I'd like to mark that item for our consent calendar.

THE CHAIR:

I'm seeing no objections to the order, sir.

SENATOR DUFF (25TH):

tm  
Senate

145  
May 31, 2017

And, thank you, Madam President. For our last item on Calendar Page 39, Calendar 495, H.B. 7245, I'd like to mark that item to our consent calendar.

THE CHAIR:

I'm seeing no objections. So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. The clerk can now call for a vote on the consent calendar, please.

THE CHAIR:

You'll have to just give us a minute and we'll do that in a second. Mr. Clerk, will you please call, do you have the bills that are on the consent calendar? Would you repeat that, please? Would you tell what bills they are, sir?

CLERK:

Page 17, Calender 355, S.B. 941; on Page 21, Calendar 378, H.B. 6979; Page 32, Calendar 450, 7196 H.B.; Page 20, Calendar 368, H.B. 7173; and on Page 39, Calendar 495, H.B. 7245.

THE CHAIR:

At this time, Mr. Clerk, will you call for roll call vote on the second consent calendar? The machine will be open.

CLERK:

tm  
Senate

146  
May 31, 2017

Immediate roll call has been ordered in the Senate on the second consent calendar for today. Immediate roll call 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:

On the 2nd consent calendar for today,	
Total number voting	35
Those voting Aye	35
Those voting Nay	0
Absent, not voting	1

THE CHAIR:

The consent calendar has been adopted. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. That concludes our business for today. I will yield to any announcements or points of personal privilege.

THE CHAIR:

Any points of personal privilege or announcements? Seeing none. Senator Duff.

SENATOR DUFF (25TH):

tm  
Senate

147  
May 31, 2017

Thank you, Madam President. Everybody have a safe drive in the daylight. That may be a little unusual right now, so put your sunglasses on and with that it is our intention to meet tomorrow at noon and I move that we adjourn subject to call of the Chair.

THE CHAIR:

The Senate will stand adjourned.

## CONNECTICUT GENERAL ASSEMBLY

## SENATE

Thursday, June 1, 2017

The Senate was called to order at 12:13 p.m., the President in the Chair.

## THE CHAIR:

The Senate will come to order. Members and guest please rise and direct your attention to Reverend Bonita Grubbs who will lead us in prayer.

## DEPUTY CHAPLAIN REVEREND BONITA GRUBBS:

Let us pray. Gracious and Reconciling God, It is the beginning of a new month. The page of yesterday is turned. The page of today is visible, yet unwritten. Final discussions about budget proposals, ttough negotiations, and decision making, but all focused on a better and more hope-filled tomorrow that's so full of trusting wonder and positive surprise. Help all those who are gathered here at this moment to make their good and helpful mark in this place of action and justice.

Give them grace, boldness and divine guidance, much like Sojourner Truth showed 174 years ago today when she left New York to begin her career as antislavery activist, as many others who stood in the place of sacrificial service, aand as they now stand and nobly to make a positive difference in protecting

ct  
Senate

2  
June 1, 2017

the future of Connecticut and its citizens especially those who are most vulnerable.

By and through Your mercy, Amen.

THE CHAIR:

Thank you Reverend. At this time I'd ask Senator Winfield to come up and lead us in the Pledge.

SENATOR WINFIELD (10TH):

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

THE CHAIR:

Thank you very much. At this time, do we have points of personal privilege? There will be in a few minutes, so at this time Mr. Clerk, do you have anything on your desk?

CLERK:

In addition to today's calendar I've got Senate Agenda number 1 dated Thursday, June 1, 2017, it's already on senator's desk.

SENATOR DUFF (25TH):

Thank you Madam President. Madam President good afternoon.

THE CHAIR:

ct  
Senate

3  
June 1, 2017

Good afternoon.

SENATOR DUFF (25TH):

I move that all items on Senate agenda number 1 dated Thursday, June 1, 2017 be acted upon as indicated, and that the agenda be incorporated by reference in a journal and transcripts.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

Thank you Madam President. If -- we're just going to continue from our list yesterday. We're still waiting for some members to arrive, and if the -- if I can just mark some items go, we may have to skip around a little bit while some folks get to the chamber, but I'll mark some items go now. As a first item calendar page 6, calendar 176, S.B. No. 889, followed by calendar page 9, calendar 239, S.B. No. 959, followed by calendar page 21, calendar 390, S.B. No. 1005, followed by calendar page 46, calendar 156, S.B. No. 836, followed by calendar page 12, calendar 291, S.B. No. 644, followed by calendar page 20, calendar 383, S.B. No. 366.

THE CHAIR:

Thank you, sir. Mr. Clerk.

CLERK:

On page 6, calendar 176, S.B. No. 889, AN ACT  
CONCERNING THE APPOINTMENT OF A FIRE MARSHAL AND

ct  
Senate

4  
June 1, 2017

POLICE OFFICERS AT THE CONNECTICUT AIRPORT  
AUTHORITY.

THE CHAIR:

Senator Larson, good afternoon sir. Senator Larson,  
please. Thank you.

SENATOR LARSON (3RD):

Good afternoon Madam President. Finally the sun has  
shined, it's wonderful. So, thank you again Madam  
President. I move acceptance of the Joint  
Committee's favorable report and passage of the  
bill.

THE CHAIR:

Motion has been accepted for passage. Will you  
remark sir?

SENATOR LARSON (3RD):

Thank you very much Madam President. As you may be  
aware the Connecticut Airport Authority has been in  
existence now for I believe like three or four  
years, and they have the cognizance over all of the  
state run airports, Bradley, Oxford, Groton,  
Granard, Windham, and I believe Dayville.

What this bill attempts to do is to provide some  
flexibility for the authority to allow the BAS  
Commissioner to delegate any CAA employed power she  
deems necessary to properly administer any fire  
prevention and safety statute under the control of  
the CAA.



ct  
Senate

5  
June 1, 2017

In section 2, it allows guest commissioners to designate sworn police officers to serve on authority property. So, effectively what this does is it would allow the commissioner of DAS to allow only on airport CAA designated property, this would not migrate over lines, this is not meant to replace fire marshalls, this is not to replace state police, etc., this would just allow them to manage and be a little bit more flexible on their properties with these types of issues.

THE CHAIR:

Thank you. Will you remark further on the bill.  
Senator Witkos. Good afternoon, sir.

SENATOR WITKOS (8TH):

Good afternoon Madam President. I rise in support of the bill that's before the chamber. I think there was some confusion potentially in the Republican Caucus as to what the intent and the purpose of the bill was, so I reached out to the Connecticut Airport Authority executive director this morning and had a wonderful conversation, and I think it's -- Senator Larson, the gentleman that brought out the bill is right on. I think this is something that would allow the State of Connecticut to afford us the opportunity to get as much intelligence as the Federal Government has as it relates to general aviation in the state of Connecticut.

People, if they weren't aware, that there are certain things, whether it's the FBI, the CIA, or Homeland Security, is not allowed according to their Federal Guidelines to release information to a non-

law enforcement personnel, and currently we don't have a law enforcement designated person that works at any of the general aviation airports.

So -- they meaning the Connecticut Airport Authority, would enter into these MOUs with Department of Emergency, if you will, to designate -- the individual that currently serves as the head of security. He is the former police chief for the city of Thomaston. Still maintains his POST accreditation, so he is a certified law enforcement personnel, just currently not using that in this capacity, but this will allow him to do that, and also his deputy in case the agency head is not available to obtain that information.

Secondly, as far as the fire marshalls go, currently our airports are staffed with an emergency response fire department personnel, and I'm speaking specifically here to Bradley, and in that profession many of the fire fighters will go on to receive a certification -- a fire marshalls certifications, because some of them serve in a part-time capacity in the home towns that they live in, and --

THE CHAIR:

Excuse me a minute Senator, I apologize. I ask the students that are here right now -- Hi to everybody, but please do not that, it's not that steady. So, please don't lean on that bar over there. Thank you very much. Sorry Senator.

SENATOR WITKOS (8TH):

Safety first Madam President, I agree. So what this would allow -- because there's so much construction

ct  
Senate

7  
June 1, 2017

going on and renovations at Bradley International Airport that when the Airport Authority puts in a request to the Department of Administrative Services to have an inspection come, these are small minor inspections that require a Fire Marshall sign off, that sometimes they put on the list, and it's a delayed response because of the number of the request that the Department of Administrative Services gets, that this would allow them to use their own personnel, who are certified Fire Marshalls, to make these minor sign offs, and you know this is, when we talk about efficiency in state government, this is it. I mean this should be the billboard for efficiency. So, I wholeheartedly support the bill. I thank Senator Larson for bringing it out. This is one more step that we can do to help our quasi-public agency to do the work that they need to do in a more timely efficient manner, and with that I support the bill. 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 Larson.

SENATOR LARSON (3RD):

Thank you Madam President. Thank you Senator Witkos for that explanation as well. I do want reiterate too that these are MOUs that would be effectively under the auspices of the controlling bodies anyways, DAS Commissioner and the Commissioner of GEST, each of which would have the opportunity to reject, and these are not meant at all to step on any collective bargaining agreements or anything to

ct  
Senate

8  
June 1, 2017

that sort, so people should be assured of that, and with that Madam President if there's no objection, I'd ask that the bill be placed on the consent calendar, thank you.

THE CHAIR:

Thank you. If there's no objection, I will call for a roll call vote. Mr. Clerk -- whoop, hold on a minute. Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. We're not going to vote on it quite yet, so we can just PT the bill temporarily.

THE CHAIR:

Okay.

SENATOR DUFF (25TH):

And if we can then PT the next bill and the next bill, and if we can move on to calendar page 46, calendar 156, S.B. No. 836.

THE CHAIR:

CLERK:

Page 46, calendar 156, substitute for S.B. No. 836,  
AN ACT CONCERNING CIVIL PENALTY REGULATIONS OF THE  
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.

THE CHAIR:

ct  
Senate

9  
June 1, 2017

Senator Kennedy, good afternoon sir.

SENATOR KENNEDY (12TH):

Good afternoon Madam President. Madam President, this bill comes to the Environment Committee and before the chamber in response to the Department of Energy and Environmental Protection over their concerns about dam safety. As many of us know, because of our industrial past, we have literally 100s of dams. Many of them are over 100 some over 150 years old, yet many of these -- the owners of these dams do not have adequate inspection reports. So, what this bill simply says is to institute -- establish civil penalties for failure to develop emergency action plans for high-hazard dams and significant-hazard dams.

The definition of a high-hazard dam is one whose failure would result in probable loss of life, damage to major utilities and roadways or great economic loss. The definition of a significant hazard dam is one whose failure would result in the possible loss of life, damage to local utilities and roads are significant economic loss.

So, I do think it's in the public's interest to ensure that any owner of either a significant or a high-hazard dam develops an emergency action plan for these dams, and it passed unanimously out of the Environment Committee, and there is an amendment that I would like to call at this point.

The LCO has in position any amendment that is not in -- in lieu of, it's in addition to this bill, and it's LCO No. 8107. May be the clerk please call that amendment?

ct  
Senate

10  
June 1, 2017

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8107, Senate A offered by Senators Miner,  
Kennedy, et al.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

Thank you very much. As the clerk just said, this  
is a --

THE CHAIR:

Move for adoption sir.

SENATOR KENNEDY (12TH):

I move adoption of the amendment, pardon Madam  
President.

THE CHAIR:

Please proceed.

SENATOR KENNEDY (12TH):

And as the clerk just said, this is very similar to  
an amendment that was approved by this chamber just  
last week regarding updating our paint recycling

ct  
Senate

11  
June 1, 2017

program at DEP. It's co-authored by myself, Senator Miner, Representative Demicco, and Representative Harding representing the leadership of the environment committee, and I urge adoption of the amendment.

THE CHAIR:

Will you remark further? Will you remark further?  
I'll try your minds. All those in favor please say  
Aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? Amendment passes. Senator Kennedy.

SENATOR KENNEDY (12TH):

Yes, if there is no objection I'd like to place this  
on the --

THE CHAIR:

At this time, we're going to PT it, I have a  
feeling. We're going to vote? Put it on the  
consent calendar.

SENATOR KENNEDY (12TH):

I would ask that this be placed without objection on  
the consent calendar.

THE CHAIR:

ct  
Senate

12  
June 1, 2017

Seeing no objections, so ordered sir. Senator Duff.

SENATOR DUFF (25TH):

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

THE CHAIR:

Senate will stand at ease. The Senate will come back to order. Are there any points of personal privilege? Senator Kennedy.

SENATOR KENNEDY (12TH):

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

THE CHAIR:

Please proceed sir.

SENATOR KENNEDY (12TH):

I would like to introduce to you -- to the chamber a terrific organization called Circle of Care. Circle of Care is led by Liz and Jeff Salguero, and we're also joined today by an award-winning photographer Jenna Shepard. This is their second year that they've come to Hartford to share with us photographs of children -- childhood cancer patients from throughout the State of Connecticut.

It's a very hopeful, it's a very uplifting, it's a very inspiring photographic exhibition. It's going to be in the walkway between June 1st and June 30th. There are very provocative -- it's a very



ct  
Senate

13  
June 1, 2017

provocative exhibit featuring 43 intimate portraits of children that each of them tells their own unique story, and we know that there are 43 children diagnosed with cancer every day, and as many people in the chamber know, I am a pediatric cancer survivor, so this exhibit is of personal interest to me. It's not something to be fearful of. If you go to the exhibit it's really hopeful and inspiring and powerful, and I would just like to thank each of them for coming to the chamber and bringing their exhibit here, and I encourage all my colleagues to take a look in the hallway at these incredible photographs. Thank you Madam President.

THE CHAIR:

Thank you. We welcome you all to the chamber.

SENATOR KENNEDY (12TH):

And would everybody help join me in welcoming Jenna, Liz, and Jeff to Hartford today. [Applause].

THE CHAIR:

Thank you all for coming, and thank you for doing what you're doing, and I'm sure it's very uplifting for everybody. Thank you, and the Senate will stand at ease.

Senate will come back to order. Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. Madam President if the clerk can now call calendar page 21, calendar 390, S.B. No. 1005.

ct  
Senate

14  
June 1, 2017

THE CHAIR:

Mr. Clerk.

CLERK:

On page 21, calendar 390, substitute for S.B. No. 1005, AN ACT CONCERNING TECHNICAL CHANGES TO STATUES IN THE PENAL CODE.

THE CHAIR:

Senator Doyle, good afternoon sir.

SENATOR DOYLE (9TH):

Good afternoon 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 DOYLE (9TH):

Yes Madam President. The clerk has an amendment LCO 7256, may the clerk please call and I be allowed to summarize?

THE CHAIR:

Mr. Clerk.

CLERK:

ct  
Senate

15  
June 1, 2017

LCO No. 7256, Senate A offered by Senators Doyle,  
Kissell, et al.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Yes, thank you Madam President. This is an  
amendment that --

THE CHAIR:

Are you adopting the amendment?

SENATOR DOYLE (9TH):

Sorry, thank you Madam President. I move adoption  
of the amendment.

THE CHAIR:

Motion is on adoption, will you remark sir?

SENATOR DOYLE (9TH):

Thank you very much, yes. All right this is a  
strike-everything amendment. This deals with the --  
the language in this legislation and this amendment  
is similar to a bill that the judiciary committee  
had on drones. Basically what this piece of  
legislation does is very similar to the bill that  
had a public hearing in Judiciary Committee in the  
sense that it creates two new crimes for people  
using drones that cause serious physical injury or

physical injury, when it's colliding with planes, which is an incidence we had.

Section 1 also bans anyone from using drones that are weaponized. So, there's an absolute ban for weaponized drones in section 1. Section -- during -- and during the committee process and after the bill was JF'd issues arose with members of the legislature and others. The file copy of the legislation authorized the police to use weaponized drones. This amendment does not authorize the use of weaponized drones, what it does is it has the Commission of Emergency Services and Public Protection, the police officer stand as training counsel and chief states attorney submit a report back to the legislature with recommendations as to how, if, and why the police should and could use weaponized drones.

So to be clear, this is a report back, it does not authorize it. That was probably the most controversial part of the legislation. Our original bill was referred to the Public Safety Committee and unfortunately did not get out of the Public Safety Committee, but the language in this amendment did have a public hearing. It's a bipartisan amendment that co-chairman Kissell had supported, I believe he may speak on it even, and the house leadership also supports it.

So, I urge the chamber to approve this amendment.  
Thank you Madam President.

THE CHAIR:

Thank you. Senator Kissell

SENATOR KISSEL (7TH):

Good afternoon Madam President. I stand in support of the amendment and I urge my colleagues to support its adoption. We can't stop the march of technology, it's here to stay, and so we need to get ahead of the curve, while the other original bill that was not acted upon. It was not rejected in public safety, it just simply was never acted upon, allowed law enforcement to move forward with weaponizing drones while a study was going on, this one refines the process.

We want to see what the recommendations of the experts in the field are, and we talk about weaponization we shouldn't think of necessarily lethal weaponization, it could be taser, it could be any number of abilities of a drone to detonate next to a bomb, so that no human life is put into danger, so there's many different ways, but unfortunately we live in a world where those who wish to do harm to us will use whatever is handy, and we need to think prospectively such that our law enforcement personnel have the highest technology available at their disposal should a worst case scenario develop in our great state. So, for that reason Madam President I stand in strong support for this amendment and wish to align myself with the remarks of my friend and colleague Senator Doyle. Thank you.

THE CHAIR:

Thank you. Remark -- Senator Gomes, good afternoon sir.

SENATOR GOMES (23RD):

Thank you Madam President. I rise for a question to the proponents of the bill.

THE CHAIR:

Please proceed sir.

SENATOR GOMES (23RD):

I was one of the people down in Public Safety that opposed this bill and the weaponizing of the drone. There was a member of the committee down there that stated that weaponizing of the drone was -- he said they could train these things to just injure a person rather than kill them, and I was the one that said that's impossible when you put a gun in the hands of law enforcement, they're trained to hit you middle mass.

What I'm concerned about -- I heard that Senator Kissell said that it doesn't necessarily mean that weaponizing means that you would have a gun on a drone, is that true?

THE CHAIR:

Senator Doyle.

SENATOR KISSEL (7TH):

Yes, Madam President. Yes it's true -- I mean I'll be honest, at this point the slate is clean. So, we're waiting for recommendations back. The question is whether there's a gun on it, you know, we'll wait for the recommendations. To be honest I don't think it's much of a gun on it necessarily, we

think of it -- others have thought about it in a terrorist situation when you're trying to disable something, but it's possible it could have a gun, but to be honest at this point, you know, it's -- we're going to get a recommendation back so it's really studied. So, it's possible, yes. Is it probable that the recommendations are going to be used in varied situations, no. I think it would be a very remote limited uses, and I'm envisioning a terrorist situation where it might be appropriate, but this is not -- at least the intention of myself, it's not be used on every street corner, very rare a terrorist situation.

Through you Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

Well seeing how there's a possibility that it's weapon -- I mean, this drone will be weaponized, then I can't vote for it. Thank you.

THE CHAIR:

Thank you sir. Remark. Senator Winfield.

SENATOR WINFIELD (10TH):

Yes, good afternoon Madam President. So, I was -- at Senator Gomes, I was one of the issues that had an issue with the bill that was presented allowing police to potentially use weaponized drones. I think that the majority of the underlying bill that

ct  
Senate

20  
June 1, 2017

we were talking about in the Judiciary Committee is important and has a lot of value, but that part is troubling to me.

I recognize that this amendment doesn't weaponize drones, but the intention is to figure out how do we -- how or when or whatever do we get a place where we have some form of weaponization, otherwise we wouldn't be looking or studying the issue, and to me that is still problematic.

So, while I intend -- I assume that this bill will be amended at some point, intend to vote on the product that will probably contain a study, I am a no on this amendment to register that.

THE CHAIR:

Thank you sir. Senator Cassano.

SENATOR CASSANO (4TH):

Thank you Madam President. I rise in support of the bill. I never thought I'd do that, and I had discussion with members CRCOG, as an example we have 38 cities and towns in the region. We will not have 38 weaponized drones, we will have a city that's responsible for coordinating, form the 38 towns, and I would think something like that would be done throughout the state.

So, you're not looking at 169 police departments with weaponized drones and so on, you're looking at the protection. All you have to do is read the newspapers for the last 3 weeks, kinds of attacks that have gone on, innocent people being killed on a



regular basis, and at many times no way to be able to get to the person who's shooting.

So, as someone said earlier, times have changed, that we need to change with the times, and I think if this done right, regulated right, limited through the regions, it'd be a good move for Connecticut.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not, Senate will stand at ease.

All of those in favor of the amendment please say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed?

SENATORS:

Nay.

THE CHAIR:

The ayes have it. Will you speak further on the bill? Speak further on the bill? Senator Duff -- Senator Doyle.

SENATOR DOYLE (9TH):

ct  
Senate

22  
June 1, 2017

Madam President, I'd like to PT the bill, pass temporarily.

THE CHAIR:

The bill will be PT'd. Senator Duff.

SENATOR DUFF (25TH):

Thank you, that is the purview of the majority leader, and I move to PT the bill please.

THE CHAIR:

Okay, the Senate will stand at ease.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you Mr. President, great to see you up there today. Mr. President, if the clerk can now please call calendar page 9, calendar 239, S.B. No. 959 please.

THE CHAIR:

Mr. Clerk.

CLERK:

On page 9, calendar 239, substitute for S.B. No. 959, AN ACT CONCERNING AN INVENTORY OF THE STATE'S BIOSCIENCE EDUCATION PIPELINE, and there are amendments.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

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

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, sir. This bill is part of a series of bills and initiatives that the Commerce Committee has been working on over the last several years. There was a group put together known as the CHDC, which is connected health data collaborative of top industry folks to talk about growing a new and emerging segment of Connecticut's economy.

The end results -- not the end results, the initiation of that work has come down to helping to support and leverage the investments that this state has made in the bioscience sector. This is one of those initiatives. The state of Connecticut is poised to be a national leader in bioscience, and has made thus far very significant investments in the arena of bioscience. To name a few, over the course of time the stem cell initiative, which is now known as regenerative medicine fund, we have a bioscience fund, we have also worked to attract and

bring in a nationally known entity, Jackson lab being one of them. We now have Mount Sinai along the coast and the state of Connecticut, and the bioscience industry workforce is burgeoning and growing. However, in order -- as the science moves so rapidly, it is incumbent upon this state, which has always been known for its skilled workforce that is one of our strongest assets, this bill will speak to creating an inventory in the bioscience area so that we are positioned to have the talent that will be necessary for the exponential growth of this industry.

We're talking about determining whether or not we have programs that will support and put into the workforce geneticist, informatics, quantitative engineers, software engineers, and so the underlying bill, Mr. President, creates a working group, which will roll up their sleeves, identify our inventory of educational programs, positioning us to graduate the talent that we need. Thank you Mr. President, and with that I would like to yield to my co-chair Senator Frantz.

THE CHAIR:

Senator Frantz, will you accept the yield?

SENATOR FRANTZ (36TH):

Thank you Mr. President, I do indeed accept the yield and thank Senator Hartley for her hard work on this bill and for describing very articulately and thoroughly to this circle here today. I would reiterate everything that she said about this particular industry. It's a very general term for the industry, but bioscience is the wave of the

ct  
Senate

25  
June 1, 2017

future here in Connecticut as much as we can have of those here in the state.

So, we need to put whatever horse cart we have behind that particular industry going forward. This is a great way to continue to support the industry going forward. We've made some significant investments already, and there have been a lot of individual contributions towards the effort, but now it's time to get this more formalized and that's exactly what this bill does.

Mr. President, the clerk has an amendment LCO No. 7943, which I'd like him to call.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 7943, Senate A offered by Senators Frantz and Hartley.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you Mr. President. I move for adoption of the amendment and move to waive the reading. I'd like to --

THE CHAIR:

So ordered.

ct  
Senate

26  
June 1, 2017

SENATOR FRANTZ (36TH):

Thank you very much. What this does, because there was a very small fiscal note, fiscal notes, as we know, are the death toll this year, in this session, what this amendment does is after line 24 it inserts a verbiage that says that no member of this particular panel will receive mileage reimbursement. It's that simple, and I urge my colleagues to adopt this amendment. Thank you Mr. President.

THE CHAIR:

Thank you, will you remark? I guess we'll vote by a voice vote. All those in favor.

SENATORS:

Aye.

THE CHAIR:

Opposed?

SENATORS:

Nay.

THE CHAIR:

And the Ayes have that, the amendment is adopted.  
Senator Hartley.

SENATOR HARTLEY (15TH):

ct  
Senate

27  
June 1, 2017

Thank you Mr. President. Having adopted the amendment, I would ask if there is no objection to add this to the consent calendar sir.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR HARTLEY (15TH):

Thank you.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you Mr. President. Mr. President, if the Senate could stand in recess for a half-hour or so.

THE CHAIR:

All right Senator Duff. The Senate will stand in recess.

On the motion of Senator Duff of the 25th, the Senate at 12:58 p.m. recessed.

UNIDENTIFIED SPEAKER:

There will be an immediate Democratic Caucus and 15 minutes until the Senate session. There will be an immediate Democratic Caucus, 15 minutes until the session begins.

ct  
Senate

28  
June 1, 2017

The Senate reconvened at 2:57 p.m., Senator Winfield in the Chair.

CLERK:

The Senate will reconvene immediately. The Senate will reconvene immediately.

THE CHAIR:

The Senate will come back to order. Senator Duff.

SENATOR DUFF (25TH):

Thank you Mr. President. Mr. President, if the clerk would please call calendar page 20, calendar 383, S.B. No. 366.

THE CHAIR:

Mr. Clerk.

CLERK:

On page 20, calendar 383, substitute for S.B. No. 366, AN ACT REQUIRING A PARTY TO REIMBURSEMENT THE STATE OR MUNICIPALITY FOR THE WAGES OF AN EMPLOYEE WHO IS SUBPOENAED TO TESTIFY IN A LEGAL PROCEEDING. Senate A has actually already failed.

THE CHAIR:

Senator Duff. The Senate will stand at ease. The Senate will come back to order. Senator Kisse.

SENATOR KISSEL (7TH):



ct  
Senate

29  
June 1, 2017

Thank you very much Mr. President, great to see you up there this afternoon. I would move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. Thank you Madam President. Madam President I believe we have the right bill on. Before we -- is the bill properly before us?

THE CHAIR:

I think so.

SENATOR DUFF (25TH):

Thank you. I will yield to Senator Kissel.

THE CHAIR:

Senator Kissell, will you accept the yield?

SENATOR KISSEL (7TH):

I will accept the yield Madam President. Great to see you this afternoon.

THE CHAIR:

Great to be seen.

ct  
Senate

30  
June 1, 2017

SENATOR KISSEL (7TH):

All right, I'm just going to say again, I move adoption of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Motion is on adoption and passage. Will you remark sir?

SENATOR KISSEL (7TH):

Thank you. The Clerk should have in his position LCO No. 7941, please call that.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 7941, Senate amendment schedule B offered by Senators Fasano, Kissel, Looney, and Doyle.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

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

THE CHAIR:

Motion is on adoption. Will you remark sir?

SENATOR KISSEL (7TH):

We had debated this bill at length a few days ago, and one of the issues that arose was that would this pertain to indigent individuals, and so what this amendment does is it says there are two criteria that could be utilized for the court to determine if an individual indigent and therefore not have to reimburse, and that would be A) if the court determines his/herself that the individual is indigent, or if the individual is a representative for a not-for-profit legal services agency, and so I think that would clarify the issue regarding individuals that would not have the wherewithal to reimburse a municipality, and I would ask for the chambers support for this amendment.

THE CHAIR:

Will you remark on Senate B? Will you remark on Senate B? If not, I'll try your minds. All those in favor please say Aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate B has been adopted. Will you talk further on the bill? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you Madam President, and with that change, I think this is a good bill, it's a much better bill.

ct  
Senate

32  
June 1, 2017

I appreciate the bipartisan support for the amendment, and if there's no questions or further comments, I would ask to move this to the consent calendar after my friend and colleague Senator Doyle speaks.

THE CHAIR:

[Laughter] Senator Doyle, will you accept the yield sir?

SENATOR DOYLE (9TH):

Yes Madam President. The clerk has an amendment, LCO 8102. Will the clerk please call and I be allowed to summarize?

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8102, Senate C offered by Senators Duff and Winfield.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Yes, Madam President. I move adoption of the amendment.

THE CHAIR:

Motion is on adoption. Will you remark sir?

SENATOR DOYLE (9TH):

Yes Madam President. This amendment is similar to the one we just had, but it just further defines what the party that's indigent would not have to contend with the obligations of this underlying bill, and it defines annual gross income of indigent to \$70,000 for an individual or a \$120,000 per family, and I urge the chamber to approve this amendment. Thank you Madam President.

THE CHAIR:

Thank you. Senator Kissel.

SENATOR KISSEL (7TH):

A couple of questions through you to the proponent of the amendment.

THE CHAIR:

Please proceed sir.

SENATOR KISSEL (7TH):

I cannot imagine an individual making \$70,000 dollars a year as being indigent. Where did that number come from?

Through you Madam President.

THE CHAIR:

Senator Doyle.

ct  
Senate

34  
June 1, 2017

SENATOR DOYLE (9TH):

Through you Madam President. The thought -- the motivation behind the amendment was to broaden it a little more to go to the middle-class. Through you Madam President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Through you Madam President. Do we know what the financial criteria is for utilization of a public defendant?

Through you Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Through you Madam President, I do not know specifically, no.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Through you Madam President, this amendment was not discussed with the co-chair of the committee of

origin. I -- there was no discussion amongst the parties as to whether the underlying bill would apply to middle-class individuals. The only discussion that I've had across party lines is that it would apply to indigent people, and so for those reasons I would oppose the amendment and ask that it be taken by roll.

THE CHAIR:

Will you speak further on the amendment? Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. Madam President I rise in support of the amendment. In hearing the debate last week on this legislation, I felt that this was a bill -- an amendment that should be made to this bill so that we are actually ensuring that folks who are middle income taxpayers here in the State of Connecticut don't have to pay for a police officer in court, especially if it was something of a civil nature, and it was one where maybe it was for an accident or something not of their making. So, in my opinion this is exactly what we should be doing in here. We should be -- as we talk a lot of times we worry about middle-income taxpayers throughout the State of Connecticut, and the previous amendment that we adopted was a great amendment and made this bill better, but what I think would make it a little bit better is by making sure that we include our middle-income taxpayers in the State of Connecticut on this bill, so that they are protected as well.

I think a lot of times people feel like they're squeezed out, or they won't have access to our

judicial system, and I know that those in the judicial system and certainly those of us around the circle take very seriously the ability for ordinary people to have access to our courts and our system of justice and that they should not be excluded because of the fact they may feel that they can't afford to pay someone to come into court to testify.

So, this I think is a very reasonable amendment to a bill that I understand the aim of the bill, so I do think that this is a very reasonable amendment and would certainly urge the circle to support the amendment, and I'm glad that we'll be having a roll call vote on it. Thank you Madam President.

THE CHAIR:

Thank you, will remark further. Senator Formica.

SENATOR FORMICA (20TH):

Thank you Madam President, good afternoon. I rise for a comment and perhaps a question for the proponent of the bill please.

THE CHAIR:

For the proponent of the amendment.

SENATOR FORMICA (20TH):

On the amendment, excuse me yes.

THE CHAIR:

Please proceed sir.



ct  
Senate

37  
June 1, 2017

SENATOR FORMICA (20TH):

Thank you. With regard to line 25 through 29, which says a party issuing a subpoena shall be determined an indigent by the court under this section if such a party has individual gross income of less than \$70,000 dollars, and then it goes on to go up to \$100,000 dollars, but my looking up of the definition of indigent is poor, destitute, penniless, insolvent, poverty stricken, vagrant, beggar, and while I agree with the intent in the good senator's indication that the middle-class should be protected, I think it's not matched in the wording of the amendment, and I'm wondering if there could be an opportunity to provide for both. The true meaning of indigent and then maybe the true meaning of the middle-class if that's going to be the intent of the amendment. Through you Madam President.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Yes, through you Madam President. I don't dispute the definition provided by the senator, but even in the State of Connecticut the definition of indigent really could depend on the county you're in, and whereas in Hartford County \$70,000 is significant, in Fairfield County or some of the richer towns down there, believe it or not \$70,000 might not be considered wealthy, it might even be middle-class or lower because of the cost of living in the other parts of the state.

ct  
Senate

38  
June 1, 2017

So, I don't dispute your characterization of the word indigent, this is defined to kind of capture the middle class throughout the state, but even in some -- in Fairfield County the median salaries and incomes are much greater than Hartford County or Windham County or whatever, so I would submit to you it really is a lower middle-class rating in certain parts of the state.

Through you Madam President.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you Madam President, and thank you so much for that answer. However, it says \$7,000 or \$70,000? I think it says \$70,000, so I'm not sure it fits the definition, and if we're doing this because an indigent may be in Fairfield County that makes \$70,000 or less -- thank you very much Madam President, and I still have some problems with this particular definition, and while I understand and appreciate the intent, I'm not sure what I'm going to be doing here.

THE CHAIR:

Will you remark further on the amendment. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much Madam President. After carefully considering the remarks of the majority

ct  
Senate

June 1, 2017

leader, I am changing my opinion and would urge my colleagues to support the amendment. It's not intended to support the indigent, which is the amendment that we offered, the bipartisan amendment, but the somewhat partisan amendment does address middle-class individuals. I would suggest in my district that might even be upper middle class individuals, but again I would urge my colleagues to support the amendment.

THE CHAIR:

Remark further. Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President, and I want to thank Senator Kissel for his comments and Senator Formia for his comments. I think the word indigent is defined solely in the amendment for the underlying bill not generally speaking how we define indigent throughout the State of Connecticut. I think we're just trying to get to the fact of how middle-class taxpayers should be treated with the underlying bill in these instances. I appreciate the good comments. I only wish that every time I got up to speak more people would say I agree with everything he says, but I'll take it for this bill and this amendment right now, and I think we can probably have a voice vote rather than a roll call, and I'm not sure if it was myself or Senator Kissel who said --

THE CHAIR:

Senator Kissel. Senator Kissel, will you withdraw the roll call vote?

ct  
Senate

June 1, 2017

SENATOR KISSEL (7TH):

I will say this before I withdraw the roll call vote, does the -- the amendment says indigent is \$70,000 for an individual and \$120,000 for a couple. I disagree with that. I think it's middle class or upper middle class, but in the interest of comedy and bipartisanship, I will withdraw the request for roll call. Thank you.

THE CHAIR:

Thank you. Senator Miner, good afternoon sir.

SENATOR MINER (30TH):

Good afternoon Madam President. Madam President, I listened to the debate last week and I actually was drawn to the comments that were made by, I think it was Senator Winfield where he was concerned that there are some people that would have great difficulty in paying that wage. Sometimes people are forced into a situation of subpoenaing people to get an opinion, to justify an appeal or something else, a disagreement between property owners, and that's the only way you can get to the crux of the problem, and he made, I think, the comments and people listened, and now I'm being forced to vote on a bill that redefines indigent.

I can only imagine the court is going to look at this language and say who wrote this, what was the justification for writing this? Why are we going to redefine indigent? The point that was made was well made, why can't we stick with that point? I so much want to go back to ask for a roll call vote, it's not funny. It is unbelievable. We can have

disagreements, we can have different opinion, but this should not be one of those moments. This should be a moment where we took the gentleman, his comments, his concerns for his constituents and mine.

I can take you to North Cannon and those people are indigent in some cases, but they don't make \$70,000 dollars Madam President, they just don't, and in this case this is just an opportunity to make what could be I think a legitimate concern raised very murky, and I don't how the court would make that determination. I guess the court would have to decide that, then I don't know what that means as you go down the line defining indigents in some other case.

So, I really am troubled Madam President, and I'm not asking for a roll call vote, but I am really frustrated.

THE CHAIR:

Thank you sir. Senator Winfield, good afternoon sir.

SENATOR WINFIELD (10TH):

Good afternoon Madam President. I appreciate all of the conversation that's going on, and I did make comments to get us on a topic of indigent, whether we agree or not that this bill is getting to what I was suggesting the other night, whether we agree or not that the bill is redefining indigents -- one of the reasons I signed onto the amendment was because my concern was about not just those are indigent but access to justice.

So, \$70,000 dollars sounds like enough money to live, but I would suggest to people that if you had \$70,000 dollars, you had a family of four, and you had to fund a lawsuit, you might find yourself in a difficult place, so I was thinking about those people who might find themselves in a situation like this, and who they might need to come to testify for that might be a police officer, it might be a garbage person. If you think of Connecticut and the average salary of a police officer, we're talking somewhere around \$185 dollars a day, if you're talking about a garbage person we're talking somewhere around \$150 dollars a day, I actually looked those numbers up, and so I think it just becomes difficult for people who make money that seems outside, admittedly, the range of indigents, but if you're talking about access to justice I think what we were trying to do with this bill, my concern really was about whether or not people would be able to actually get into court and have a suit.

So, if we define it under his amendment in a way that people find offensive, I recognize that, but the underlying theory for me is that everyone has access to the courts, and I just wanted to put that on record.

THE CHAIR:

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

SENATOR KISSEL (7TH):

Yeah, I'm sorry [laughter]. The bipartisanship is just breaking down here. Here's the issue, if it

just said this is not going to apply to individuals earning this and the pitch was, you know, middle-class have a tough time paying attorney fees, I can understand that.

I would suggest to the majority leader we can PT this bill and rewrite this amendment, but as it is, I cannot bring myself to support an amendment that says you are indigent if you're an individual making \$70,000 dollars a year or a couple, I believe it says \$120,000 dollars, and where will that leave us for the next week. With amendments taking benefits away from individuals that are earning \$70,000 dollars because they are now legally defined as indigent? I don't want to get in a battle of amendments like that, so I have to say I'm going to ask for a roll call because I think my colleague in their colloquy have made a lot of sense, and this is a definitional amendment.

If you want to say we want to carve out the middle-class, I'll accept that, we'll PT it, we'll redraft the amendment and see where that goes, but I can't bring myself to vote for something that's preposterous in my opinion. These people aren't indigent. We can put it on paper but that doesn't make it so. If you're making a \$120,000 dollars in my district, you're doing pretty good, just ask my neighbors. They'd like to make more, but they'd never call themselves indigent. So, I'm sorry Madam President from going back and forth, but this is one of those instances where the debate has really changed my opinion, and for those reasons I would ask for a roll call on this amendment.

THE CHAIR:

ct  
Senate

June 1, 2017

I think a roll call has already been asked for by Senator Duff.

SENATOR KISSEL (7TH):

And I appreciated that moment of bipartisanship for sure. I would certainly be happy to PT this bill and redraw the amendment. This came from LCO, it is my words, they are not my words, and so if that's how they felt they should write it, then that's how they wrote it, but I would certainly say I don't want to PT this without conferring with the Senate Republican President Pro Tempore, but I would be happy to redraft that amendment. Madam President, we will PT the bill.

THE CHAIR:

The bill is PT'd.

SENATOR KISSEL (7TH):

And we'll come back for a bipartisan amendment.

THE CHAIR:

That's a great idea.

SENATOR KISSEL (7TH):

Thank you Madam President. Madam President, I want to make a referral please.

THE CHAIR:

Please proceed sir.



ct  
Senate

45  
June 1, 2017

SENATOR KISSEL (7TH):

On calendar page 12, calendar 291, S.B. No. 644, I'd like to refer that to the Finance Committee, and I'd like to ask for immediate transmittal.

THE CHAIR:

I see no problem sir.

SENATOR KISSEL (7TH):

Thank you Madam President. Madam President, if we could stand at ease for a moment.

THE CHAIR:

We'll stand at ease for a moment. Senator Duff, you know we just -- we'd like to talk to you about Senate C, even though you PT'd that bill, it has to have some kind of action. When the bill is called again we can either then delete or whatever but -- okay, just for further information.

SENATOR DUFF (25TH):

Okay, thank you Madam President. Thank you Madam President we have a few bills that we're ready for votes, but we were waiting for members to come to the chamber, so if the clerk could now call calendar page 6, calendar 176, S.B. No.889 for a vote please.

THE CHAIR:

Mr. Clerk.

CLERK:

ct  
Senate

46  
June 1, 2017

On page 6, calendar 176, S.B. No. 889, THE ACT  
CONCERNING THE APPOINTMENT OF A FIRE MARSHALL AND  
POLICE OFFICERS AT THE CONNECTICUT AIRPORT  
AUTHORITY.

THE CHAIR:

As I understand there is at this point no  
discussion, just go to a vote? At this time Mr.  
Clerk, will call for a roll call vote on this bill,  
and the machine will be opened.

CLERK:

~~Immediate roll call has been ordered in the Senate.~~  
Immediate roll call has been ordered in the Senate.

THE CHAIR:

Will members please look at the board and make sure  
that you have voted. Member please look at the  
board and make sure that you have voted. Senator  
Gomes, Senator Logan in the chamber sir. All  
members have voted. All members have voted. The  
machine will be closed. Mr. Clerk, will please call  
a tally.

CLERK:

S.B. No. 889:

Total Number Voting	36
Necessary for Adoption	19
Those Voting Yea	26
Those Voting Nay	10
Absent and Not Voting	0

ct  
Senate

47  
June 1, 2017

THE CHAIR:

Bill passed [gavel]. Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. Madam President we also had brought a bill out earlier and ready for a vote now, it's calendar page 21, calendar 390, S.B. No. 1005.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 21, calendar 390, substitute for S.B. No. 1005,  
AN ACT CONCERNING TECHNICAL CHANGES TO STATUES IN  
THE PENAL CODE SENATE A HAS BEEN ADOPTED.

THE CHAIR:

I see no discussion. Mr. Clerk, will you call for a roll call vote, and the machine will be opened.

CLERK:

Immediate roll call has been ordered in the Senate.  
Immediate roll call has been ordered in the Senate.

THE CHAIR:

Senators, please look at the board and make sure you have voted. Please all senators in the chamber please look at the board and see if you've voted. All members have voted. All members have voted.

ct  
Senate

48  
June 1, 2017

The machine will be closed. Mr. Clerk will you call a tally

CLERK:

S.B. No. 1005:	
Total Number Voting	36
Those Voting Yea	30
Those Voting Nay	6
Absent and Not Voting	0

THE CHAIR:

The bill passes. (Gavel) Senator Duff.

SENATOR DUFF (25TH):

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

THE CHAIR:

Senate will stand at ease. The Senate will come back to order. You're going to have to give us a minute. The Senate will stand at ease for a minute. Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. Madam President, I believe we have a couple of items on our consent calendar, if the clerk could call those items followed by a vote please.

THE CHAIR:

Mr. Clerk.

ct  
Senate

49  
June 1, 2017

CLERK:

Page 9, calendar 239, S.B. No. 959 and case 46,  
calendar 156, S.B. No. 836.

THE CHAIR:

Thank you Mr. Clerk. Please call a roll call vote  
on the first consent calendar. The machine is open.

CLERK:

Immediate roll call has been ordered in the Senate  
on consent calendar No. 1. Immediate roll call in  
the Senate.

THE CHAIR:

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

CLERK:

On consent calendar No. 1:	
Total Number Voting	36
Those Voting Yea	36
Those Voting Nay	0
Absent and Not Voting	0

THE CHAIR:

The consent calendar has been adopted. Senator  
Duff.

SENATOR DUFF (25TH):

ct  
Senate

50  
June 1, 2017

Thank you Madam President. Madam President, I'm going to move for a recess but also mention that there will be a Democratic Caucus in 15 minutes, so if all democratic senators can come to the caucus room in 15 minutes, and then we will be recessing as well for a bit of time, and we'll let everybody know when to come back.

THE CHAIR:

The Senate will stand in recess.

On the motion of Senator Duff of the 25th, the Senate at 4:00 p.m. recessed.

CLERK:

There will be an immediate Senate republican caucus, an immediate Senate republican caucus, an immediate Senate republican caucus.

There will be an immediate Senate democratic caucus. There will be an immediate Senate democratic caucus.

There will be an immediate Senate republican caucus. There will be an immediate Senate republican caucus, an immediate Senate republican caucus.

The Senate will convene in 15 minutes. The Senate will convene in 15 minutes. The Senate will convene in 15 minutes.

The Senate reconvened at 9:05 p.m., the President in the Chair

The Senate will reconvene immediately. The Senate will reconvene immediately.

ct  
Senate

51  
June 1, 2017

002187

THE CHAIR:

Good evening. Senate will come back to order.

SENATOR FONFARA (1ST):

Good evening Madam President. Madam President, we have two items to mark go at the moment.

THE CHAIR:

Please proceed sir.

SENATOR FONFARA (1ST):

Thank you Madam President. On calendar page 31, calendar 464, S.B. No. 105, followed by calendar page 45, calendar 109, S.B. No. 895. If the clerk could please call those two items.

THE CHAIR:

Mr. Clerk.

CLERK:

On page 31, calendar 464, S.B. No. 1051, AN ACT CONCERNING CTNEXT PLANNING GRANTS-IN-AID AND INNOVATION PLACE DESIGNATION APPLICATIONS, INVEST CT FUND TAX CREDIT TRANSFERABILITY AND STATE INVESTMENTS WITH VENTURE CAPITAL FIRMS.

THE CHAIR:

Good evening Senator Fonfara.

ct  
Senate

52  
June 1, 2017

SENATOR FONFARA (1ST):

Good evening Madam President, it is evening isn't it.

THE CHAIR:

Yes, it is sir.

SENATOR FONFARA (1ST):

I wish you good evening.

THE CHAIR:

Thank you.

SENATOR FONFARA (1ST):

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 sir?

SENATOR FONFARA (1ST):

Yes Madam President, this bill does three things, it makes clear what I thought, and many others thought, was clear originally in the bill that we passed last year on innovation and entrepreneur that any CTNEXT planning grants and aid that are awarded, in the first round, would allow for -- there would also be additional rounds that CTNEXT could award going



forward -- that the initial round would not be the only round that would be eligible to be granted going forward.

Secondly, the bill allows for the invest CT fund tax credits to be transferred to other entities. Currently, you can only transfer a tax credit under this provision to an affiliated organization, but this would also for the transferability to other entities.

It is a very successful program in Connecticut that is supporting startups and growing organizations, creating jobs in Connecticut, and this would enhance the fund to a greater degree, and lastly Madam President what the bill does is it requires that only investments and venture funds by the State Treasury that the managing fund that would be invested in must-have a presence in Connecticut, an office, and at least one employee and any funds, venture funds that the managing fund were to invest that those funds should also have a presence in Connecticut with at least one office and one employee, and I urge passage of the bill Madam President.

THE CHAIR:

Thank you sir. Will you remark further? Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you Madam President. I appreciate that very much. I rise for the purpose of a questions to the proponent of the bill.

ct  
Senate

54  
June 1, 2017

THE CHAIR:

Please proceed sir.

SENATOR FRANTZ (36TH):

Thank you Madam President. Through you Senator Fonfara, the last part of the bill that you referred to was the amount of money that is invested in Venture capital funds or Venture investments themselves in the state of Connecticut there's a requirement in the bill saying that there must be at least one full-time employee or a presence of that particular Venture firm in the State of Connecticut, is that correct?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you Madam President, with one correction it requires that the Venture fund that is being invested shall have a presence in the state of Connecticut with at least one location and one employee -- one full-time employee.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Yes, thank you. Through you Madam President, thank you for that answer. So, the treasurer will, I think on a regular basis, take a certain amount of

money that she -- investable money that she has ever year and allocate that towards the Venture class of investments, and that may be X number of dollars, is the entire X amount subject to the requirements of this proposed bill here where, you know, they have to have the presence in Connecticut.

Through you Madam President.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you Madam President. Yes except that the fund that we're talking about here, and this is a relatively new venture if you will on the part of the treasurer to support Connecticut jobs to create -- get more Venture funds into Connecticut is a -- my understanding a \$150 million dollar fund of which \$20 million must be invested in Connecticut companies, the other \$130 million does not, it could, but does not require to be invested in Connecticut companies, but any of the \$150 million dollars that are invested either in the managing fund or them subsequently to a Venture fund, a fund to fund this, if you will, this is your world, I know you're very familiar with it. Those entities that receive funds, whether the funds are being invested in Connecticut or not, must have a presence in the state of one office at least and one full-time employee, through you.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you Madam President, and just to be crystal clear, the \$130 million dollars that would not be subject to the requirements of this particular bill could be invested in other areas where there is no Connecticut presence, and we wouldn't miss out on the next Google for example.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you Madam President, you're absolutely correct.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you, through you Madam President, that satisfies me, and thank you very much for introducing this bill. Thank you.

THE CHAIR:

Will you remark on the bill? Remark further on the bill? Senator Fonfara.

SENATOR FONFARA (1ST):

ct  
Senate

June 1, 2017

Madam President, if there isn't objection and there will be a consent calendar created, I asked that this be placed on it.

THE CHAIR:

Hear no objection, it will be ordered on the consent calendar. The Senate will stand at ease for a moment. Mr. Clerk, will call for the next bill please.

CLERK:

On page 45, calendar 109, substitute for S.B. No. 895, AN ACT CONCERNING THE DEPARTMENT OF CHILDREN AND FAMILY STANDARDS AND REPORTING REQUIREMENTS. There are amendments.

THE CHAIR:

Senator Suzio, good evening sir.

SENATOR SUZIO (13TH):

Well, good evening to you too Madam President. 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 SUZIO (13TH):

Thank you, I will Madam President. This bill, which originated in the Children's Committee, was precipitated by a series of unfortunate tragedies and incidents involving the death of children, and the responsibility of the Department of Children and Family. There was one particular notorious case in New London where a baby died, and the DCF caseworker had been to the home innumerous times, never saw the child, and it was not until it was too late that we realized that the child was near starvation, and that was one of only a number of tragedies, which has provoked a desire to have greater oversight in terms of tragedies and the Department of Children and Families.

The bill itself does a number of things. It provides heightened case supervision during an investigatory period for children who are involved in cases of suspected child abuse or neglect from birth to age 3. It does address the DCF personal visitations to such home and such children during that time. It also demands more documentation of case activities relevant to such children's safety and well-being, and it also, regarding case supervision, requires tools specific to the unique needs and risk status of children in that age range, that is birth to 3 years.

The bill also requires an increased frequency in which DCF must perform certain investigative functions related to child abuse and neglect proceedings. In such proceedings, the court must schedule a preliminary hearing in order to 1) to the child's parent or caregiver to appear in court to determine if the child should be temporarily placed outside the homes during the proceedings or two an

ex parte order placing the child's care and custody temporarily with a relative, agency or other person.

In advance of the hearing, the child's parent or guardian may request DCF to investigate placing the child or youth with a relative or a licensed foster parent or a temporary custodian. The bill requires DCF to investigate any such relative before the preliminary hearing rather than requiring it to do so only when practical.

Among other things, the bill also requires the department to include information that must be submitted to the court at any hearing regarding potential barriers to licensing the relative as a foster parent or granting him or her temporary custody of the child, and specifies that the report is preliminary.

Madam President, the clerk is possession of LCO 8290, will the clerk please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8290 Senate A offered by Senators Suzio and Moore.

THE CHAIR:

Senator Suzio. Ladies and gentleman of the Senate, can we keep our voices down a little bit so we can hear Senator Suzio. Senator Suzio, please proceed.

ct  
Senate

60  
June 1, 2017

SENATOR SUZIO (13TH):

Thank you Madam President. I move adoption of the amendment.

THE CHAIR:

Motion is on adoption. Will you remark?

SENATOR SUZIO (13TH):

Thank you, yes Madam President. The amendment before us makes certain changes to the original bill, which addresses cost considerations to remove any kind of fiscal note from the legislation, and among other things, it changes the requirement for heightened supervision to appropriate, and it also changes reports to requirements to provide information to the court. As a result of this, the fiscal burden of the legislation is negligible. Other than that, the legislation remains as it was originally drafted by the committee.

THE CHAIR:

Will you remark on Senate A? Will you remark on Senate A? Senator Moore. Good evening ma'am.

SENATOR MOORE (22ND):

Good evening Madam President. Madam President, I rise to support this bill. This is an important --

THE CHAIR:

The amendment correct?



ct  
Senate

61  
June 1, 2017

SENATOR MOORE (22ND):

On the amendment, yes. The amendment clears out any fiscal issues that we had concerns on the bill. I wholly support the amendment. Thank you.

THE CHAIR:

Thank you ma'am. Will you remark further on the amendment? Will you remark further? 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. Will you remark further on the bill? Senator Suzio.

SENATOR SUZIO (13TH):

Yes, thank you Madam President. If there's no objection I would move that this bill be placed on the consent calendar.

THE CHAIR:

I see no objections sir, so moved.

SENATOR SUZIO (13TH):

Thank you Madam President.

THE CHAIR:

ct  
Senate

62  
June 1, 2017

At this time, Mr. Clerk will you call the next bill please.

CLERK:

On page 48, calendar 290, S.B. No. 602, AN ACT CONCERNING THE TASKFORCE TO STUDY THE HUMANE TREATMENT OF ANIMALS IN MUNICIPAL AND REGIONAL SHELTERS. There is an amendment.

THE CHAIR:

Senator Duff, I apologize sir but the bill has been called.

SENATOR DUFF (25TH):

Thank you Madam President. Senate will stand at ease.

THE CHAIR:

Thank you. The Senate will stand at ease. Senate will come back to order. Senator Logan. Good evening sir.

SENATOR LOGAN (17TH):

Good evening Madam President. I move acceptance of the committee joint favorable report and passage of the bill.

THE CHAIR:

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

SENATOR LOGAN (17TH):

Thank you Madam President. This bill adds additional parameters to the task force studying the humane treatment of animals and requires them to consider rules and regulations regarding animal abuse and penalties for failure to properly confine animals. This is a special act.

THE CHAIR:

Thank you. Will You remark further on the bill?  
Will you remark further on the bill? Senator Miner.  
Good evening, sir.

SENATOR MINER (30TH):

Good evening Madam President. Madam President, I have a few questions on the bill as proposed.

THE CHAIR:

Please proceed sir.

SENATOR MINER (30TH):

Thank you Madam President. So, under the original or under the bill as it's drafted, what is the intended purpose of this task force are they, what are they going to be studying?

Through you Madam President.

THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

So, I think the taskforce itself is going to be looking at the rules and regulations regarding abused animals, and just to ensure that they're being properly confined in the animal shelters.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you Madam President. Madam President, my understanding was originally that the taskforce was established to look at municipal dog pounds and make sure that we were caring for animals while they were in the custody of municipal dog pounds correctly. Is there something that's intended to be changed in the bill from what was originally anticipated when the bill passed a number of years ago.

I think there was some language in this bill that extends the time period under which the taskforce can continue to study this issue, through you.

THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

Please stand at ease.

THE CHAIR:

ct  
Senate

June 1, 2017

The Senate will stand at ease sir. The Senate will come back to order. Senator Logan.

SENATOR LOGAN (17TH):

I'm not aware of a time period for the study to be completed.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you Madam President. Madam President, the clerk has an amendment. The amendment is LCO 6742, I would ask that he call it please.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 6742, Senate A offered by Senator Miner.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you Madam President. Madam President, the original intention of this language when it was drafted a number of years ago was to really look at municipal and regional shelters to determine whether or not they were caring for the animals that were in

their custody. From the time the bill left the Environment Committee went to Planning and Development, there was some language that was added that speaks to the issue of confinement of animals, and we've had a long-running history of conversations about the confinement of animals and in this case confinement of animals could be construed as farm animals.

The Department of Agriculture has been concerned about how that conversation would occur, whether for instance chickens would be appropriate to be confined or beef cows or anything else, and so for that reason, Madam President, what this amendment seeks to do is to strike the language -- the new language that deals with the confinement of animals, and I move adoption.

THE CHAIR:

Will you remark further on the amendment? Will you remark further on the amendment? Senator Duff.

SENATOR DUFF (25TH):

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

THE CHAIR:

The Senate will stand at ease. The Senate will come back to order. Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. Madam President, I move that was PT this item.

ct  
Senate

67  
June 1, 2017

THE CHAIR:

It will be PT'd.

SENATOR DUFF (25TH):

Thank you Madam President. Madam President, I move that the clerk could please call the next bill please.

THE CHAIR:

Mr. Clerk.

CLERK:

On page 12, calendar 294, S.B. No. 904, AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH RECOMMENDATIONS REGARDING FACILITIES GUIDELINES FOR TECHNICAL REVIEW OF FACILITY CONSTRUCTION AND RENOVATION. There are amendments.

THE CHAIR:

Senator Gerrantana, when you get a chance [laughter]. Good evening ma'am.

SENATOR GERRANTANA (6TH):

[Laughter] thank you, good evening Madam President. Madam President, could the Senate stand at ease for just a minute? I have to get my paperwork.

THE CHAIR:

Absolutely.

ct  
Senate

June 1, 2017

SENATOR GERRANTANA (6TH):

Thank you.

THE CHAIR:

The Senate will stand at ease. The Senate will come back to order. Senator Gerrantana.

SENATOR GERRANTANA (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 acceptance and passage. Will you remark ma'am.

SENATOR GERRANTANA (6TH):

Thank you Madam President. Madam President, the bill before us requires a healthcare institution planning construction to get the project plan approved through the Department of Public Health. There was much discussion in our committee with the Connecticut Hospital Association, Nursing Home Association on the term renovation, so they did meet with the Department of Public Health, and Madam President I have an amendment that will address their concerns. If the clerk would please call LCO No. 7627.

THE CHAIR:



ct  
Senate

69  
June 1, 2017

Mr. Clerk.

CLERK:

LCO No. 7627, Senate A offered by Senators  
Gerratana, Somers, et al.

THE CHAIR:

Senator Gerratana.

SENATOR GERRANTANA (6TH):

I move adoption Madam President.

THE CHAIR:

Motion is on adoption. Will you remark ma'am.

SENATOR GERRANTANA (6TH):

Yes, Madam President the finding in the statutes are the same. The changes come in line 91 to 101 in the amendment. This is the agreed upon language with the concerned parties, the project would be for construction or building alterations, the term renovation was taken out, and subsequent language has been signed off by all parties. So, I urge the chamber to please adopt this amendment, thank you.

THE CHAIR:

Will remark further on the amendment. Will remark further on the amendment, and if not I'll try your minds. All those in favor, please say Aye.

SENATORS:

ct  
Senate

70  
June 1, 2017

Aye.

THE CHAIR:

All opposed? I guess not. I guess it's been adopted. Senator Gerrantana, any further on the bill?

SENATOR GERRANTANA (6TH):

Well, if there's no objections, Madam President, I would ask that this be placed on consent.

THE CHAIR:

See no objections. So ordered ma'am. Mr. Clerk.

CLERK:

On page 3, calendar 127, substitute for S.B. No. 893, AN ACT CONCERNING REVISIONS TO CERTAIN STATUTES REGARDING THE DEPARTMENT OF CHILDREN AND FAMILIES.

THE CHAIR:

Senator Moore.

SENATOR MOORE (22ND):

Good evening Madam President. I hope it's not because I'm a little shorter today.

THE CHAIR:

(Laughter) We talk about vertically challenged people.

ct  
Senate

71  
June 1, 2017

SENATOR MOORE (22ND):

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 MOORE (22ND):

Yes, thank you. So, this is to require or permit the Department of Children and Families to disclose certain records to certain individuals and entities with the consent of the persons who are the subject of such records. It would permit such departments to charge a fee for the disclosure of certain records, exceeding 100 pages in length, eliminate such department subsidy review board and replace such board with provision of hearing in accordance with the chapter 54 of the general statues. Madam President, it further requires such commissioner to adopt regulations setting forth standards for the licensing of child care facilities and child placing agencies.

THE CHAIR:

Senator Moore, I apologize, did you ask for passage and acceptance?

SENATOR MOORE (22ND):

Yes I did Madam President.

ct  
Senate

72  
June 1, 2017

THE CHAIR:

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

SENATOR SUZIO (13TH):

We're having trouble getting your attention tonight  
madam.

THE CHAIR:

Hello.

SENATOR SUZIO (13TH):

Start jumping up and down, thank you Madam  
President.

THE CHAIR:

It's hard for me to look to the right, sir go ahead  
[laughter].

SENATOR SUZIO (13TH):

Well, let's say it's only 9:30 Madam President  
[laughter]. I rise in support of the bill. I want  
to say that it has been a pleasure to work with  
Senator Moore and Representative Diana Urban on the  
Children's Committee where this bill originated.

This bill did receive the unanimous vote of the  
Children's Committee, and I strongly urge my  
colleagues to support it, and I want to thank  
Senator Moore for all the work she did on it, and

ct  
Senate

73  
June 1, 2017

the collaboration that we had together. Thank you  
Madam President.

THE CHAIR:

Thank you. Will you remark further on the bill?  
Will you remark further on the bill? Senator Moore.

SENATOR MOORE (22ND):

Thank you Madam President. If there's no objection,  
I ask that it be placed on a consent calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

CLERK:

On page 6, calendar 186, substitute for S.B. No. 317, AN ACT CONCERNING A PILOT PROGRAM ALLOWING  
EMERGENCY MEDICAL SERVICES PERSONNEL TO PROVIDE  
COMMUNITY-BASED HEALTHCARE SERVICES. There are  
amendments.

THE CHAIR:

The senate will stand at ease at this time. The  
Senate will come back to order. Senator Gerrantana.

SENATOR GERRANTANA (6TH):

Thank you Madam President. I had to get my  
paperwork in order.

THE CHAIR:

ct  
Senate

74  
June 1, 2017

Not a problem ma'am.

SENATOR GERRANTANA (6TH):

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 GERRANTANA (6TH):

Yes, thank you Madam President. Madam President, the clerk has an amendment. If he will please call LCO No. 8234, and I be allowed to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8234, Senate A, offered by Senators Gerratana, Kennedy, Sommers, Leone and et al.

THE CHAIR:

Senator Gerratana.

SENATOR GERRANTANA (6TH):

Thank you Madam President, I move adoption.

THE CHAIR:

Motion is on adoption. Will you remark ma'am?

SENATOR GERRANTANA (6TH):

Yes, thank you Madam President. This is a strike-all amendment to the underlying bill, and this amendment actually establishes a work group through the Department of Public Health in consultation with the Department of Social Services and Insurance Department, and this is to look at a way to implement a mobile integrated health program using our paramedic system.

We have working with the Department of Public Health that came out with a report last year and said that certain things would have to be done in order to implement this program. We had originally asked for a pilot program, the department said no, I think we should go right ahead and implement, but in order to do that we need to get all stakeholders at the table, so to speak, and so this amendment reflects that work.

They will be reporting back to us January 1, 2019, but I know I have the word of the department as well as others that this is something that they very much would like to do. Thank you Madam President.

THE CHAIR:

Will you remark further on the amendment? Senator Kennedy.

SENATOR KENNEDY (12TH):

Thank you Madam President. I rise in support of this important legislation. I want to thank my

friends and colleagues, Senator Leone and Senator Gerrantana for working together to make Connecticut look into expanding community para-medicine.

Paramedics are some of the most highly-skilled and competent practitioners of healthcare in our state, and in my view they're under-utilized. There are over 30 states now that have some sort of community paramedicine, that is to say allow paramedics to function beyond their simple, load somebody into an ambulance and transport them to the emergency room.

Right now in Connecticut you are only paid -- an ambulance service is only paid, reimbursed, if that person is brought to an emergency room. So, if they're stabilized, if they're brought anywhere else other than an emergency room, that ambulance company is not reimbursed.

So, it seems to me that if our state could do a much better job with filling the gaps in healthcare that paramedics can perform. Again, they're highly skilled, highly trained individuals and at the same time we can save a lot of money in our Medicaid system because many, many people who call 9-1-1 are not having a true emergency. They're called frequent fliers in the communities that I represent. They call 9-1-1 all the time, they don't need to go to an emergency room, but they're transported to emergency room where they sit and guess what they need to take another ambulance service back home. It's extremely wasteful, and I'm really glad to know that the Department of Public Health is going to be working with us to try to develop a community paramedicine program here in the state of Connecticut. I urge my colleagues to support this important initiative. Thank you Madam President.



THE CHAIR:

Will you remark further? Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you Madam President. I stand in support of the amendment. I'd like to thank those that have worked on this idea. In the city of Danbury we have a team of emergency response professionals from the hospital, an ambulance service, which is a city service, the fire department and social services that work together as a strategic team to identify the frequent fliers in our community and work with them on a regular basis, beyond just the ambulance ride, take them beyond that initial visit to the emergency room, and frankly in some cases hold their hand to make sure that it's not a repeat and do what they can to provide services available and see to it that they get the care they need.

So, I hope that the working group will consider the program that's in place in Danbury and look at that, perhaps even as a model to be used elsewhere in the state. Thank you Madam President.

THE CHAIR:

Thank 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 the amendment please say aye.

SENATORS:

Aye.

ct  
Senate

78  
June 1, 2017

THE CHAIR:

Opposed. The amendment carries. Will you remark further on the bill? Remark further on the bill? Senator Gerratana.

SENATOR GERRANTANA (6TH):

Thank you Madam President. If there's no objection, I would like to place this item on our consent calendar.

THE CHAIR:

Seeing no objections. So ordered ma'am. Mr. Clerk.

CLERK:

On page 15 --

THE CHAIR:

Sorry, Senator Duff.

SENATOR DUFF (25TH):

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

THE CHAIR:

Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

ct  
Senate

79  
June 1, 2017

Thank you Madam President. Would the clerk now please call calendar page 45, calendar 125, S.B. No. 579.

THE CHAIR:

Mr. Clerk.

CLERK:

On page 45, calendar 125, substitute for S.B. No. 579, AN ACT CONCERNING PROTECTIONS FOR CONSUMERS APPLYING FOR REVERSE MORTGAGES.

THE CHAIR:

Senator Winfield, good evening sir.

SENATOR WINFIELD (10TH):

Yes 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 and passage. Will you remark sir?

SENATOR WINFIELD (10TH):

Yes Madam President, if you'd give me half a second just so I'm in the right place.

THE CHAIR:

Absolutely.

SENATOR WINFIELD (10TH):

This is a bill that comes to us through the Banking Committee. What the bill does is it seeks to put in place some protections for those who might be seeking to take out a reverse mortgage. So, it puts in place counseling requirements that must be met before any Connecticut bank or Connecticut credit union can accept a final reverse mortgage/reverse annuity. Those counseling requirements include a certification that must indicate that the person received -- the HUD-approved agency is keeping the certificate -- sorry madam.

Also, the bill originally was talking about having to do -- I'm sorry, there's two bills, there's was an aging bill. I'm sorry give me one second.

THE CHAIR:

No problem. Senate can stand at ease. The senate will come back to order. Senator Winfield.

SENATOR WINFIELD (10TH):

Yes, thank you Madam President. So, I found my place. So, the certification that I was talking about must be done in person or via telephone, and it must indicate that the person doing the counseling is HUD approved. It's a good bill that protects all of us but particularly our seniors who, as we know, have had some issues with reverse mortgages, and I urge passage.

THE CHAIR:

ct  
Senate

81  
June 1, 2017

Thank you. Will you remark further on the bill?  
Senator Martin. Good evening sir.

SENATOR MARTIN (31ST):

Good evening Madam President. I rise to chat just a little bit about my objection to the bill.

THE CHAIR:

Please proceed sir.

SENATOR MARTIN (31ST):

Thank you. Madam President, I agree that, you know, this bill was brought before the committee in regard to trying to help or to take care of an issue that consumers had been victimized by some lenders, but I don't know if what we've done here actually takes care of the bill or takes care of that problem.

You know, the bill does require that counseling take place to the applicant for the reverse mortgage, and we're primarily talking about the elder population. They think to try to take care of the counseling by addressing it through a HUD form, which basically says that the counseling has taken place and there's a sign off on that form, but what we've learned through testimony and written testimony is that there are not enough counselors throughout the State of Connecticut to address this concern, and particularly in the northeast part of the state.

So, the requirement that was sort of adopted through this was either the application would need to be in person or the counseling could take place over the phone and that would be fine. So, the application

either is in person or the counseling is in person or it's either one of the two, but I guess the real concern that I have is that, you know, we have the credit unions and the banks that would -- are here in the state, but I guess, how do you enforce this? You know, where are the teeth in this so that we can truly enforce this? So, through you Madam President I'd like to know and have an answer to that.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Madam President, at the end of the bill, lines 39 through 41, section C, it says, and I'll read because it's so brief, "a violation of the provisions of this section shall be deemed an unfair or deceptive act or practice in the conduct of trade or commerce pursuant to the other subsections of the bill," which is why it went through Judiciary.

THE CHAIR:

I'm going to ask the senators to keep their voices down. There is a debate or a discussion going on. Would you repeat that again Senator Winfield so Senator Martin can hear it?

SENATOR WINFIELD (10TH):

Yes Madam President, and through you Madam President, if you look at lines 39 through 41, and as I suggested before I'll just read it because it's so brief --

ct  
Senate

83  
June 1, 2017

THE CHAIR:

Please proceed sir.

SENATOR WINFIELD (10TH):

Thank you Madam President. "A violation of the provisions of this section shall be deemed an unfair or deceptive act or practice in the conduct of trade or commerce pursuant to subsection A" earlier in this bill, which is the reason that this bill had been earlier referred to the Judiciary Committee.

THE CHAIR:

Thank you. Senator Martin.

SENATOR MARTIN (31ST):

So, the -- I know one of the discussions that we had on the committee was how do you enforce this through -- for the companies, the banks, and mortgage lenders that are outside the state. Through you Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes, thank you Madam President. I believe the method is the same. If a bank or mortgage company want to do business in the state, the laws of the state apply to them as well.

THE CHAIR:

ct  
Senate

84  
June 1, 2017

Senator Martin.

SENATOR MARTIN (31ST):

So, I guess I'm not familiar with the Federal statutes, but how do you proceed in enforcing this or checking the auditing that these issues have been addressed?

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you Madam President. I recognize the question being asked. I have answered the question to the best of my ability. The bill has a section of the bill -- the very last section of the bill that talks about what the violation would be under law, anyone doing business in the State of Connecticut is subject to that law. If you actually at the first line, there was debate in the committee about whether this only applied to Connecticut banks or not. The language of no entity including but not limited to -- incorporates not only Connecticut banks but any bank doing -- bank or mortgage company doing business in the State of Connecticut. Through you Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):



ct  
Senate

85  
June 1, 2017

Thank you Madam President. Madam President, I'm still not satisfied with the bill as a whole, and I will not be supporting this. Thank you.

THE CHAIR:

Thank you, sir. Will you remark further on the bill? Yeah, I know, but Senator Suzio wants to speak before you Senator Witkos, so I'm just going to let Senator Suzio do that. Senator Suzio.

SENATOR SUZIO (13TH):

Good evening Madam President --

THE CHAIR:

Really, he thinks it's a good evening, okay. Good evening, sir.

SENATOR SUZIO (13TH):

Thank you for recognizing me. Through you Madam President I have a question or two for the proponent of the bill.

THE CHAIR:

Please proceed sir.

SENATOR SUZIO (13TH):

Thank you Madam President. The bill as it has been drafted appears to, and this might be a little bit related to the questions asked by Senator Martin, forgive me if it's a little bit redundant, but the bill appears to be related to a focused on

ct  
Senate

86  
June 1, 2017

Connecticut-based banks and Connecticut credit unions and does not cover other sources of reverse mortgage lending. Is that an accurate observation? Through you Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes, thank you Madam President, and through you, again in line 1 of the bill, the bill starts off talking about no entity including but not limited to, that language -- but not limited to, is any Connecticut bank or credit union. That language is written in such a way that it includes all of those entities, which are in Connecticut but also it includes any entity seeking to do what is laid out in the bill itself. So, it's not just restricted to a Connecticut bank. Through you Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Thank you Madam President. The wording itself kind of caught my attention because it seems to single out or site Connecticut banks and Connecticut credit unions although it's not limited to them, and usually when you have a phrase such as that, you're putting the emphasis on those particular institutions and as someone who is involved in -- I'm an expert in bank regulations for example, the national regulations, and I know that when it comes

to issues regarding the abuse of consumers for reverse mortgages the entities that are most often involved are non-bank mortgage lenders. Not the Connecticut banks or Connecticut credit unions, so - through you Madam President, I wondered why this wording seems to emphasize and focus on the very institutions who have not had a history of being involved in this abuse and just only vaguely or obliquely referring to the lenders who have been involved in such kind of abuse. Through you Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes, Madam President. Thank you. Through you Madam President. A couple of things, one there was debate about what this language applied to in the committee, having seen this kind of language in other bills, I was of the opinion that it was broader than just Connecticut. We actually checked with the attorneys who agreed with that assessment. Two, the reason that the language is written in that way I think is because we're the state of Connecticut and we're talking -- because we are the state of Connecticut about our banks explicitly, but using language that is capture-all language, which captures those entities outside of Connecticut banks, Connecticut credit unions, and even banks of credit unions.

So, any entity which the provisions of this bill might apply to, whether they be a bank, a credit union, or a bank or credit union outside of the

ct  
Senate

88  
June 1, 2017

state, it does not matter. It's any entity doing this type of business. Through you Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Thank you and again through you Madam President, there are Federal laws, which deal with the dissemination of information when it comes to reverse mortgages, and again it appears to me that this law indeed is overlapping if not redundant with those laws. Would the proponent care to comment about the redundancy of the law? Through you Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you Madam President and the response to the questions would be -- I guess the only way that I could respond is that what we are doing here is allowed, and that would be my response.

THE CHAIR:

Senator Suzio, did you hear the response sir?

SENATOR SUZIO (13TH):

No, if you wouldn't mind --

ct  
Senate

89  
June 1, 2017

THE CHAIR:

Again, I'm going to ask the chamber to kind of lower their voices since the debate is going on and Senator Suzio is having trouble hearing Senator Winfield. Senator Winfield.

SENATOR SUZIO (13TH):

Thank you Madam President.

SENATOR WINFIELD (10TH):

Yes, thank you. What I was saying -- what I responded was that what we're doing doesn't contravene Federal law and is allowable and that would be the only comment that I have in response to the question. Through you Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Thank you Madam President. I don't have any further questions of the proponent, although I do have some reservation about the language in the law itself because it does imply in my opinion at least some culpability on the part of Connecticut-based banks and Connecticut credit unions by the very language and the fact that they're singled out and sited whereas everyone else -- the typical sources of the abuse, which the bill tries to address, are kind of left in a vague background that basically, including but not limited to -- and to me it imparts a certain culpability or guilt by implication in the wording,

and I find that regrettable and one of the things that causes me to have some concern about voting for this particular bill. So, I will listen more to the debate before I decide on how I'm going to vote on it, but I have some very serious reservations about this, and I feel that it does cast aspersions on the institutions in Connecticut that have not been involved in these abuses and are local banks. Thank you Madam President.

THE CHAIR:

Will you remark further? Will you remark further?  
Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you Madam President. Madam President, this conversation has a great deal of interest for me and many people in my district. I had one case recently where we had a widow whose husband was a veteran in our town and had a reverse mortgage on their home, and there was quite a bit of equity still in the home, but she found herself in a situation where she could not continue the payments and was in a position that could have lost a home that had quite a bit of equity, and she would have lost that.

So, my question would be would this bill do anything to help an individual in this case or is it -- in other words it doesn't deal with the actual type of mortgages or the parameters or the requirements of the mortgage, but it's just a counseling aspect of that mortgage, it couldn't necessarily help her keep her home.

Through you Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes, thank you Madam President. If I understand the situation correctly, this bill, which does put in placed counseling requirements, would not help that individual, although, for the reasons that I'm standing here and defending the bill, I think it would help a lot of people, but I don't think it would help in that particular situation given that it has already occurred.

Through you Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you for that clarification. So, I guess I'm understanding that the discussion is really about counseling services and applying for these reverse mortgages in person rather than on-line or by phone or some other method. Through you Madam President.

THE CHAIR:

Senator Winfield. Would you like the Senator to repeat?

SENATOR WINFIELD (10TH):

Yes, thank you Madam President.

THE CHAIR:

Senator Boucher, would you please repeat?

SENATOR BOUCHER (26TH):

Yes, I just want to make sure that one component of this bill is about in-person counseling and is the other aspect about in-person application as well.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes, Madam President. I just want to make sure I get to the right place, one second -- so this bill is about -- I guess my answer would be that this is about in-person counseling, although there is a provision that allows for the usage of the telephone. It is -- this bill is not directly about an in-person application, no. Through you Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you very much Madam President. I appreciate the answers to this. It doesn't seem to actually address the areas of concern that I have. There are a lot of issues around reverse mortgages, the



advertisement of reverse mortgages, and particularly directed at those that are older and older population, those that can no longer afford to stay in their home because of high property taxes oftentimes revert to reverse mortgages, except that there have been a lot of problems around this area, and I guess I would be slightly more interested in learning about how we could actually look in more depth at the kinds of actual details of how a reverse mortgage is structured versus actually discussing this in a counseling or actually applying for a reverse mortgage. So, I appreciate the answers to my questions, and I'll continue to listen to the debate before really making a decision on how to vote on this. Thank you.

THE CHAIR:

Will you remark further? Senator Leone.

SENATOR LEONE (27TH):

Thank you Madam President. I just want to rise and make a few comments in support of the bill proposed in front of us.

THE CHAIR:

Please proceed sir.

SENATOR LEONE (27TH):

Thank you Madam President. I just want to say that as I'm listening to the debate, and I'm hearing that this bill is about providing counseling to folks who may choose to require or investigate whether a reverse mortgage is for them or not versus do -- are

there any kind of controls for a person who finds themselves in a reverse mortgage and it doesn't go according to plan.

If this bill was able to attack both of those issues, that would be great, but I'm hearing this is all about the counseling going forward, and even if that's all that is, I think that is a very strong and worthy step.

When I was on the Banks Committee this issue came up many times, and it always became a complicated issue. So, the solutions to fix some of the scenarios as presented by the good Senator next to me that maybe this bill doesn't address specifically, it's a result of it being more complicated than we sometimes understand, and we can't always legislate every corrective measures, but to that end, if we're able to provide people counseling before they get into these kind of deals, if they think they are a good customer for these kind of solutions that may be given to them as an option or sometimes being sold to them, and they don't fully understand the repercussions of what it may mean down the road, then I think that's -- if we don't do something to provide them all the information so that they go in eyes wide open, buyer beware and have the due diligence to have an informed decision before signing on the dotted line and putting either themselves or family members at risk if they were to pass away, then I think that's a detriment to us to not do something to alleviate that.

So, if this bill provides counseling to give people information before they step a toe into the water, so to speak, I think that's a worthy cause, and if

ct  
Senate

95  
June 1, 2017

we could do it -- go even further that's even better, but I would support and I would urge my colleagues just for that reason, any time our customers, or residents, our constituents have more information than less, especially when they're signing documents that affects their financial future, I think that's a worthy cause. Thank you Madam President.

THE CHAIR:

Thank you. Will you remark further? Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you Madam President. I stand for comments on the amendment before us --

THE CHAIR:

The bill, sir.

SENATOR MCLACHLAN (24TH):

The bill, thank you. The bill in Judiciary I was supportive of, but I do recall discussion during the Judiciary Committee meeting of similar concerns that Senator Martin have and Senator Suzio have and that is that Connecticut seems to be short on the number of agencies that are certified by the Federal agency that requires this and Federal banks also. In fact, I thought I heard that there were four agencies in Connecticut that are qualified for this counseling service. In fact, just looking it up on the HUD website I see there's only three in Connecticut.

ct  
Senate

96  
June 1, 2017

So, I would encourage the Banking Commissioner and other advocates for this counseling service to see to it that more qualified agencies are up and running as quickly as possible in light of this bill likely to pass. Thank you Madam President.

THE CHAIR:

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

SENATOR WITKOS (8TH):

Thank you Madam President. You know I've heard -- I don't serve on banks, I don't serve on Judiciary, and I was trying to boil down this bill to a simple understanding after listening to some of the discussion on the bill, and I just have -- I'm going to run through my laymen term and simplified and answer one simple question to the chamber of the Banks Committee --

THE CHAIR:

Please proceed sir.

SENATOR WITKOS (8TH):

Thank you Madam President. If somebody is interested in taking a reverse mortgage, this just sees that you have to seek a consultant that is HUD certified to make sure that you know the good points and the bad points and the dangers potentially of doing this and what risks there may be, and since we don't have that many of them in the State of Connecticut, there's a phone list somewhere that they can, you know, dial a person and seek that

consultation at no charge to them, and they qualify now they can proceed with the reverse mortgage. Is that correct? Through you Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you Madam President. Through you Madam President, I would just add to that that the information would be provided to them so that the individual doesn't actually necessarily have to go out and seek that information, and yes the phone provision allows for us to at least currently deal with the issue brought up by Senator McLachlan about the number of individuals within the state that are able to be on that list.

Through you Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you Madam President. Thank the Chairman for his information.

THE CHAIR:

Remark further? Remark further? If not, Mr. Clerk will you call for a roll call vote, and the machine will be opened.

ct  
Senate

98  
June 1, 2017

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 a tally.

CLERK:

S.B. No. 579	
Total Number Voting	36
Necessary for adoption	19
Those Voting Yea	24
Those Voting Nay	12
Absent and Not Voting	0

THE CHAIR:

The bill has passed. The Senate will stand at ease.  
Senator Duff, good evening again sir.

SENATOR DUFF (25TH):

Thank you Madam President. Would the clerk please  
call calendar page 17, calendar 357, S.B. No. 981.

THE CHAIR:

Mr. Clerk.

CLERK:

ct  
Senate

99  
June 1, 2017

On page 17, calendar 357, substitute for S.B. No. 981, AN ACT CONCERNING STRATEGIC LITIGATION AGAINST PUBLIC PARTICIPATION AND A SPECIAL MOTION TO DISMISS. There are amendments.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Good evening 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 DOYLE (9TH):

Yes, thank you Madam President. This piece of legislation was approved I believe unanimously by the Judiciary Committee, and what it does is deal with civil actions where it creates a special motion to dismiss a claim or counter suit or cross claim, basically for certain particular cases that deal with the matter of public concern such as free speech, the right to petition a government or association, and the real intent of the legislation is to assist people that are sued on their free speech rights to have a means to quickly get rid of frivolous lawsuits.

So, it's a mechanism that can save money for defendants that are wrongly targeted for simply

ct  
Senate

100  
June 1, 2017

exercising their rights really on the 1st Amendment and other matters of public concern. It's a good piece of legislation, and I urge the chamber to approve this bill. Thank you Madam President.

THE CHAIR:

Thank you. Will you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much Madam President. I stand in strong support of this legislation as well. At the public hearing it was brought to our attention first of all that this is a compilation of some of the best laws out there from throughout the United States. We are not the first state to move in this direction, but these targeted lawsuits take very different forms.

Out in California there was testimony that certain folks, developers, if you went to a planning and zoning meeting and spoke against the development, that developer would slap a lawsuit on you and therefore chilling the public debate on developments in California, which led them to pass legislation like this.

In Connecticut we heard from television stations, journalist, newspapers and other folks all together that if someone's mentioned in an article or a news story, next thing you know the station or the newspapers get hit with a lawsuit, and what we're saying is we refused to settle because we refuse to be intimidated, but it's costing us \$100s of thousands of dollars.



ct  
Senate

101  
June 1, 2017

So, what this legislation does is it creates a special mechanism to try to get these law suits taken out and dismissed as early as possible. We worked very closely with the Connecticut trial lawyers association to make sure that it was not overly broad, such that it would encompass some of the areas that they were concerned about, such as bodily injury, but it is narrowly tailored for these suits, these slap suits, which have, as Senator Doyle pointed out, a chilling effect on first amendment rights.

So, this is a really good mechanism to help free flow of ideas so that folks aren't intimidated, whether it's someone with a lot of money that wants to develop property, someone with a lot of money that wants to shut down newspaper or broadcasters or anything like that, or just people that just -- if you mention their name they file a lawsuit and just hope for the best. So, I would urge my colleagues to support passage of this bill. Thank you Madam President.

THE CHAIR:

Thank you. Will you remark further? Senator Doyle.

THE CHAIR:

Yes, thank you Madam President. The clerk has an amendment, LCO No. 7089, will the clerk please call it and I be allowed to summarize.

THE CHAIR:

Mr. Clerk.

ct  
Senate

102  
June 1, 2017

CLERK:

LCO No. 7089, Senate A offered by Senators Doyle,  
Kissel, et al.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Thank you Madam President. I move adoption of the  
amendment.

THE CHAIR:

Motion is on adoption. Will you remark sir?

SENATOR DOYLE (9TH):

Yes, thank you Madam President. This amendment is a  
clean-up amendment. It pushes out the effective  
date of the civil actions and it also has some other  
clean up language, some of it from the Judicial  
Department to make sure the time frames are correct  
and a little more manageable to make it effective.  
It's a cleanup amendment, and I urge the chamber to  
approve this amendment. Thank you Madam President.

THE CHAIR:

Will you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much Madam President. I also urge adoption of the amendment. It is a clean-up amendment, and we have to make sure that the Judicial Branch has enough time to set policy as to how judges will deal with this special expedited mechanism. Thank you Madam President.

THE CHAIR:

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

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate A is adopted. Will you remark on further on the bill and the amendment? Senator Doyle.

SENATOR DOYLE (9TH):

Madam President, if there's no objection, I'll move it to the consent calendar.

THE CHAIR:

Seeing no objection. So ordered sir. Senator Duff.

SENATOR DUFF (25TH):

Madam President would the clerk call the previously PT bill calendar page 48, calendar 290, S.B. No. 602.

ct  
Senate

104  
June 1, 2017

THE CHAIR:

Mr. Clerk.

CLERK:

On page 48, calendar 290, ~~S.B. No. 602~~, AN ACT CONCERNING THE TASKFORCE TO STUDY THE HUMANE TREATMENT OF ANIMALS IN MUNICIPAL AND REGIONAL SHELTERS. There are amendments. Senate A has been designated.

THE CHAIR:

Senator Miner. Good evening, sir.

SENATOR MINER (30TH):

Good evening Madam President. So, I'm not exactly sure how to do this. So, I called the amendment --

THE CHAIR:

Originally Senate A --

SENATOR MINER (30TH):

And then it was PT'd, so do I have to recall --

THE CHAIR:

It was PT'd, so you have to recall that. Mr. Clerk will you call Senate A.

SENATOR MINER (30TH):

ct  
Senate

105  
June 1, 2017

Thank you Madam President.

CLERK:

LCO No. 6742, Senate A offered by Senator Miner.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you Madam President. The intention of this --

THE CHAIR:

You move that adoption, right again?

SENATOR MINER (30TH):

Yes, thank you Madam President. I move adoption.

THE CHAIR:

Motion is on adoption. Will you remark sir?

SENATOR MINER (30TH):

Thank you Madam President. So, the intention of this amendment, if I could refresh the chambers memory is to confine the language within the bill to the original intent of the bill, which was to focus on municipal shelters and regional shelters. So, the effect of this amendment would not change anything in the underlying original intent of the bill. Any sheltering requirements, and temperature requirements, under the bill would still be in

place. This would deal with sheltering requiring outside a municipal shelter or a regional shelter, such as how you can find your dog at home or you can find your cat at home, or how someone might confine a chicken. So, I would ask for the chambers support in the amendment. Thank you.

THE CHAIR:

Will you remark further on Senate A? Senator Cassano.

SENATOR CASSANO (4TH):

Yes, I rise to support the amendment. A good catch on part of Senator Miner, it goes beyond what the bill was supposed to do. Thank you.

THE CHAIR:

Will you remark further on the amendment? Will you remark further? If not -- Senator Logan.

SENATOR LOGAN (17TH):

I rise in favor of the amendment as well.

THE CHAIR:

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

SENATORS:

Aye.

ct  
Senate

107  
June 1, 2017

THE CHAIR:

Opposed? Senate A is adopted. Remark further on  
the bill? Senator Cassano.

SENATOR CASSANO (4TH):

Yes, I rise to speak on behalf of the bill and  
before I do I believe the clerk has another  
amendment LCO 8052.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8052, Senate B offered by Senators Looney,  
Duff, and Doyle et al.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Yes, very simply --

THE CHAIR:

Move on the adoption sir.

SENATOR CASSANO (4TH):

I move adoption of the amendment.

THE CHAIR:

ct  
Senate

108  
June 1, 2017

The motion is on adoption. Will you remark sir?

SENATOR CASSANO (4TH):

The amendment states that no taskforce member shall receive mileage reimbursement or transportation allowance for participating in the taskforce.

THE CHAIR:

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

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate B is adopted. Will you remark on the bill? Will you remark further on the bill? Senator Cassano.

SENATOR CASSANO (4TH):

I ask that it be placed on the consent calendar as amended.

THE CHAIR:

So ordered sir, I see no objection. Senator Duff.

SENATOR DUFF (25TH):



ct  
Senate

109  
June 1, 2017

Thank you Madam President. Can we stand at ease for a moment?

THE CHAIR:

Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. Madam President please have the clerk call calendar page 5, calendar 147, S.B. No. 586, we will start on the bill as we await the amendment.

THE CHAIR:

Thank you. Mr. Clerk.

CLERK:

Page 5, calendar 147, substitute for S.B. No. 586,  
AN ACT EXPANDING MANDATED HEALTH BENEFITS FOR WOMEN,  
CHILDREN, AND ADOLESCENTS. There are amendments.

THE CHAIR:

Thank you sir. Senator Larson. Good morning sir.

SENATOR LARSON (3RD):

And a fine morning it is. Madam President, I move for acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

ct  
Senate

110  
June 1, 2017

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

SENATOR LARSON (3RD):

An act expanding mandated health benefits for women, children and adolescent. The summary is, this bill requires certain health insurance policies to cover specified women's healthcare services, including contraceptions, immunizations for children, adolescents, and adult and preventative services for children and youth age 21 and younger. The services must be covered in full with no cost sharing, such as co-insurance, co-payments or deductibles. The cost-sharing prohibition does not apply to high-deductible health plans designated to be compatible with federally qualified health saving accounts. Currently, health insurance policies accept grandfathered ones. Most cover these services with no cost sharing pursuant to section 2713 of the Federal Patient Protection and Affordable Care Act. Grandfathered policies are those that were in existence before March 23, 2010 that have not made significant changes to their coverage.

THE CHAIR:

Will you remark further on the bill. Senator Flexer.

SENATOR FLEXER (29TH):

Good morning Madam President.

THE CHAIR:

Good morning.

ct  
Senate

111  
June 1, 2017

SENATOR FLEXER (29TH):

Madam President, I rise in support of the bill before us. I want to thank Senator Larson and Senator Kelley for their work on this important measure that will ensure that women in the state of Connecticut have a continuity of care for the essential health benefits that they have enjoyed under the Affordable Care Act.

This will ensure that no matter what decision are made either at the congressional level or at the administrative level in Washington that women in Connecticut will continue to enjoy the benefits that Senator Larson just described.

Madam President, the clerk is in possession of an amendment, LCO No. 8258, I ask that the clerk please call the amendment. I move adoption and if I be granted leave of the chamber to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8258, Senate A offered by Senators Flexer, Larson, et al.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

ct  
Senate

112  
June 1, 2017

Thank you Madam President. Madam President, the amendment before us just changes language that was underlying bill concerning step therapy. It takes out the associated note with the original bill and it also, the language that's in front of us with this amendment makes sure that the language that we're putting in our statutes is consistent with the language that's currently giving these benefits in the Affordable Care Act.

THE CHAIR:

Senate will stand at ease for a moment. Senator Flexer.

SENATOR FLEXER (29TH):

Thank you Madam President, so as I was saying this language that's in this amendment is consistent with the language that is already in the Affordable Care Act that grants these benefits to women in the state of Connecticut, and it just ensures that there's no discrepancy in terms of the kinds of flexibility there is with prescription coverage in particular, and I hope that the chamber will support this amendment. Thank you Madam President.

THE CHAIR:

Thank you. Remark further on Senate A? Will you remark further? Senator Markley.

SENATOR MARKLEY (16TH):

Good morning Madam President. Just a question of the proponent of the amendment, was the amendment in fact previously before us as a bill that was

ct  
Senate

113  
June 1, 2017

referred to Appropriation? It sounded familiar when I was in the other room and heard you describing it?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

No, this is just a clarification of the underlying bill. The underlying bill talked about step therapy. This was not a proposal that was in another bill to my knowledge. I've never seen anything like this before until we were working on this language. This language is before us to one get rid of the fiscal note that was in the underlying bill, so this eliminates any potential cost to the state or to municipalities, in fact it might even reduce the cost for municipalities and it also ensures that the language that will be in our statutes is consistent with the language that's already in the Affordable Care Act concerning these type coverage, particularly around contraceptive coverage.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY (16TH):

Thank you Madam President. Thank you for the answer.

THE CHAIR:

ct  
Senate

114  
June 1, 2017

Thank you. 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, please say Aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate A is adopted. Remark further on  
the bill? Remark further on the bill? Senator  
Duff.

THE CHAIR:

The senate will stand at ease. Senator Duff, I  
guess we're not standing at ease.

SENATOR DUFF (25TH):

Thank you Madam President. I yield to Senator  
Flexer.

THE CHAIR:

Senator Flexer, will you accept the yield ma'am?

SENATOR FLEXER (29TH):

Yes, I do Madam President. I thank the good senator  
for the yield. Madam President, I'm excited that  
this measure is before us today, and I'm hopeful  
that it's about to garner a broad bipartisan support  
as it did in the Insurance Committee, and again I  
want to thank Senator Larson and Senator Kelley and  
Representative Scanlon for their hard work on this

bill, and I think this is a really important moment for us here in the state of Connecticut to make sure that, again, as I said before I introduced the amendment that women in Connecticut will know that they will continue to enjoy the protections that are available under the Affordable Care Act ensure that women and adolescents -- or women will have coverage for counseling services as it relates to domestic violence.

In the Insurance Committee I know there was detailed testimony about how important this kind of counseling is for women. Many women they're -- when they experience domestic violence at home, and they're not quite sure what it is, oftentimes there first interaction or recognition that they have that helps them determine that they are in fact experiencing abuse at home is when they're asked at the well woman visits. When they go to see their doctor and the doctor says is there any violence in your home? Is there any cause where you think you might be being abused?

This ensures that if a woman comes forward and says to her physician, yeah, you know what I think maybe there is something happening, this ensures that that doctor will be able to refer the woman to those counseling services and that those will be covered in the state of Connecticut regardless of what happens.

It also ensures that women in Connecticut will continue to have access to tobacco cessation programs with the help of their physicians and ensuring that women can quit the use of smoking and other tobacco products. Again, it just covers the overall well woman vitis that are so critical in

identifying any issues that may be coming up, ensuring that every woman will have an opportunity to be seen by her physician. It also ensures that breast cancer will be covered and ensuring that we have protections for women who particularly have a family history, and making sure they have the ability to have their risk assessed. Folic acid supplements when women are pregnant or any women that are likely to become pregnant, and I think that's really important to provide that kind of stability for women in Connecticut and for us to stand up and say, you know, regardless of what's going to happen in Washington that here in Connecticut we're going to ensure that this access continues to be available.

I just think that this is a really important bill that we have before us. It's a bill that has garnered a great deal of support and there have been so many good people who have worked on this measure, and I'm hopeful that we'll have a good vote here tonight and a good vote down in the House of Representatives.

THE CHAIR:

Thank you ma'am. Will you remark further on the bill? Senator Suzio, were you looking to speak?

SENATOR SUZIO (13TH):

Yes, I was madam. Thank you for noticing. I appreciate it. (Laughing). A question for the proponent of the bill.

THE CHAIR:



ct  
Senate

117  
June 1, 2017

Please proceed sir.

SENATOR SUZIO (13TH):

I understand that one of the factors that was driving the cost of healthcare insurance under the Affordable Care Act was coverage related to pregnancy for people who didn't need that kind of coverage, older people, older couples, and I just read stories about that. I haven't read up on the law itself and what it did say specifically about that, but I would ask the proponent of the bill, does the proposed insurance coverage require the insurance to be provided to couples who are beyond childbearing age or have no need of such services? Does the insurer have to offer that as a group plan or can people who fall into the category be carved out from the coverage?

Through you madam President.

THE CHAIR:

Senator Larson.

SENATOR LARSON (3RD):

Thank you Madam President. I would like to yield that question to Senator Flexer.

THE CHAIR:

Senator Flexer will you accept that yield?

SENATOR FLEXER (29TH):

I do accept the yield madam President.

ct  
Senate

118  
June 1, 2017

THE CHAIR:

Thank you ma'am.

SENATOR FLEXER (29TH):

Thank you.

THE CHAIR:

It's nice to see you.

SENATOR FLEXER (29TH):

Thank you Madam President. Madam President, the bill that is before us actually doesn't deal with pregnancy coverage as the Senator just described. It deals with issues around pregnancy. It deals with screening for gestational diabetes. It deals with contraception, which of course, women use for a wide variety of reasons, not just to prevent pregnancy, but for other reasons as well. And it deals with, as I mentioned just a few moments ago, coverage for osteoporosis, which is for older women, women 60 and over. So, pregnancy coverage is not in here as much as there are a variety of screenings. There's screenings for a number of different issues for pregnant women, but not pregnancy coverage specifically.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

ct  
Senate

119  
June 1, 2017

Yes, and thank you again, through you Madam President.

The bill does specifically provide for contraceptive coverage, and again, my question, is it going to be mandatory to provide such coverage to groups of people who may include couples or folks for whom the coverage would be superfluous. They are beyond childbearing age. Again, I've read stories about this being a factor in the cost of healthcare insurance under the affordable care act and this bill is designed to basically replace that coverage should actions in Washington result in a change in that under the Affordable Care Act. So, I would like to have a better understanding about -- I understand there's good things in the bill. There's things that have nothing to do with a person's age, but there is specifically contraceptive coverage included in it and, yet, we know that there are many couples and folks who don't need it and is the cost of that coverage being born in effect by groups of people who have no need of that kind of service.

Through you Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Madam President, through you. I would respond by saying that the bill that is before us provides for a coverage for a wide variety of services that not everyone is going to use. Again, I'll point back to the osteoporosis screening, which is specifically for women age 60 and over. So, anybody who is below

ct  
Senate

120  
June 1, 2017

60 would be potentially paying for that coverage, but not being able to avail themselves of it. I would say this is part of a community benefit. A benefit that, you know, everyone is paying in for the piece of this that they may need to use at one point or another. Obviously, the breast cancer risk assessment aren't traditionally used by younger women. Those are recommended, depending on your family history, at age 35 or 40 perhaps. So, a 20-year-old wouldn't be availing themselves of that kind of coverage. So, I would say that all of the services here are spread out and serve a wide variety of --the coverages here serve a wide variety of people and, so, I wouldn't just single out one particular piece of this coverage.

THE CHAIR:

Senator Suzio.

SENATORY SUZIO (13TH):

And through you Madam President. Is the good Senator aware of stories that have been reported in the news again about couples who complain that they were basically paying for the cost of contraceptive services of which were of no value to them. I read stories of that nature and I'm just wondering whether this bill makes any correction to that or if it continues that kind of arrangement.

Through you Madam President.

THE CHAIR:

Senator Flexer.

ct  
Senate

121  
June 1, 2017

SENATOR FLEXER (29TH):

Through you Madam President. I would argue to you that contraceptive coverage for women is of value to everyone. When women can make decisions about their own health and their own body, then we have the best healthcare outcomes. We have lower rates of infant mortality and issues with infants when they're born. We have women who are empowered to make their own decisions and to make sure they are planning their families in a way that best fits their lifestyles, so this benefit is for everyone. For everyone in our society.

Thank you Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

I have no doubt and no quarrel with the idea that contraceptive services can be of value to childbearing aged couples, but my question is, are we dealing with a population that goes beyond that? Couples and women who have gone beyond the ability to have children and who have really no need for contraceptive services, but obviously the cost of that is being incorporated in the insurance coverage we're talking about here. So, I'm just questioning when there is absolutely no need for contraceptive services by a couple in effect are they being forced to carry insurance coverage that has that feature, which is of no benefit to them.

Through them Madam President.

ct  
Senate

122  
June 1, 2017

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you Madam President. Now, I'm not an expert on insurance policy, but in the time that I've been working on this piece of legislation, what I have learned is that the way insurance works, is that different coverages are assessed and the rates are determined by knowing who might use a certain type of coverage, how many people are going to use the contraceptive coverage, how many people are going to use the osteoporosis coverage, how many people are going to be using the well-woman visits, the breast cancer screenings, so the rates are determined to cover a wide variety of benefits. Thank you Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO (13TH):

Thank you Madam President. I guess my point just is that at any given age there's any potential range of health circumstances for which a person could need a healthcare coverage, but contraception itself refers to people who are potentially capable of bearing children and when someone has gone beyond that stage, it is, from what I understand, of no use to them. Nonetheless, it will be included in the healthcare insurance, which they would be compelled to bear, and I'm talking, by the way, about people

ct  
Senate

123  
June 1, 2017

who have objections of conscious or anything like that. I am just talking about people who have no use for it because they are beyond the childbearing age, yet it is still being offered as a service which, therefore, is of no value to them, but it is included -- the cost of that is included in the insurance coverage. And that's what I'm just concerned about. I would -- and I know that, again, that's been reported to be a problem with the Affordable Care Act, and I was wondering if in this legislation whether if people who are beyond childbearing age, whether they will have the ability to opt out and not have contraceptive coverage if it is of no use to them.

Through you Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you Madam President. Again, this is about a community benefit and rates for insurance are set by insurance companies analyzing the people that they have covered and understanding which sets of services are most likely to be used, assessing that cost, and setting their rates. Insurance policies are not set up to divide the population based on age and who might be able to use this and who might be able to use that. We're not going to have insurance policies, for example, that choose to limit some of the coverages that are in here that I've described a couple of times. Also, we're probably not going to have a debate about limiting insurance policies so

ct  
Senate

124  
June 1, 2017

that you don't have to pay for somebody else --  
someone else's Viagra, if you don't want to either.

Through you Madam President.

THE CHAIR:

Ummm Senator Suzio.

SENATOR SUZIO (13TH):

I'm not gonna touch that with a 10-foot pole.

THE CHAIR:

We don't expect you to sir.

SENATOR SUZIO (13TH):

Through you Madam President. I guess the point just  
is made that a couple who are well into their 60s or  
70s or beyond are unlikely to have need for  
contraceptive services, yet they will be compelled  
to in effect have insurance coverage which includes  
that benefit, and obviously the cost of that  
insurance coverage has gotta include the cost of  
that kind of a benefit and it's been reported to be  
a problem with respect of the cost under the  
Affordable Care Act and I was wondering whether the  
proposed legislation would have some inherent  
flexibility which would allow couples an option to  
not include that coverage if it's of no use or  
potential use to them whatsoever given their stage  
of life, and therefore, they wouldn't have to bear  
the cost of that insurance coverage. From what I  
can understand and hear from the proponent of the  
bill, there has been no provision for that. And I



ct  
Senate

125  
June 1, 2017

have no further questions for proponent of the bill. It's just one of the concerns I would have. I think there's great features to the bill which I fully support and I think on balance it's good, but I do have just some concerns about having healthcare insurance that has certain features to it that may be of no use to people who are compelled to subscribe to it.

Thank you very much Madam President.

THE CHAIR:

Thank you. Senator Osten

SENATOR OSTEN (19TH):

Thank you very much Madam President. I rise for a few questions for the proponent of the bill.

THE CHAIR:

Please prepare yourself Senator Larson.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, I would request that the proponent yield to Senator Flexer, if you wouldn't mind sir.

THE CHAIR:

Senator Larson, how do you feel about that, sir?

SENATOR LARSON (3RD):

ct  
Senate

126  
June 1, 2017

Consider it done Senator. Through you Madam President.

THE CHAIR:

Senator Flexor would you accept his yield?

SENATOR FLEXER (29TH):

Through you Madam President. Yes, I do.

THE CHAIR:

Then proceed Senator Osten.

SENATOR OSTEN (19TH):

(Laughing) Thank you very much Madam President and I'll try not to giggle through the whole thing. Senator Flexor, if you know, are you aware if all women that are 20 are able to have children?

Through you Madam President.

THE CHAIR:

Senator Flexor.

SENATOR FLEXER (29TH):

Through you Madam President. To my knowledge, there are some women who may be 20 years of age that they have other health conditions that would limit their ability to get pregnant.

THE CHAIR:

ct  
Senate

127  
June 1, 2017

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much Madam President. And again, through you, So then you would be able to say that age does not necessarily -- is not necessarily the defining part of the need for contraception through you Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you Madam President. Yes, I would agree with that.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much Madam President. And through you can a man or a woman experience osteoporosis at the age of 20, 25 or 30. Through you Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you Madam President. It is my understanding that Yes, you can experience osteoporosis at any age due to a wide variety of health conditions.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much Madam President. And Madam President through you the fact that someone is of a certain age does not deny you the ability to -- thank you Madam President -- deny you the ability to have insurance coverage for a variety of incidents.

Through you Madam President.

THE CHAIR:

Umm Senator Flexer.

SENATOR FLEXER (29TH):

Through you Madam President. That is correct.

THE CHAIR:

Thank you.

SENATOR OSTEN (19TH):

Thank you very much and I have had all my questions answered.

THE CHAIR:

ct  
Senate

129  
June 1, 2017

Thank you so very very much. Would you remark further on the bill. Senator Kelly, why do you rise sir?

SENATOR KELLY (21ST):

Thank you very much, Madam President and good morning.

THE CHAIR:

Good Morning sir.

SENATOR KELLY (21ST):

I'd like to start by thanking my fellow co-chair, Senator Larson, for working on this bill in committee and getting it through committee. I'd also like to thank my former co-chair of aging, Senator Flexer for her help and also Senator Gerrantana for the good work that she put in in working on some of the wordsmithing of an amendment that I'm going to run in just a moment.

Before I get to that, though, I would like to just talk a little bit about this bill 586 is really born out of what's happening currently in Washington. How there is a movement right now to fix what I think all of us can agree on, is the promise of what the Affordable Care Act intended. We were seeking to make affordable, accessible and improved quality in the delivery of our healthcare services. That's the intent and those are go intents, but we haven't seen that actually happen and materialize the way that I think we all wanted to happen. What this is going to do is to embed in current state law those promises with regard to the women's health issues

that were made in the Affordable Care Act. But as this progresses and as we see changes coming out of Washington, one of the things that we're seeing is a desire by Washington to put more responsibility and more decisions on the states. And with regard to that, I would like to thank the Lieutenant Governor for her leadership that she has taken to put together a bipartisan group to start to look at this issue because it's an important issue to the people of Connecticut. Something that we need to do and to put politics aside and focus on people. And so I think the Lieutenant Governor for her leadership in that regard.

Here in Connecticut in the city of Hartford, we have the best and the brightest when it comes to insurance. We have the brain power, the capability, the talent, to make and to create an insurance solution to help our citizens. This is something that before the Affordable Care Act, our insurance industry here in our state was already undertaking and doing for our families here. This is something that I believe we can back to because we have the talent. And something that needs to be done, and so we have the capabilities. Now what we need to do is to use those resources to put them to good use for not only the people of Connecticut, but I think we can even make a national model. We can do here in Connecticut those things that could be the model for other states throughout the country because we have the best and brightest here. So, I look forward to working with the Lieutenant Governor in that regard because I think it is an all important job to do.

As we focus back access to quality healthcare is so important and we saw last year -- or two years ago now -- that New York was a leader in providing

ct  
Senate

131  
June 1, 2017

insurance coverage to women who did not have insurance when they became pregnant and offered a special enrollment period for them. We have an opportunity to do the same thing here in Connecticut.

Madam President, the Clerk has an amendment. LCO No. 8326. Will the Clerk please call the Amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8326. Senate B offered by Senators Kelly, et al.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Thank you Madam President. I move adoption and seek leave.

THE CHAIR:

Motion is on adoption. Will you remark Sir?

SENATOR KELLY (21ST):

Yes, thank you. According to the centers for disease control and prevention, women who receive no prenatal care are three to four times more likely to die of pregnancy related complications than women

who do. Also according to the March of Dimes, premature birth and low weight babies cost on, on average, 10 times more in healthcare costs. The average medical cost for a premature baby is over \$55,000 while the average medical cost for a healthy baby is under \$5,000. This legislation aims to help expectant mothers access affordable, vital, prenatal care. Without this, pregnant women and their babies could face costly future complications and even put them at risk. What the amendment will do is it will enable individuals who are pregnant and have no insurance coverage to have a special enrollment period in which they could buy an individual policy. I think this is good public policy. It's good because it increases accessible health coverage, insurance coverage for individuals and it improves health outcome. For those reasons, I would ask that the circle adopt the amendment and make this something that's affordable and accessible to individuals in need.

THE CHAIR:

Thank you sir. Senator Larson.

SENATOR LARSON (3RD):

Thank you Madam President. I rise in support of the amendment. I, too, wanted to thank you as well for your leadership of the Affordable Care Act and Senator Kelly somewhat new to the insurance committee, I've really enjoyed the partnership that we've shared, particularly Senator Kelly's attempts to cut through the morass and the gossip and the continual ranker that we hear and looking for really affordable baseline solutions here in Connecticut. He has been leader -- a proven leader for us in the



ct  
Senate

133  
June 1, 2017

insurance commission and I would ask all of my colleagues to support this amendment.

THE CHAIR:

Thank you. Will you remark further? Will you remark further. If not -- Oh, Senator Markley.

SENATOR MARKLEY (6TH):

Thank you Madam President.

THE CHAIR:

Good Morning.

SENATOR MARKLEY (6TH):

Good morning to you. I just have a couple of questions for the proponent of the amendment.

THE CHAIR:

Please proceed, sir.

SENATOR MARKLEY (6TH):

Am I correct that the insurance companies have already filed their rates for 2018? Am I correct in that?

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

ct  
Senate

134  
June 1, 2017

Yes, Madam President.

SENATOR MARKLEY (6TH):

Through you Madam President, does that filing reflect the changes which are suggested under this amendment.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

At this time, no, because the rates have been filed already.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY (6TH):

Through you Madam President. Would it be your understanding that the insurance companies will be able to submit rate increases in addition to what has already been granted in response to this amendment.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

I would think that the rates have already been filed. I would imagine that if this were to become

ct  
Senate

135  
June 1, 2017

law, they could address it with the Insurance department and seek revisions to the rate filings that they've already got on file.

Through you Madam President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY (6TH):

Thank you very much and thank you for those answers.

THE CHAIR:

Will you remark further on the amendment? Senator Kelly.

SENATOR KELLY (21ST):

I would ask for a voice vote.

THE CHAIR:

You were going to get that, sir. (Laughing)

SENATORE KELLY (21ST):

Thank you.

THE CHAIR:

Thank you. I will try your minds. All those in favor, please say Aye.

SENATORS:

ct  
Senate

136  
June 1, 2017

Aye.

THE CHAIR:

Opposed? The Ayes have it. Will you remark further on the bill? Will you remark further on the bill? Oh. Senator Fasano.

SENATOR FASANO (34TH):

Just really fast.

THE CHAIR:

Good Morning.

SENATOR FASANO (34TH):

Good morning. How are you?

THE CHAIR:

Great.

SENATOR FASANO (34TH):

I just wanted to echo some of the words by Senator Kelly. We are at a particular stage both federally and state wide with respect to potential changes to insurance and I think Senator Kelly is correct. We have the resources right here in Connecticut to create a model that could be a model for the country and Lieutenant Governor you have spoken about being the leader toward that model and I think that that's the appropriate thing we should be doing and I just want to take this opportunity to recognize your

ct  
Senate

137  
June 1, 2017

leadership in a bipartisan effort to try to achieve that and improve the quality of health insurance in our state of Connecticut and I think that's what we need to do.

Thank you Madam President.

THE CHAIR:

Thank you. Will you remark further on the bill?  
Senator Looney, good morning sir.

SENATOR LOONEY (11TH):

Good morning Madam President, and thank you. Speaking in support of the bill as amended, wanted to seconds of the comments made by both Senator Fasano and Senator Kelly in their remarks and to begin by noting the significant work that, you, Madam President, have done as in the creation of our state exchange, which was one of the most successful early startup exchanges in the country and have become a leader in managing this new world that we have had under the Affordable Care Act, which has brought insurance to so many people who had been uninsured before and it has had a great impact in Connecticut that over 109,000 Connecticut residents have been enrolled under the ACA and, of course, this comes at a time when in Washington, the majority party in the House of Representatives and the federal Congress has moved to slash healthcare coverage for millions of Americans, but in contrast to that, we have a strongly bipartisan bill here that moves in the direction of recognizing the needs of the broader community for insurance.

And Senate Bill 586 seeks to ensure that women's healthcare will be protected under any circumstances with or without protections from the federal government and expands the mandated benefits for women, children, adolescents, expands mandated benefits in so many ways for prenatal care and requires the commission of Social Services to amend the Medicaid plan to provide expanded contraception benefits, and that, thanks to the Affordable Care Act, nearly 800,000 Connecticut women have not been charged a co-pay or deductible for this coverage resulting in an average yearly savings of hundreds of dollars per person. And that Senate Bill 586 will ensure that regardless of what happens now and of course the future of national policy in this area is still very much unclear, that we are going strongly on record here in Connecticut that this is an essential benefit that needs to be broadly provided so that I think it is vitally important for us to acknowledge how strongly both parties in this General Assembly feel about this issue and have come together in a consensus way here in providing that making sure that healthcare insurance covers the essential benefits that women need in order to have their health protected in terms of needed screenings for sexually transmitted diseases and breast cancer, well women visits, breastfeeding supplied, coverage for gestational diabetes for women may occur during pregnancy, osteoporosis screening. All of these are essential aspects of healthcare that we have to recognize that they are broadly provided and the whole essence of insurance is to in effect provide coverage broadly that many people pay into. Those who may not even, at some point, use a particular service, because at some point they will be using a particular service that others don't use, but are also paying into. That's the nature of insurance.

That's the nature of shared community enterprise that insurance is supposed to be all about rather segmenting out a particular kind of risk and saying well, I won't ever use this, therefore I won't pay for it. There is a broad-based need for a broad-based consensus that, for the sake of the public health, everyone has to cover things that they themselves might not directly participate in, but others will. So that's the nature of the shared enterprise and I'm so pleased that we have bipartisan support on this this evening. And thank you Madam President and thanks, especially to you for your leadership in this policy area over the last several years.

THE CHAIR:

Thank you sir. Will you remark further? Will you remark further? If not, Mr. Clerk, I'd ask 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:

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

CLERK:

S.B. No. 586

Total Number Voting	36
Those Voting Yea	36

ct  
Senate

140  
June 1, 2017

Those Voting Nay	0
Absent and Not Voting	0

THE CHAIR:

The bill passes. (Gavel) Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. I ask for suspension to immediately transmit to the House of Representatives please.

THE CHAIR:

So ordered sir.

SENATOR DUFF (25TH):

Thank you Madam President. If the clerk can now call the items on the consent calendar followed by a vote.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 1 calendar 67, S.B. No. 754 page 3, calendar 127, S.B. No. 893 page 6, calendar 186, S.B. No. 317, also on page 6, calendar 177, S.B. No. 890, on page 9. Calendar 250, S.B. No. 903, page 12. Calendar 294, S.B. No. 904, on page 17. Calendar 357, S.B. No. 981, also on page 17. Calendar 347, H.B. No. 5452. On page 31, calendar 464, S.B. No.



ct  
Senate

141  
June 1, 2017

1051. On page 45, calendar 109, S.B. No. 895, and  
on page 48, calendar 290, S.B. No. 602.

THE CHAIR:

At this time Mr. Clerk, will you call for a roll  
call vote on consent calendar 2. The machine is  
open.

CLERK:

Immediate roll call has been ordered in the Senate  
on consent calendar No. 2. Immediate roll call has  
been ordered in the Senate.

CHAIR:

Have all members voted? Have all members voted?  
The machine will be called. Mr. Clerk will call the  
tally please.

CLERK:

On consent calendar No. 2:

Total Number Voting	36
Those Voting Yea	36
Those Voting Nay	0
Absent and Not Voting	0

THE CHAIR:

Consent calendar passed. Senator Duff. Do you have  
any good news for us sir?

SENATOR DUFF (25TH):

ct  
Senate

142  
June 1, 2017

Yes, I need to do one more referral to a committee.  
If the senate can stand at ease, I'm just looking  
for the page number.

THE CHAIR:

The senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President, before we get to the  
referral, we have a birthday from one of our staff  
members, Juliemar Ortiz, her birthday -- I don't  
know if it was today or yesterday or somewhere. So,  
we want to wish Juliemar a very happy birthday and  
thank you for spending your moment with us.  
[Applause].

THE CHAIR:

Congratulations Julie.

SENATOR DUFF (25TH):

Madam President.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

On calendar page 46, calendar 182, S.B. No. 775, I'd  
like to refer that item to Finance Committee.

THE CHAIR:

ct  
Senate

143  
June 1, 2017

So ordered sir.

SENATOR DUFF (25TH):

Thank you Madam President. I'd like to ask for suspension for immediate transmittal please.

THE CHAIR:

Seeing on objection, so ordered sir.

SENATOR DUFF (25TH):

Thank you Madam President. Madam President that concludes our business for this day, and I would now yield for any points of personal privilege.

THE CHAIR:

Any points of personal privilege? None, good.  
Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. Madam President it's our intention to convene again today at 2 o'clock, and we'll be going in at 2 o'clock to take up bills immediately, so we ask everyone be on time, so that we can go in at 2 o'clock.

THE CHAIR:

You did mean p.m., right?

SENATOR DUFF (25TH):

Yes, p.m., yes.

ct  
Senate

144  
June 1, 2017

THE CHAIR:

Thank you very much. Seeing no objection. Senator Witkos, are you standing for announcement sir?

SENATOR WITKOS (8TH):

Thank you Madam President, I am, just to announce that the senate republicans will have a caucus later on this afternoon at 1:30 p.m.

THE CHAIR:

Thank you very much. Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. I move that we adjourn subject to the call of the chair.

THE CHAIR:

The motion is to adjourn. So ordered sir.

On motion of Senator Duff of the 25th, the Senate at 12:50 a.m. adjourned subject to the call of the chair.

cf  
Senate

1  
June 2, 2017

CONNECTICUT GENERAL ASSEMBLY

SENATE

Friday, June 2, 2017

The Senate was called to order at 3:13 p.m., the President in the Chair.

THE CHAIR:

Good afternoon. Can the Senate please come to order? Members and guests, please rise. Direct your attention to Reverend Noele Kidney who is going to lead us in prayer.

NOELE R. KIDNEY:

In these difficult times, may our leaders find in their hearts the guidance and wisdom to do what is best for the people of Connecticut. Amen.

THE CHAIR:

Amen. Thank you. Well, you know what? I'm gonna have you come up, Senator Gerratana, and lead us in the Pledge of Allegiance. Thank you.

SENATORS:

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.

cf  
Senate

2  
June 2, 2017

THE CHAIR:

Thank you. Thank you very much. At this time, Mr. Clerk, do you have anything on your desk?

CLERK:

Just today's calendar, Madam President.

THE CHAIR:

Thank you. Senator -- Senator Duff. Good afternoon, sir.

SENATOR DUFF (25TH):

Good afternoon, Madam President. Madam President, I will yield at the moment for any points of personal privilege or announcements. Are there any points of personal privilege or announcements? Seeing none, Senator Duff.

THE CHAIR:

Thank you, Madam President. If I can mark a few items go --

SENATOR DUFF (25TH):

Please proceed, sir.

THE CHAIR:

Thank you, Madam President. On calendar page 14, Calendar 344, Senate Bill 938 -- I'd like to mark that as go. On calendar page 11, Calendar 287,

cf  
Senate

3  
June 2, 2017

Senate Bill 42, I'd like to mark that item go. On calendar page 3, Calendar 43 -- I'm sorry -- calendar page 43, Calendar 193, Senate Bill 974. I'd like to mark that go.

On calendar page 45, Calendar 249, Senate Bill 901, I'd like to mark that go. On calendar page 12, Calendar 308, Senate Bill 977, I'd like to mark that item go. On calendar page 16, Calendar 351, Senate Bill 575, I'd like to mark that item go. On calendar page 19, Calendar 388, Senate Bill 885, I'd like to mark that item go.

THE CHAIR:

Thank you, sir. Mr. Clerk.

CLERK:

On page 14, Calendar 334, Substitute for Senate Bill Number 938, AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS FOR THE STATE-WIDE ADOPTION OF THE MEDICAL ORDERS FOR LIFE-SUSTAINING TREATMENT.

THE CHAIR:

Good afternoon again, Senator Gerratana.

SENATOR GERRATANA (6TH):

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

THE CHAIR:

cf  
Senate

4  
June 2, 2017

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

SENATOR GERRATANA (6TH):

Yes. Madam President, before I explain the bill, I  
would like to have an amendment called. It is LCO  
Number 6268. If the clerk would please call and I'd  
be allowed to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 6268, Senate "A" offered by Senators  
Gerratana and Somers, et al.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

I move adoption, Madam President.

THE CHAIR:

Motion is on adoption. Will you remark?

SENATOR GERRATANA (6TH):

Yes. Thank you. The amendment before us cleans up  
some of the language in the underlying bill and also  
inserts in some areas, language that is needed to --



as the bill makes some sense. [Laughing] Thank you, Madam President.

THE CHAIR:

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 Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. Madam President, this is a very important bill before us and I'd like to explain the bill, of course. It establishes a statewide program for the medical orders for life sustaining treatment in our state. Currently, the Department of Public Health has a voluntary -- I'm sorry, has a program that is a pilot in some communities that has been very, very successful.

I understand over 150 individuals have been participating and when I say that -- use the term voluntary, this is strictly a voluntary protocol that can be used between a practitioner, a medical doctor, an APRN or a physician assistant and his or her patient. It is not a legal document. Many people feel that this is an advanced directive; it's not in the legal sense.

cf  
Senate

June 2, 2017

An advanced directive is a legal document that you usually work with an attorney to draw up and the difference between MOLST and an advanced directive is a MOLST is live-sustaining. What to do in cases -- in this case, for individuals who may be in advanced frailty close to Hospice or palliative care or may be in a terminal illness such as cancer and a MOLST being a medical order you actually spend the time with your practitioner who undergoes training through the Department of Public Health and you go through the protocol -- there's actually a form that you fill out and it becomes a medical order that goes with you no matter where you go in the state, whether it's for emergency care in a hospital situation or in a nursing home or anywhere else.

An advanced directive, as I said, is a legal document and is usually comes into play when you are incapacitated, when you can no longer make a decision. Now I just want to talk a little bit about the importance of this legislation. Many of us here in the state have loved ones that may be in these particular situations that I described and it's very important that once this diagnosis comes down and once you're mom or dad have reached a point in their life where they have to make these kinds of decisions -- have a MOLST -- medical orders for life-sustained treatment -- are so important because this builds good relationships and gives the opportunity for you to take care of your loved one.

The Connecticut MOLST is a written medical order, as I said, and I also said patience approaching the end of a serious [Clearing throat] -- excuse me -- life limiting illness can complete the form with their healthcare provider. As I said, it is not an

cf  
Senate

June 2, 2017

advanced directive or a DNR -- Do Not Resuscitate -- and they are only actionable when the patient has lost capacity as I also explained. Most as a way for the patient and the doctor and their loved ones and caregivers to talk about the medical protocols that they wish to make their end of life a comfortable part.

The bill also establishes an advisory council on MOLST. It would be composed of representatives from the Medical, Judicial, and Legal and Public Health and Health Care as well as Disability and Advocacy fields. The committee worked together to create policies or they will work together to create policies, training and forms for the pilot programs and it will be an on-going council at the DPH. I encourage the chamber to please support this very important legislation. Thank you, Madam President.

THE CHAIR:

Will you remark further on the bill? Senator Somers, good afternoon, Ma'am.

SENATOR SOMERS (18TH):

Good afternoon, Madam President. I too rise in support of this bill. This is a bill that has been in the works for quite some time and I think it's important for us to keep in perspective that this allows the patient, even if they have had a living will crafted 20 years ago, it allows them to have their voice at the time of their -- when their life is ending and it's also important because there are many times when an elderly family member who may be sick has children that might be in their 60's, let's say and they may want something different than the

cf  
Senate

June 2, 2017

person who is coming to the end of their life and this allows that person make the decision for themselves.

It also allows them to be very specific as far as what types of care and treatment that they themselves would like rather than being guilty by family members into doing perhaps something that they don't want to. It's good for the patient. It's good for a quality of life at the end of your life and it's also good for the physicians who have to administer the care. A lot of thought was gone into this bill. I know that Representative Srinivasan worked on this tirelessly and I hope that you will support this going forward. Thank you.

THE CHAIR:

Thank you very much. Will you remark further on the bill? Will you remark further on the bill? If not, Senator Gerratana.

SENATOR GERRATANA (6TH):

Madam President, if there's no objection, I would ask that this item be placed on our Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

On page 11, Calendar 287, Senate Bill Number 482, AN ACT CONCERNING THE PREPARATION OF RACIAL AND ETHNIC IMPACT STATEMENTS.

cf  
Senate

9  
June 2, 2017

THE CHAIR:

Good afternoon, Senator Winfield.

SENATOR WINFIELD (10TH):

Good afternoon, 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 WINFIELD (10TH):

Yes. Thank you, Madam President. This is a bill comes to us through the Government Administration and Elections Committee. It is a bill that actually I really wanted to see us do. Currently under the law, we have the requirement to prepare racial impact statements but it doesn't really happen in the way that I think we originally imagined.

So what this bill does is it changes our approach to the impact statement. At the request of a member, if we might have an impact on the population of those who are incarcerated in our state, a racial and ethnic impact statement would be created. I think it's good policy and I would urge this chamber to passage -- pass this. Thank you, Madam President.

THE CHAIR:

cf  
Senate

10  
June 2, 2017

Will you remark further? Senator McLachlan. Good afternoon, sir.

SENATOR MCLACHLAN (24TH):

Good afternoon, Madam President. I stand for the purpose of questions to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. And thank you, Senator Winfield, for your work. We miss you on Government Administration and Elections. You were a terrific Co-Chair of the Committee and I know this is an issue that's very important to you. The questions I have pertain to the current process that we have to develop a racial impact statement. I wonder if you could share with us what is the difference between our current process and what you are proposing. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. Through you, Madam President. That's an interesting question. Currently, for the bills that come before us that are deemed to have an impact on our population as discussed when I brought out the bill. There's supposed to be the preparation of one of these

statements. I will be honest with you, I haven't really seen that which is part of why I got involved with this issue. I think we had imagined that there would be a landscape where for every bill that we were talking about, there would be the preparation of one of these statements.

I think one of the things that makes this a better way of approaching this issue is because I don't think we actually need it for every single thing that might actually have an impact. So this allows for a member who recognizes that they're dealing with an issue where that information might be important to request it and also reduces the number of times we would be doing it. Through you, Madam President.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. Thank you, Senator Winfield. So it's my understanding that there is a process laid out for a -- an area that would require a racial impact statement whenever a proposed bill is likely to increase or decrease the correctional facility's population. And it's my understanding that that can be requested now by the Judiciary Committee membership. Is that your understanding as well? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. If you can give me a moment, I want to deal with the law as it's currently written. So beginning -- in the first year that I got here, 2009 -- what the law says is that a racial and ethnic impact statement shall be prepared with respect to certain bills and amendments that could if passed, increase or decrease pretrial or sentence population of the correctional facilities in this state. So that's what the law says we -- we're gonna do.

Now can one of us who is a part of the Judiciary Committee request as it relates to this that this be done? Absolutely. But as I read the law, we should be doing these for -- any of these things and we should have put a process in place but we should be doing this already for all of those things. What I'm suggesting is that I haven't really seen that work in a way that I imagined that it would work, one, and I think we don't necessarily need it for every single thing that might have some impact.

We need it for those things where that information is pertinent to what we're doing to help us get the bill through this building. So through you, Madam President, I hope that that answers the question.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. Thank you, Senator Winfield. I think along with you, I arrived in 2009



cf  
Senate

13  
June 2, 2017

also and since my arrival, I have served on the Judiciary Committee and I don't believe I've seen a racial impact statement. I'm not sure why, but I don't believe I've ever read one or seen what it looks like. So it seems to me that if that's the tool that we need to be more effective in our lawmaking then we certainly should have them.

I guess my only concern is that we seem to have a process in place where the Judiciary Committee can shepherd through the requirement that's currently in place -- the membership of the Judiciary Committee can vote to request an impact statement and this process actually exists in our joint rules -- of the Connecticut General Assembly.

So my only reluctance -- and I did support this out of committee. I don't object to the concept of racial impact statements. I think my only objection is that if one member of the legislature raises their hand and makes the request, I'm a little concerned that we may have a requirement of racial impact statements which I've never seen in almost nine years now -- over eight years, anyways.

That all of a sudden, we're gonna have all these racial impact statement requests and we don't have the staff to take care of that. The fiscal note on the bill has no dollar value to it, but it does have a rather unusual warning statement that additional staff may be required.

And so, for those two reasons, I raise those concerns to the proponent to see if you can share with us why it's still a great idea for one member of the General Assembly to request a racial impact statement when in fact, we can get them already

under the current budget constraints that we have, what happens if all of a sudden, we need more staff to take care of this? Thank you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. So I will make an attempt to answer all of the questions that were embedded that interrogation. So I've already explained what the law currently allows for. I've actually asked for racial impact statements. I've never actually seen one myself. I think that should be -- that should indicate how well our process is working. I think it is important to remember that we're talking about bills that would likely increase or decrease the prison population. I think that's a very small subset of the bills that we do here.

There's a lot of impact on certain communities based on their demographic information but to increase or decrease the prison population, we're not talking about a lot of bills through any session. I've been here -- this is my ninth session. I usually deal with those bills. There are one or two bills directly a session. I'm pretty sure that the people who prepared the fiscal note are professionals.

I don't think one or two potential statements is really going to require us to have additional staff and even if it does, it's not gonna require us to have additional staff that's going to be five or six people. So the reason I think it's important for an individual to be able to request and to be the one

cf  
Senate

15  
June 2, 2017

to know that that request was made was because I've attempted to do this in the past under the system we have. It hasn't worked and it would be useful to -- at least the work that I do -- that we have this ability. Through you, Madam President.

THE CHAIR:

Thank you, sir. Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. Thank you, Senator Winfield. I will continue to support this bill. I thank you for bringing it forward and I just think that we should keep track of what the burden may be. In the future if we discover that this is gonna create a challenge for staff to complete this assignment, then we'll have to either rethink it or see to it that there's enough staff to monitor and execute this request. 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 Winfield.

SENATOR WINFIELD (10TH):

Madam President, if there's no objection, I'd ask that this be placed on Consent.

THE CHAIR:

cf  
Senate

16  
June 2, 2017

There's an objection. A roll call vote will be taken. 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:

Mr. Clerk, can you make another call please?

CLERK:

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

THE CHAIR:

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

CLERK:

Senate Bill 482.

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

THE CHAIR:

The bill passes. (Gavel) Mr. Clerk.

cf  
Senate

17  
June 2, 2017

CLERK:

On Page 43, Calendar 193, Senate Bill Number 974, AN  
ACT REQUIRING THE STUDY OF ENERGY SOURCES. And  
there are amendments.

THE CHAIR:

Senator Winfield. Good afternoon again, sir.

SENATOR WINFIELD (10TH):

Good afternoon again, 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 WINFIELD (10TH):

Yes. Thank you, Madam President. The bill before  
us was to do a study of energy sources but we are  
going to amend it, so I believe that the clerk is in  
possession of LCO 8384. I'd ask that he call it and  
I be granted leave of the chamber to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 8384, Senate "A" offered by Senators  
Looney, Duff, et al.

cf  
Senate

June 2, 2017

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. What the --

THE CHAIR:

Excuse me, sir. Can the chamber please quiet down a little bit? Thank you very much. Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you. Madam President, what this amendment does is --

THE CHAIR:

Move adoption, sir?

SENATOR WINFIELD (10TH):

Sorry. Yes, absolutely. I move adoption.

THE CHAIR:

Motion is on adoption. Will you remark, sir?

SENATOR WINFIELD (10TH):

Yes. I got a little excited.

THE CHAIR:

cf  
Senate

June 2, 2017

I know. It's okay.

SENATOR WINFIELD (10TH):

What this amendment does is it strikes the language in the underlying bill and replaces it so that what we are doing in the first section is creating a work group. And that work group is established to study broadband internet access and consumer data privacy. It's also going to study standards related to the protection of consumer data.

It's going to study the definitions of sensitive and non-sensitive consumer personal information and methods of enforcing consumer data privacy. The members that will be a part of this are the Attorney General, the officer -- the Office of Consumer Council, a member of the Commerce Committee, a member of the Energy Committee, representative of non-profit with expertise in data privacy, members of the broadband industry, an attorney with consumer privacy expertise.

Also, there's a report that would be due from the working group that would be due January 15th to the Committees of Cognizance which would be Energy and Commerce. This is an important thing, particularly in this session. There is no mileage reimbursement for that working group.

And then we get to Section 2, which looks at the existing data breach notification statute that we have and it makes it clear that the CVC code -- that three digit code that's on the back of your credit cards or debit cards does not have to be breached along with your account information in order to

cf  
Senate

20  
June 2, 2017

require customer notification. I would urge adoption.

THE CHAIR:

Thank you. Will you remark further on Senate "A"?  
Senator Formica. Good afternoon, sir.

SENATOR FORMICA (20TH):

Good afternoon, Madam President. Pleasure to see you again. I rise in support of this amendment. This is -- you know, a problem that is becoming more prevalent with regard to data breach moving forward and unauthorized access of credit card information. This bill seeks to extend some opportunities that the attorney general has been interested in. That is covering -- monitoring services for up to two years now if this happens, so I urge adoption. Thank you.

THE CHAIR:

Thank you. Will you remark further on Senate "A"? Will you remark further? 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. Senator Winfield.

SENATOR WINFIELD (10TH):



cf  
Senate

21  
June 2, 2017

Madam President, if there is no objection, I'd ask this be moved to the Consent Calendar.

THE CHAIR:

Let's try on this one. Seeing no objection. So  
ordered, sir. Mr. Clerk.

CLERK:

On page 45, Calendar 249, Substitute for Senate Bill  
Number 901, AN ACT CONCERNING THE DEPARTMENT OF  
PUBLIC HEALTH'S RECOMMENDATION REGARDING ADOPTION OF  
A MODEL FOOD CODE.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the senate stand  
at ease for a moment?

THE CHAIR:

Senate will stand at ease for just that moment. The  
Senate will come back to order. Senator Duff.  
Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I  
would yield to Senator Gerratana, please.

THE CHAIR:

cf  
Senate

22  
June 2, 2017

Senator Gerratana, do you accept the yield, Ma'am?

SENATOR GERRATANA (6TH):

I do, Madam President.

THE CHAIR:

Great.

SENATOR GERRATANA (6TH):

So sorry, I was working on other legislation in the hallway.

THE CHAIR:

No problem, Ma'am.

SENATOR GERRATANA (6TH):

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 GERRATANA (6TH):

Yes. Thank you, Madam President. Madam President, the clerk has an amendment, LCO Number 8243. If he would please call and I be allowed to summarize.

THE CHAIR:

cf  
Senate

23  
June 2, 2017

Mr. Clerk. Sorry. The Senate will stand at ease for a moment. The Senate will come back to order.  
Mr. Clerk.

CLERK:

LCO Number 8243, Senate "A" offered by Senators Gerratana, Somers, et al.

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):

Thank you, Madam President. Madam President, this amendment is a strike-all amendment. It changes -- it actually doesn't change the underlying bill in its intent but it does change the organizational -- the organizational way that the bill is written and what it does is that we are having -- this comes from the Department of Public Health, having the Department of Public Health adopt a new food code and it's based on the model food code which is developed and promulgated on the federal level.

This is very important for a number of reasons. One is of course, the Department is the entity that

regulates and oversees and makes sure that the food that we eat in commercial establishments or in schools or a variety of situations is regulated and appropriate. It handles and addresses everything from the temperature of the food and how it should be held and how it should be prepared and also, this bill regulates and makes sure that each establishment has a food code manager.

Someone who is certified and oversees and makes sure -- particularly in -- depending on the classification of the establishment -- such as -- and in this case, class III or class IV, an establishment that serves food to the public to make sure that that food is safe for us to eat. So the food code is important to update because of course, there are new -- there's new technology in food production and preparation as well as everywhere else in society. It modifies the definition of the four classifications of food establishments.

The old code talked about food service but in this case we're actually talking about establishments. We do have certain exemptions such as for soup kitchens and we have specific regulations here for farmers markets which are already in statute but we updated the language and made it consistent with the food code.

We also had to do -- one of the sections because I know I had discussions with Senator Frantz about legislation we passed previously on sous vide and acidification of rice used in sushi. There is a section in the bill that addresses that because as we phase out the old food code and institute the new there would be a year gap and the department can issue a variance so that these establishments can

cf  
Senate

25  
June 2, 2017

continue to serve food under the old law. So with that, I would urge the chamber to adopt the amendment. Thank you, Madam President.

THE CHAIR:

Thank you. Just for correction, it will be marked Senate "B". Will you speak further on Senate "B"? Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. I stand for the purpose of a question to the proponent of that amendment.

THE CHAIR:

Please proceed, sir.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. Senator Gerratana, thank you for your work on this legislation. My question is, does this proposed amendment significantly change the operation and/or regulation of restaurants in the State of Connecticut? Through you, Madam President.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. My understanding that the restaurant association is in complete support of this legislation. In fact, they have been asking

for it, if you will, which is why we had to do special legislation in the past. They have been keeping up with of course, the education and training that is needed in the restaurant setting in particular.

Many of them and some that I have even talked to have asked me to have our food codes updated. So I know this is greatly needed. It will change in the sense that the certification and training of the person who oversees food production -- as I understand, has to be certified -- and that is something that is greatly needed and they are, I know, in complete support. Through you, Madam President.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. Thank you, Senator Gerratana. I have no further questions but just a comment. I've had an experience very recently as a commercial realtor trying to help a new restaurant start up in my home town and get all the necessary permitting required and build a new kitchen and I'll never forget going in to visit the restaurateur as he was finishing his construction and about ready to get a certificate of occupancy and he gave me a tour of the kitchen. And I was amazed as he pointed to a small sink that looked like a sink that would go in a dollhouse -- it was tiny, as big as a laptop, in fact.

cf  
Senate

27  
June 2, 2017

It was just a tiny sink but it was next to three other sinks and he said that that sink is required by regulations here in Connecticut to wash your hands but there are three other sinks lined up right next to it and so he said, you know, it seems sort of silly to have a fourth sink lined up next to three others that are already there for pot washing and yet, that sink costs another \$250 or \$300 dollars -- I forget what it was.

The point was, he used that as an example but he said there were many other things that didn't seem to be common sense requirements. And some highly burdensome. Certainly the fancy grease trap is one of the very expensive costs to build a restaurant kitchen. But my point is just to -- for us to remain aware as we are laws that affect small businesses that we question our professionals. We understand the health department is a professional in the field. But I don't think there's any logical explanation for having a fourth sink lined up next to three others.

So I use that as an example that I hope my fellow legislators will look carefully at legislation that we pass and make sure that we're not creating a financial burden to our small businesses. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Senator Formica.

SENATOR FORMICA (20TH):

Thank you.

cf  
Senate

28  
June 2, 2017

THE CHAIR:

Good afternoon again, sir.

SENATOR FORMICA (20TH):

Thank you, Madam President, although a bit late, I must recuse myself from this particular piece of legislation and I will be leaving the chamber. And I apologize for not being able to get up sooner.

THE CHAIR:

No problem. We'll wait till you leave the chamber. Senator Miner. Good afternoon, sir.

SENATOR MINER (30TH):

Good afternoon, Madam President. I too have a couple of questions on the amendment, please, if I might, through you.

THE CHAIR:

Please proceed.

SENATOR MINER (30TH):

Thank you, Madam President. Section 4 -- the section seems to speak about the serving of food. Which is separate and apart from food sold. And so through you, Madam President. It's not uncommon for me to go to the grocery store on a weekend or a hardware store and find somebody selling a plate of cookies or anything like that, as a fundraiser for a cross country team or some lake association, all



usually charitable, most of which I would assume at this point, don't run over to Torrington Area Health to get a permit.

Is there anything in this language -- the section that I just referred to that would require any of those circumstances to have a permit -- after the passage of this? Through you, Madam President.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. No, Senator Miner, in fact, later on in the bill -- I was frantically trying to go through it -- there are exceptions as I mentioned: soup kitchens, bake sales, that sort of thing. I think in other parts of our statute there are some guidelines, if you will. Regulations that address this but the classifications are class I, class II, III, and IV. I believe is what we're talking about.

They're already in statute and the thing that we have to understand is that these classifications then are degrees, if you will, of how and where food is served -- how that will be regulated. There are -- for instance, a class IV would be vulnerable populations like school children in a school cafeteria, that sort of thing, and along with these classifications as I said for establishments, what you're talking about would not be an establishment per se.

It wouldn't be a restaurant, it wouldn't be a school cafeteria, it wouldn't be a place where food is served normally. So if you wish and if we could stand at ease, I will actually go to and look at the parts of the bill that if he wishes, that exempt -- I think there's a laundry list of incidences and instances as you described.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

So -- thank you, Madam President. And I thank the gentlelady for offering. No, I -- I mean, I would take you at your word that these are exempt -- these kind of bake sales, cookie sales, generally homemade products, generally for a dollar, generally nobodies making a fortune and I don't know whether the level of risk in that circumstance would rise to the level of a permit or an inspection, but I am curious about the reference of an exemption for a soup kitchen.

It strikes me as odd that we would somehow make a determination that in a place that would prepare what I think would be a full meal more often than not, the people of need get -- the kitchen in which that's prepared -- the mechanism in which that may be prepared, the licensure under which that might be prepared, would somehow be exempt. Is there any reason to worry about whether or not the standard of preparation either in maintaining temperature or anything like that in a soup kitchen would somehow be risky business because they are carved out of this? Through you, Madam President.

cf  
Senate

31  
June 2, 2017

Senator Gerratana.

SENATOR GERRATANA (6TH):

Through you, Madam President. I would like to direct you to Section 8, Senator Miner, and in there, nothing in this section or sections 3 to 7 inclusive of this act shall limit the authority of directors of health -- but it also goes on lines 288 that says the exemption -- well, actually -- 281 talks about certified farmers' markets shall not limit the authority of the commissioner of Agriculture and then in 288, the provisions of the food code that concern the employment of a certified food manager and any reporting requirements relative to such food manager shall not apply to an owner or operator of a soup kitchen that relies exclusively on services provided by volunteers, any -- excuse me.

Any volunteer who serves meals from a nonprofit organization and it goes on there. So what we are doing in this legislation is actually saying that there are exemptions from having that certified food manager but these situations would be classified under -- and they are in different parts of the statute -- under the classification of food establishments and those -- like class I and is there vulnerable populations involved and that sort of thing.

And that would be determined at the establishment of the soup kitchen from what I understand would be established as to who are you serving, are they considered vulnerable in which case then I will say that the concerns that you raised would be a direct so that we make sure that food temperature is

appropriate, that certain procedures regarding the handling of food is appropriate. But you would not need to have the -- this process overseen by a food -- a certified food production manager. Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. So all the safeguards that we would be looking for with regard to public health must still be in place?

SENATOR GERRATANA (6TH):

Yes.

SENATOR MINER (30TH):

You just don't have to have the certified person on premises and that does permit an opportunity for all the things that are listed in that section again, theoretically, no reduction in public safety, public health, just that -- what might be otherwise onerous title to have to meet every time its functioning.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Through you, Madam President. I'm sorry. Yes. That's correct.

cf  
Senate

33  
June 2, 2017

SENATOR MINER (30TH):

Thank you --

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

I thank the gentlelady for her response.

THE CHAIR:

Thank you. Will you remark further on the amendment? Will you remark further on the amendment? If not, let me try your minds. All those in favor of Senate "B" please say "Aye."

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate "B" is adopted. Will you remark further on the bill? Senator Gerratana.

SENATOR GERRATANA (6TH):

I think Madam President, we need a roll call vote since Senator Formica has recused himself.

THE CHAIR:

That's true. Thank you very much.

cf  
Senate

34  
June 2, 2017

SENATOR GERRATANA (6TH):

You're welcome, Madam.

THE CHAIR:

At this time, 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 call the tally?

CLERK:

Senate Bill 971.

SB 901

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

THE CHAIR:

The Bill passes. (Gavel) Senator Duff.

SENATOR DUFF (25TH):

cf  
Senate

35  
June 2, 2017

Thank you, Madam President. On the next item, I mark that -- I'd like to mark that item PT please.

THE CHAIR:

Yes, sir.

SENATOR DUFF (25TH):

And if we can then move to the next two items that I've marked.

THE CHAIR:

Mr. Clerk.

CLERK:

On page 16, Calendar 351, Substitute for Senate Bill Number 575, AN ACT CONCERNING PRACTICES AND PROCEDURES OF THE RISK REDUCTION CREDIT PROGRAM. There are amendments.

THE CHAIR:

Good afternoon, Senator Kissel.

SENATOR KISSEL (7TH):

Good afternoon, Madam President. [Clearing throat] Great to see you this lovely Friday afternoon. I would at this time move adoption of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

cf  
Senate

36  
June 2, 2017

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

SENATOR KISSEL (7TH):

This bill basically is two pronged and in effect, one of them is to codify what members of the Judiciary Committee believe are exemplary procedures of the Corrections Commissioner Scott Semple in using the risk reduction credit program at this time. In speaking to the Commissioner, even just as recently as yesterday, we all realized that while he's been doing a fantastic job, no one remains commissioner forever.

And so it would be very beneficial to codify the internal practices that he's utilizing in the Department of Corrections. And the other prong of this bill is to add four extremely serious crimes to the small number of crimes that would disallow an inmate from utilizing the risk reduction program: assault in the first degree, assault in first degree of an elderly, a blind, disabled, pregnant, or developmentally disabled person, assault of a pregnant person resulting in the termination of pregnancy, and sexual assault in the first degree. And I urge my colleagues to support this bill. Thank you.

THE CHAIR:

Will you remark further? Senator Doyle.

SENATOR DOYLE (9TH):

Good afternoon, Madam President.



cf  
Senate

37  
June 2, 2017

THE CHAIR:

Good afternoon, sir.

SENATOR DOYLE (9TH):

The clerk has an amendment, LCO 8313. May the clerk please call and I be allowed to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 8313, Senate "A" offered by Senators Looney and Duff.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. I move adoption of the amendment.

THE CHAIR:

Motion is on adoption. Will you remark sir?

SENATOR DOYLE (9TH):

Yes. Thank you, Madam President. This amendment is a strike everything amendment -- a strike-all amendment as we're aware. Senator Kissel has mentioned that this program was -- you know, is

performed very well by our current commissioner. I think everyone universally believes Commissioner Semple's doing a great job and this overall risk reduction program, over the past several years, since its creation -- there's been some issues through the years -- I would -- it was created maybe five or so years ago.

A few years ago, the legislature added some additional crimes to the list that Senator Kissel just mentioned so today, this amendment here would seek to create a task force to have a deliberate review of the overall risk reduction credit program and kind of look into a significant delivery process to see if additional offenses should be added and also to take a closer look at the internal procedures used in the administration of the program codified. You know, the file copy talks about converting over to having the Department do official regulations and this would give us an opportunity to consider if that's an appropriate decision.

But clearly, overall, the program whether you support it or not and some do, some don't -- I think we all agree Commissioner Semple does an excellent job. He responds to us and he's an excellent commissioner. So I think this task force would be a good way to review the entire program, make it deliberate and see which -- if we should add some more and whether we should, you know, make official regulations for the procedures that the Commissioner uses. So again, Madam President, I urge the chamber to adopt this amendment. Thank you, Madam President.

THE CHAIR:

Will you speak further on the amendment? Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you, Madam President. Madam President, I rise to oppose the amendment. Not because the amendment doesn't have merit, which it certainly does -- I would support it strongly if it was added to the underlying bill that he's trying to amend. Because this is a strike-all, it takes away a very good bill, a bill that's necessary, a bill that could help to protect and save lives.

So I just would suggest that maybe the proponent of this amendment might want to reconsider and make it an add-on to the bill that's being discussed -- the underlying bill. Because if that were to be the case, not only would we have a measure that would help to -- help to be a safeguard for the general public but it would also help to analyze what is happening as well and you could make further improvements to that once you have the information. 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 also rise in opposition to the amendment. While I'm never opposed to studies as a matter of practice, and usually they're quite beneficial, and in just speaking to Senator Doyle at this time, I believe

cf  
Senate

40

June 2, 2017

the task force reflects the equal balance in this chamber. I do feel that it's widely acknowledged that the current practices of the Department of Corrections under the oversight of Commissioner Semple are looked at very favorably and I would hate to lose that aspect at this time of the bill. And to that extent, I would ask for a roll call. Thank you.

THE CHAIR:

A roll call vote will be taken. Will you remark further on the amendment? Will you remark further on the amendment? Seeing not. Mr. Clerk, will you call for a roll call vote on the amendment and the machine will be 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.

Immediate roll call in the Senate on Senate Amendment Schedule "A". Immediate Roll Call in the Senate.

THE CHAIR:

All members have voted. The machine will be closed. Mr. Clerk, will you -- no he already voted. The machine is locked. Senator Martin, did you want to change your vote, sir? Guess not. Okay.

Mr. Clerk will you call for a -- call the roll -- I mean, sorry -- the tally?

cf  
Senate

41  
June 2, 2017

CLERK:

Senate Amendment Schedule "A".

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

THE CHAIR:

At this time -- [pause] the Chair is going to vote in the affirmative. And the amendment is now adopted. (Gavel)

At this time, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Well as that amendment now becomes the bill, I don't know if there's any opposition. I don't see any, so I'd just like to move that bill to Consent, at this time.

THE CHAIR:

Oh, okay. Seeing no opposition. [Laughter] All right with me. Okay. Mr. Clerk.

CLERK:

On page 19, Calendar 388, Senate Bill Number 885, AN ACT CONCERNING RECOVERY OF PAYMENTS FROM COLLATERAL SOURCES BY A MUNICIPALITY WITH A SELF-INSURED HEALTH PLAN. And there's an amendment.

cf  
Senate

42  
June 2, 2017

THE CHAIR:

Oh, you're right. Senator Kissel, we have to turn back -- oh you put it on Consent. Yeah. Senator Kissel, please proceed, sir. It's so good to see you again this afternoon, sir.

SENATOR KISSEL (7TH):

[Laughing] Delighted to see you once again, as well, Madam President. I move adoption 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. The clerk should have in his possession, LCO Number 8396. I would move adoption of the amendment, waive a reading, and ask leave to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

8396?

THE CHAIR:

8396, sir?

cf  
Senate

43  
June 2, 2017

SENATOR KISSEL (7TH):

That's correct. I know it's just -- probably -- it's been in the machine for like four minutes or something like that. We may have to wait a little bit.

THE CHAIR:

The Senate will stand at ease. Senator Kissel, it hasn't been filed yet. Mr. Clerk.

CLERK:

LCO Number 8396, Senate "D" offered by Senators Kissel and Suzio.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

I move adoption and waive the reading and ask leave to summarize.

THE CHAIR:

Motion is on adoption. Will you remark further, sir?

SENATOR KISSEL (7TH):

Essentially we had debated the previous piece of legislation which would codify the practices of the Commissioner of Corrections and also add four very

serious crimes to the list of -- to the very small list of crimes which would disallow someone from receiving risk reduction credits.

These four crimes, are one, assault in the first degree, essentially assault with a deadly weapon or disfiguring assault. The second crime is assault in the first degree of an elderly, blind, disabled, pregnant, or developmentally disabled person. The third crime is assault of a pregnant person resulting in the termination of her pregnancy. And the fourth crime is sexual assault in the first degree, forcible raping, gang rape, intercourse with a person under the age of 13, when the defendant is or when the defendant is more than two years older.

All of these are class B felonies and extremely serious crimes and the amendment is -- the bill is -- the amendment is tailored rather, to be prospective only so as to make sure that any vested rights that current inmates have would not be affected but it was the sense of many of us in the Judiciary Committee that these are crimes so heinous and serious that they should disallow someone convicted of them from receiving risk reduction credits. And at this time, Madam President, I would like to yield to Senator Suzio if he would accept the yield.

THE CHAIR:

Senator Suzio, do you accept the yield?

SENATOR SUZIO (13TH):

Yes, I do, Madam President.



cf  
Senate

45  
June 2, 2017

THE CHAIR:

Please proceed, sir.

SENATOR SUZIO (13TH):

Thank you, Madam President. It's very nice to see you this afternoon. I rise --

THE CHAIR:

Thank you, sir.

SENATOR SUZIO (13TH):

I rise in strong support of the proposed amendment. I was here six years ago almost to the day when the original law was passed regarding risk reduction earned credits and I remember thinking at the time that there'll be some tragedies as a result of this law. Little did I know that only six months later, a murder would occur only four blocks from where I live in Meriden -- an innocent store owner -- elderly store owner -- named Ibrahim Ghazal was murdered in cold blood by an inmate who had been released prematurely from prison under this program.

And I remember seeing up close and personal the faces of the family and the victim's family members and the suffering that they endured because of that terrible crime and violent crime. I promised the family at that time that I would do everything I could to improve the law and to reform the law and to make criminals guilty of extremely violent crimes not eligible for participation in the program and this amendment today is a step in that direction.

cf  
Senate

46  
June 2, 2017

It's a small step but it's a good step. A step in the right direction.

I just happened to take a look at the statistics for the first five years of the program -- five years and four months during which 44,000 prisoners were discharged under the program and 705 of those criminals were -- had been convicted of the crimes that we're bringing up today that would not be eligible.

So it's a small segment of the population but it's a segment of the inmate population that has committed extremely vile and violent crimes and this is a move to -- as Senator Kissel mentioned, prospectively to remove them from eligibility to participate in the program and to make certain they serve the full sentence for the heinous crimes that they committed and I urge all of my fellow members here in the circle to support the amendment.

I urge you to think about the victims and their families who have suffered as a result of these crimes and to think of it in terms of an improvement and a reduction in the potential for crimes of this nature to be committed by criminals from -- who have been released from prison early. Thank you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. A few questions for the proponent of the amendment.

cf  
Senate

47  
June 2, 2017

THE CHAIR:

Please proceed, sir.

SENATOR WINFIELD (10TH):

Yes, Madam President. Thank you. And through you, I guess my first question is about the concept of risk reduction credits. Since we're seeking to eliminate the things for which it applies, could you speak a little bit about the concept of risk reduction credits and why we sought to do it in the first place?

THE CHAIR:

I'm sorry. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. The concept of risk reduction credits is to incentivize good behavior of inmates in the Department of Corrections. I've gone to some national symposia regarding the implementation of the risk reduction credit program -- both states that lean Republican as well as states that lean Democrat have adopted this.

The one difference in Connecticut, going back to when it was originally adopted was under the national model, they had urged states to try to build bipartisan support by making it prospective and making it only apply to non-violent crimes then circling back after about a year and assessing its efficacy. In Connecticut, we raced forward not with

cf  
Senate

June 2, 2017

just non-violent crimes, but with some very violent crimes and in fact, modifications had to be put forward in the House before the House even adopted it.

And it also was retroactive based upon an inmate's scheduled report of activities which undermined a lot of support and indeed by having those two differences from the national model unfortunately in Connecticut there was not bipartisan support and it actually broke along party lines with not a single Republican vote of support. In the meantime though, under Commissioner Semple and his predecessor Commissioner Arnone, there's been reviews done within the Department of Corrections.

It's applicability has been tightened up and indeed there's discussions between leadership of the Judiciary Committee and the Department of Corrections regarding trying to determine, a, if there's any other crimes that would disallow an individual from receiving risk reduction credits but also what misbehavior that an inmate might be engaged in, which would cause them either to lose all or some of the acquired risk reduction credits.

There are positive feedback when I go on tour of my correctional facilities and I have six correctional facilities within my district and folks know that I never lose an opportunity of reminding folks that I have the most correctional facilities of any other state senator, but the men and women who are on the front lines say that to a great extent it has helped with inmate's behavior issues when the rules and regulations regarding its applicability are spelled out in a bright-line test.

The other area that we have to look at and is a subject of much criticism is an individual receiving risk reduction credits simply by signing up for a course but never even participating in a course, let alone finishing the course. And there are again, discussions going on between Judiciary Committee leadership and the Commissioner and his staff regarding that because there's just something that strikes most folks as fundamentally unfair although the Department of Corrections feel that it's their fault if they don't have enough to staff to bring the programs forward but if you go to a college, they're not gonna give you credit for a course if it's overly booked and you can't get in there.

So there's mixed reviews at this point in time but I believe the risk reduction program in the State of Connecticut is moving in a much more tightened well-regulated direction and that's my assessment of where it stands right now. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. I thank the proponent of this amendment for that response. Another question, through you, Madam President. So it seems to me, I believe that what I heard was that the way that we got to passing risk reduction credits may not have been the way that we wanted to but that we did pass something that has been in effect for a little bit of time. And then that there was going to be some review conducted about

whether or not we should pull back, what we should be doing, and we have a bill in front of us.

Does this bill that's in front of us come from a review or does it come from a sense that these particular crimes are egregious and so they should not be attached to risk reduction credits? I guess my question really is how did we actually get here? Is it the sense that they're egregious and so therefore they shouldn't be there or is it through a review process that is not looking for a particular answer but that arrived [sic] us at this point? Through you, Madam President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Through you to proponent of the question. When we originally passed the risk reduction credit program, there was an assessment as to what the public's view of the program would be and whether the overall majority of the public would find it acceptable. And so that's an subjective assessment and this continues along that line and by that I mean, nobody thought somebody who committed murder should get risk reduction credits.

And then it got expanded to home invasion and severe acts of violence against individuals and I'll be quite frank, it was in the environment where we had just gone through the whole Cheshire triple slaying and everything that was associated therewith. And

so how the public feels about certain crimes impacted how we even started this program.

These are very serious crimes and it follows along the line of being more subjective than objective, whether one would be able to conduct the study, and sort of drill down to find out which inmates convicted of what crimes do better with the risk reduction program as to others. I don't know if that's possible.

I would guess that we would get some feedback from something like that but there is always this sort of circumnavigation where sort of do an assessment of where the public feels regarding our corrections and criminal justice policy and I would state that this is a -- we feel that there's strong support not only within the public but within members of the Judiciary Committee to add these four very, very serious crimes to -- again, that very narrow coterie of crimes where one would not be allowed to utilize these programs. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. I, again, thank the proponent of the amendment. I'll just make a statement and then I will sit down. It is precisely for the things that were explained in the last exchange that I rise in opposition to this amendment and I guess, therefore, the bill. It seems to me that everything that I've read about risk reduction credits or earned credits or anything that's in this

realm, suggests that what it actually does is it moderates behavior in a positive way and that the incentive that we're seeking is a good thing for our criminal justice system and actually offers protections to people.

We want to make sure that the people who get out of our system have improved while they're in the system. That's what we have sought to do. That is what the science -- I've read many studies -- suggests that we would be doing and I think it's actually more dangerous to do what we are seeking to do under this proposal and so for that reason, I rise in opposition. Thank you, Madam President.

THE CHAIR:

Will you remark further on Senate "A"? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I would just state that part of the equation in coming up with these four additional crimes is the effect upon the victims and the victims' families and there needs to be some element of predictability at the time of sentencing when a crime is so heinous. It doesn't mean inmates can't take programs, it just means they're not gonna get additional time off for taking those programs. But knowing that there's a difference of opinion amongst my friends and colleagues here in the circle, I would now ask for a roll call vote on this amendment that becomes the bill.

THE CHAIR:



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

SENATOR LOONEY (11TH):

Good afternoon, Madam President. Speaking in opposition to the amendment, Madam President. Madam President, risk reduction credits are not automatic in our system. That inmates do need to meet certain standards to be awarded these credits. They have to show good faith, participation in programs, compliance with rules.

It isn't done in a vacuum and it's not an automatic thing that is guaranteed to those -- to shorten their sentences so that we depend upon the corrections staff to make a judgement as to how active and engaged the inmate is in these programs in order to be able to access the credit. And prison is supposed to rehabilitate as well as to punish. It has multiple purposes.

In fact, our entire criminal justice system has several different motivations that are often studied in criminal justice classes in isolation but in reality, often operate together and that is the purpose of retribution, deterrence, rehabilitation, and restoration, often resulting in some sort of compensation for the victim but these purposes all operate at the same time in our system and it is important to remember that there is a significant issue of management of the prison population.

And the issues relating to the safety of the corrections staff and also to rules compliance so that if an inmate has no incentive to attempt

reform, the likelihood that he will even begin down that path is very minimal. And one of the things that we have seen most often, Madam President, is that the most dangerous offenders coming back into society are the ones that are designated as end-of-sentence releases.

The ones that served a maximum sentence are under no supervision when they come out because they have served the max that they would have been in any circumstance required to serve. They're not on any kind of supervision, they're not on parole, they're not coming to a halfway house. They come out the prison door onto the street. Those are the ones who are and have been identified for years as the ones most likely to reoffend. Because they often come out without any kind of support staff.

Here in New Haven, many of them wind up in a homeless shelter on the first night that they've been released and this is a chronic problem. Some said well they were the hardcore offenders who didn't comply with the rules and didn't earn credits but everyone must remember that almost everyone except for that small number of people who are sentenced to life in prison do come back. They do come back into society. They are living in our communities.

They are out on the streets and it is in all of our interests to try to find ways to rehabilitate them if they are going to come out or at least give them some incentive to come out less dangerous to the community than they went in. We saw an example of this some years ago, Madam President, when Governor Rowland, I believe during one of this campaigns looking to take a tough on crime stance argued in

favor of doing away with access to weight lifting rooms and exercise rooms for the prison inmates, saying that it was costing them too much and that prison was too much like a hotel and they needed to suffer more, I think he put it, while they were in prison.

And surprising to some, the corrections union came out against that proposal because they said that access to exercise facilities and access to weight rooms was something that they could use as a disciplinary tool. That is, to grant that access when the prisoner was being compliant, to withhold it when the prisoner was not being compliant. So these issues are, I think, a lot more complex than what is reflected in this amendment today.

Certainly these are serious crimes but it is in all of our interest, and it's in society's interest to try to do everything we can to make sure that those who come out of prison, as I said before, are less dangerous than when they went in. And if they have not been sentenced to life without the possibility of parole, then they are going to be out in our community once again. It is in all of our interests if everything that can be done to deter them, if not to rehabilitate them while they are in prison, it's in all of our interests to do even though the offense was serious.

So I would urge rejection of the amendment and I think that we have already dealt responsibly with this issue by passing the amendment to the previous bill that constituted a study of all of these issues to report back to the General Assembly next year. Thank you, Madam President.

cf  
Senate

56  
June 2, 2017

THE CHAIR:

Thank you. Will you remark further on Senate "A"? Will you remark further? At this time, I'll call for a voice vote -- a roll call vote. Roll call vote, the machine will be open. Mr. Clerk.

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:

All the Senators are in the chamber. Please vote.

Mr. Clerk, will you call the roll call vote and the machine will be closed.

CLERK:

Senate Amendment Schedule "A".

Total number voting	36
Those voting Yea	21
Those voting Nay	15
Absent and not voting	0

THE CHAIR:

The amendment passes. (Gavel) At this time, will you speak further on the bill that we just adopted? If not, Mr. Clerk, call for another roll call vote and the machine will be open.

CLERK:

cf  
Senate

57  
June 2, 2017

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

THE CHAIR:

All Senators please vote. Senators in the chamber.

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

CLERK:

Senate Bill 885.

Total number voting	36
Those voting Yea	21
Those voting Nay	15
Absent and not voting	0

THE CHAIR:

~~The bill passes.~~— (Gavel) Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, if we  
can go back to the previously marked PT.

THE CHAIR:

Mr. Clerk.

CLERK:

cf  
Senate

58  
June 2, 2017

On page 12, Calendar 308, Substitute for Senate Bill Number 977, AN ACT CONCERNING ACCESS TO ORIGINAL BIRTH RECORDS BY ADULT ADOPTED PERSONS.

THE CHAIR:

Good afternoon, Senator Cassano.

SENATOR CASSANO (4TH):

Good afternoon, Madam President. It's good to see you today.

THE CHAIR:

Good to see you, sir.

SENATOR CASSANO (4TH):

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

THE CHAIR:

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

SENATOR CASSANO (4TH):

Yes. Madam President, I believe the clerk is in possession of an amendment, LCO 7034.

THE CHAIR:

Mr. Clerk.

cf  
Senate

59  
June 2, 2017

CLERK:

LCO Number 7034, Senate "A" offered by Senator Cassano.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Yes. Madam President, this is a strike-all amendment for Senate Bill 977, an act concerning the regional -- concerning access to original birth records by adult adopted persons. This was in fact, the law before 1975 and there have been a few changes over time and it's time to provide equal protection under the law for all adoptees and that's not the case at this particular time. Recent experiences show that there's a variety of different things that are happening in this area.

It's ironic that if you look at some of the bills that we've done in the past 10 days, probably 20 or 30 percent of those bills have been directly impacted by changes in technology. We live in a new world and in this world of technology, people do things differently and many of our bills reflect that. This is another one of those bills. A bill passed a few years ago.

It has literally denied anyone who was born after 1983 access to their birth records and today, we can go on and you see the ads every night on television from a variety of different places or you can simply go online, pay a substantial amount of money, give a DNA test and you will get much of the information

we're looking for today. We're saying with this bill that we want to treat all adoptees the same way. One of the concerns is the term intermediary. Is there intermediary?

On the existing system there is, but the reality is the intermediary tends to be the adoption agency itself whether its child and family services, whether it's the church, a community group, any of the groups that provide adoption. That would be the intermediary that you would go through and try to get the information necessary. In all cases, the intermediary would talk with the birth mother, if alive, and if the birth mother refuses contact she can do that. In fact, fill out a statement that says I refuse contact. She can refuse to provide information if she wants -- doesn't want to provide medical information or any background. Or she can in fact, encourage the reunion. There are all kinds of alternatives that are left.

Why is this important? Everyone in this circle, I assume, we're not young kids anymore, except for one of us maybe. [Laughter] We get an annual physical every year and there's a form we fill out: family history. Any history of Aids? Well, for this age group might not be. Allergies, asthma, heart disease, cancer, depression, diabetes, cholesterol issues, hypertension, kidney disease, mental illness, or osteoporosis, family psychiatric history, substance abuse history, family substance abuse history, psychosocial history, it goes on and on.

We fill these out. You have to go to the doctor's office minutes early to fill out all the forms, right? But they fill those forms out so that we can



be treated properly. We have a variety of medications, of specialists and so on to help us deal with various cancers and types of diabetes and things like that but if you're one of these people that are adopted and have no medical history, you can't get that treatment because you don't know you have that in your system.

And so, just -- in the right of fairness to these people, so that they and their children can have a safety valve, this bill is significant. It protects the health of the adoptees, the health of their children. You get access to the -- to your birth certificate. We do this through the Department of Public Health. It does take time. There clearly is a back log. We've talked with various agencies as well as DCF which also is an intermediary for children involved but it is a bill that should be passed and for me, personally, I think I'm no different than everybody around this circle.

We run for office cause we want to have an impact on people's lives. I mean, every time we're voting on big ticket items we buy trucks and build bridges and all these other kinds of things but we don't have the opportunity many times to do real direct people bills. This is a bill that is directly impacting many people, many people, who had this right and then it was taken away from them. It was taken away from them when they were much younger and probably didn't even know they had a need to research this. I would ask if I can, to yield to my Co-Chairman, Senator Logan.

THE CHAIR:

Senator Logan, will you accept the yield, sir?

SENATOR LOGAN (17TH):

Yes, I do, Madam President. Thank you.

THE CHAIR:

Thank you.

SENATOR LOGAN (17TH):

So as the good Senator has indicated, you know, this law builds upon a law that was passed in 2014 and restores the right of every adopted adult citizen in Connecticut to obtain a copy of her original birth - - true birth certificate and I think that's very important. What I've been hearing in the halls and in talking to many of my fellow good senators, I think there's a bit of misinformation out there, misunderstanding in terms of what this bill is attempting to correct.

So in order to understand more clearly what we are trying to pass now, it's important to understand what was passed three or so years ago. So Public Act 14-133, which required the Department of Public Health to give adopted individuals age 18 or older whose adoptions were finalized after October 1, 1983 or their adult children or grandchildren uncertified copies of the adoptees original birth certificate on request.

So those are, again, folks that were -- whose adoptions were finalized after October 1, 1983. So if your adoption was finalized after October 1, 1983, you have a right for an uncertified copy of your birth certificate. So again, this law builds

upon -- this bill would build upon that law that was passed back in 19 -- in 2014. That law has worked successfully as intended. That law was passed.

Anyone whose adoption was finalized after October 1, 1983 has access to their birth certificate. No complaints, no issues, as far as I know no lawsuits, no problems, no horror stories. Not a problem. So now we have all of those individuals who are adopted -- whose adoptions were finalized prior to October 1, 1983 -- after October 1, 1983, not an issue. You have access to your birth certificate. Your adoption was finalized prior to October 1, 1983, you have a problem.

So Senate Bill 977 requires the Department of Public Health to issue an uncertified copy of an original birth certificate to an adopted person who is 18 years of age or older or the adopted persons adult child or grandchild. Identical in terms of what is available for folks whose adoptions occurred after October 1, 1983.

I stand here in support of the amendment and the underlying bill for the following reasons: including equal protection under the law. Adopted persons should be treated like any other ordinary person who can obtain his or her original birth certificate. If you are someone living, working, paying taxes, raising children, or not raising children, but part of our society -- you should have a right to your birth certificate. How can anyone argue to give an adult person a copy of their birth certificate? This bill affirms what I consider to be a human right, if not a civil right. It is a basic human right for every person to know his or her biological origins.

Keep in mind that prior to 1975, all adopted -- all adult adoptees in Connecticut had access to their birth certificates. Up to 1975 every had one access to their birth certificates. This is not a new concept. Both had access to it for decades. This bill allows birth parents to privately communicate with adoptees. The law requires the Department of Children and Families to provide birth parents with a contact preference so the birth parent can provide a contact preference from allowing them to -- and allowing them -- there's a form they can fill out which will allow them to privately express their preference for contact or no contact.

This is about giving every adult the opportunity to get access, to have a copy of their birth certificate. You know, what I often hear as far as some of the counter argument is that there were women, perhaps couples, who decided that they wanted to put up their child for adoption and that they had the understanding that they would never be contacted. That they would never be found out about it but remember what I just told you. Prior to 1975, everyone had access to their birth certificate.

So any sort of a handshake or verbal agreement that was made prior to 1975 was contrary to the law. So that argument, to me, does not hold true. Also, it's an issue of the parent who gave up their child and the actual child. When you take a look -- look at yourself or look at your children. When you or your child was three or four or five years old, you would tell your child what they can eat, what they cannot eat, what shows they can go to, what schools

they can go to or not go to. You can even tell them which friends they can have or not have.

As children move into adulthood the natural course of things in our society -- as a parent, you have less and less control and right over your children, by law. To me, it seems wholly unfair to allow certain parents to be able to deny another human being -- another adult human being access to their birth certificate. An uncertified copy of their birth certificate. Anyone in this room who is not given access to their birth certificate would be outraged. What do you mean I cannot have access to my birth certificate? I had nothing to do with that agreement when I was born. When I was a child.

I believe that this bill actually protects the adopted parents. Protect them because it provides more privacy than regularly available consumer DNA testing and social media. What kind of control do you have with DNA testing that you can go on the internet and get a test and find folks that match your DNA? Or use it on social media to find relatives of yours and put two and two together and in many cases that's what's happening and zeroing in on who your parents are. Very uncontrolled way of being found out.

This bill allows for a controlled way for that to happen. The parent that gave up their child can have some say in terms of how that information is given, in terms of their birth certificate to the adoptee. As the good Senator pointed out, this bill helps to protect the health of adoptees and their children. Today, many adoptees are able to locate their biological relatives as I mentioned, based on

DNA testing, therefore -- thereby obtaining current family medical history information.

But until DNA testing is nearly completely accurate, which may not be possible for maybe a few -- maybe several years -- the health of adoptees and their children is at risk unless we pass this bill that allows everyone to have access to their birth certificate and again, remember, this is not a new concept. This is not avant-garde. Prior to 1975, everyone had access to their birth certificate -- copies of their birth certificate. If you're adopted after October 1, 1983, you have the right to have access to your birth certificate.

I think it's important that we consider that. The right of the individual who's just trying to live their life and wants a copy of their birth certificate. We are not asking for some sort of -- extra perk in life. Or something that is not enjoyed by the vast super majority of people living and working here in the United State of America. I move for adoption of this amendment and the underlying bill and I urge all of my fellow senators to think with your hearts and correct this wrong and do this thing today. Thank you, Madam President.

THE CHAIR:

Thank you. Senator Guglielmo.

SENATOR GUGLIELMO (35TH):

Thank you, Madam President. Just for purposes of a question to the proponent.

THE CHAIR:

cf  
Senate

67  
June 2, 2017

Please proceed, sir.

SENATOR GUGLIELMO (35TH):

I just want to make sure my understanding's correct. If the child goes to the intermediary and this I'd like to have just for the record -- I think I understand it correctly -- and then the birth mother refuses then those records remain closed until the birth mother's deceased? Is that correct?

SENATOR CASSANO (4TH):

Yes.

SENATOR GUGLIELMO (35TH):

Okay.

THE CHAIR:

Senator Guglielmo.

SENATOR GUGLIELMO (35TH):

And just as follow-up, was there any thought given to just having their release of medical information without names because that would take care of some of the information that you raised about going to the doctor's office and not being able to complete, you know, your family history.

THE CHAIR:

Senator Cassano.

cf  
Senate

June 2, 2017

SENATOR CASSANO (4TH):

Yes, thank you for that question, Senator. In fact, we had a discussion earlier in the lobby with DCF who does a lot of the work as an intermediary. Parents have various options. Some parents want to provide no information. If they don't want to provide any medical history or any information whatsoever, they don't have to. Then eventually, if they pass -- they can get those records at that time. But it literally is up to the parent. They can remain as anonymous as they want and say as little as they want.

THE CHAIR:

Senator Guglielmo.

SENATOR GUGLIELMO (35TH):

Thank you, Senator. Yeah, a good compromise in my view would have been if we could have had some way to get them the medical records no matter what and still kept the mother's identity private if that's what she decided. Well, thank you very much. Thank you for your answer, Senator.

THE CHAIR:

Thank you. Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. I stand for purpose of a question to the proponent of the bill.

THE CHAIR:



cf  
Senate

June 2, 2017

Please proceed, sir.

SENATOR MCLACHLAN (24TH):

On the amendment. Thank you, Madam President.  
Senator Cassano, this bill -- I don't see -- well.  
Let me start this way. Did this bill before us, as  
we're discussing today, have a public hearing?  
Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Yes, it did.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. When I look at the bill  
history though, the bill originated as a different  
topic. Could you clarify for us what was the basis  
of the public hearing? Through you, Madam  
President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

cf  
Senate

June 2, 2017

There were two bills at the same time. I believe one in Health and one in P and D. We conducted a public hearing. I believe we had 141 pieces of testimony or people that testified. I do have a copy of that in the file. I don't have -- I probably have if I look here, the title of the hearing but the hearing was specifically on this bill -- in P and D.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. Thank you. Thank you, Senator Cassano. Certainly the Senator and I have had discussions on this bill over the years as it certainly was a topic for Government Administration and Elections in the past. I'm grateful that we've had some level-headed discussions on it and agree to disagree. And it's difficult to disagree when I hear a passionate plea from one of my colleagues here in the circle just a few minutes ago and I understand that viewpoint.

I understand the viewpoint of the individual who is seeking their record. But the problem I have and this is where it all stops for me -- is that there are too many mothers who made a very difficult decision -- they made a very difficult decision to seek adoption options. And in doing so, also made a very difficult decision to let their child go to adoption. And I can't for a minute -- not for a minute even imagine how difficult that decision was, how much pain they felt when they made that

decision, and how long the pain remains perhaps even to this day.

But here's my point: when they made the decision they were told, clearly, this is confidential. And will remain confidential. And this legislative body has no business stepping into that agreement. We don't have any business stepping into that agreement. What happens to a mother who has declined to communicate with their birth child for personal reasons? What happens if that mother had a child at a very young age?

One gal who I spoke to who was a freshman in college made a very difficult decision to seek adoption services for the child and decided to allow the child to be adopted. And that mother went on to finish school, found a professional career, got married, and has four children with her husband and they're now married over 25 years. Now this child that she had before marriage, while a freshman in college, is not known to her family. See, she was told that this was confidential.

Now you can argue that she should have told everybody about it. You can argue whatever you want. But that was her decision. We have no business stepping into that. I urge rejection. Thank you, Madam President.

THE CHAIR:

Will you remark further on Senate "A"? Will you remark? Senator Somers. Good afternoon, Ma'am.

SENATOR SOMERS (18TH):

Good afternoon. I rise in opposition of this bill and I've heard a lot of the arguments that we've heard previously and I understand and I sympathize with those folks who really -- are in -- for the right to know who their birth mother was. However, when I looked at the testimony here, the majority of the testimony is coming from those who are adoptees but there's no consideration for the mother who made the decision as we've heard from Senator McLachlan to make what I would consider a very difficult and courageous decision to give a child up for adoption -- in a confidential manner.

I've talked to physicians about what we've heard including my own husband who happens to be a physician -- about what is necessary for medical records and what do you need to know and his response was very clear in that there is no one that I cannot treat because I didn't know who their mother was. Looking at someone's family history is only one little piece of the whole picture of your health and that really resonated with me.

When you take a medical history, your family's -- you know, history is part of it, but it's not all of it. And if someone's gonna do a workup for heart disease or diabetes they're gonna do that regardless of whether your mother or your father actually had that disease. It's just one indicated amongst many. We talked a lot about the protection of the rights of the adoptee but how about the protection for the mother who made that decision to give up their child? Access to birth certificates, we've heard, were available before -- I think the date was -- what was the date? I can't remember. 1975.

What I'd like to know is years ago, when you gave up a child for adoption, was your real name used or were you Jane Doe? Or Kate Smith? That's a question that I have not had an answer to. I think it's really important for people to understand what we would be doing with this legislation. I got a call from an 85-year-old woman who lived in Stonington Borough who was in tears on the phone to me, expressing please do not support this bill.

I had a child when I was younger. My husband doesn't know. My children don't know. My grandchildren don't know. The only person that knows is my mother and the God that I believe in and you will be exposing me to something that I cannot bear. I made the decision to go forward. It was confidential. I thought it would be sealed. Yes, there are technologies that someone can try to look for me, but why are you making it easy for them? Think about me. I made a life-changing decision when I was young person and I cannot face my children. I cannot have this conversation. I am terrified of the idea.

And this is really exposing an older generation in some respect -- or a more advanced aged generation, I'll put it that way. I think now when you go and you decide to make the choice to give up a child to -- for whatever reason it may be -- you have options and check boxes that you can decide at that time. But maybe before 1973, you didn't have those choices and I think that we would be going against something that was promised to these women years ago.

I would like to also -- to remind people that more than 50 percent of the children that are born now -- a father is never listed on the birth certificate.

cf  
Senate

June 2, 2017

So if we're concerned about health issues, the father is not on there many times, so let's put that in perspective. I think it's our duty as the legislature although difficult it may be to someone who has been adopted and doesn't know who their original birth mother is or their original DNA origin -- I think we have a obligation to protect those who make a very difficult decision and actually a gift to others who are able to adopt these wonderful children, to protect their privacy.

To protect their confidence and knowing what we know about different health conditions and the medical history being just one part of a very intricate puzzle, I think it would absolutely be the wrong thing to support this going forward and I adamantly oppose it and I hope you will too. Thank you.

THE CHAIR:

Thank you. Will you remark? Senator Boucher.

SENATOR BOUCHER (26TH):

Good afternoon, Madam President.

THE CHAIR:

Good afternoon, Ma'am.

SENATOR BOUCHER (26TH):

My, is this a difficult topic for discussion for us today. Very much so. Because it probably affects those of us that are women that have given birth to children, that are grandmothers, probably more intimately than probably anyone else that is

discussing this -- except for the actual individual -- the mother that this bill seeks to disclose, I would say. I would like to associate my comments with Senator Somers who made a very important disclosure that many people don't realize, generally, publically, that 50 percent of those situations where a child is given up for adoption, a father is not identified.

And there's no question there is just as much probability that a medical condition could occur. It's often said that many of us, including myself, seem to take after my father or the father's side of the family. So that's really uncertain. So it's really only addressing maybe half of the puzzle but the reason that I'm standing up to discuss this is because when I was just newly minted as a state senator downstairs in the House, I was asked to become a ranking member of the Human Services Committee at that time. Prior to my arriving there and in fact, that's where Senator Gerratana and I met each other and became very good friends because there seemed to be a lot of dissention in that Committee prior to our arriving.

So much so, that leaders on both sides of the aisle came to a few of us to say if we couldn't help to repair some of the function of that committee, a little bit more bipartisan, a little bit more civility. And one of the biggest issues that was brought before us that year was this bill. Believe it or not. We're talking almost two decades ago. Can you imagine? So this bill has been around and it's come back again and again for a very long time and each time the debate surrounds the issues that we're talking about right now.

There is no question that if I were to vote on whether to have mandatory disclosure for adoptees, I would absolutely vote in favor. I do believe in open adoption. I really do believe it. And we have many family members too in the war years, there were a lot of things that happened and oftentimes there were situations where children were born out of wedlock that happened also during the Vietnam war era as well, when there were children that were seeking the actual father of their birth and had difficult time finding that out.

But in this situation we're talking about something that is very important to recognize. That if it were not for the fact that the mother would remain anonymous, that child would -- may have never been born. So the very advocates of some of this legislation, when they talk about needing to find out more information, whether it's just because they need to find out where their roots of origin are, but also what medical conditions and situations they should know about -- they were very fortunate. Think of all the children that weren't born. They were given that gift of life.

And in those situations, that decision -- that heart wrenching -- probably the most difficult decision a woman could face ever in her life -- that decision may have been predicated on the fact that they would remain anonymous otherwise they may not have gone through with that birth. That that child wouldn't be there. And just as Senator Somers talked about the person that reached out to her -- we had many that reached out to us then because remember that was a few years back and those women were younger at that point.



Now they're getting older and some were so terrified they would not even disclose their name on the phone call when they called us because believe it or not, a couple of decades ago, we didn't have as many computers, we didn't have a lot of emails. In fact, in many cases, we would get 100 letters for every two or three emails we got. Now it's exactly the reverse. So there was a lot of interaction by phone, by letter and so forth.

We could get letters as well and some of those letters did not have a name because they were so worried about someone finding out who they were and the calls were heart wrenching. The tears were real. They were absolutely terrified that their entire life could become undone if at that stage of their life cycle, that everything could be -- could fall apart. I would say to them, how courageous. How thankful as a society we should be that they chose to have that child rather than to abort that child at that moment because oftentimes that was the balance.

Those were the decision they had to make at that moment, that they chose that because it certainly enriched someone else's life to behave -- to be able to access a baby that they may have desperately wanted and they couldn't have one and they were able to create a family and be able to have an amazing, more enriched situation. Not to mention, certainly, the benefit to that child that was adopted. We have very many famous situations where we have some of the most brilliant entrepreneurs, scientists, adventurists that have been adopted at birth.

So I know that this is a very difficult situation to discuss. There is no question about it but I go

back to the fact that in that time period, prior to 19 -- was it 85 or 83? That was the situation that people found themselves in and they had a choice at that time. They could have an open adoption. But those that chose to say, I will only do this if my identity is not disclosed and at that time, that was the agreement that was made. And that agreement shouldn't be taken lightly at all.

All that many years later, especially at a time when so many years have passed. It is patently unfair. It is breaking the trust. It is breaking a promise. And I think it's cruel. It's cruel. Because you can destroy a life that someone has made or even if now they're the sole survivor of that family you want them to be able, at some point, to rest in peace. And that's why in all other circumstances I would say, absolutely. Open adoption. You go into it with the rules known in advance.

But in the case where they're making that very difficult decision to have that child or abort that child -- not have that child at that moment and they were told with the law behind them, a certainty that they would not have to be disclosed sometime later in life that this is really the wrong move to make. No matter how many good arguments that are made otherwise, that this is an agreement that should be kept. And that is probably why after all these many years and a couple of decades, we've yet to really pass this bill along.

Because the recognition is that it is the wrong thing to do for those individuals, those mothers, those women who at this stage of their life are probably well on in years, I can imagine. What a time to really intrude in their life. Unless they

willingly and want to and many probably have changed their minds over that period of time. Maybe they have decided that it would be okay.

But wouldn't it be better for them to make that decision and talk to their families first and let them rather than for this to happen at them and put a shock to their livelihood and their life? So I think that this is a very dangerous direction for us to go. I think in some ways it's very callous to the women that this so affects and we heard so many stories about what has happened and intervened in their life. Some have gone on to get married and have another family and have other grandchildren. Can you imagine how disruptive it would be? In some cases, this probably has wonderful happy endings when it's all agreed upon and everybody comes together.

I've heard many adoptees often say, you know, they worked so hard to find their birth parent, and in fact, we had a family friend and neighbor, who both of their children were adopted and then they had a third. It often happens sometimes they had their own natural child. But it was interesting because the son so much wanted to find out and worked so hard and the daughter didn't want to know at all. And it's interesting because the son that was adopted found his birth parents and was very, very unhappy that he did.

It did not work out the way he intended, and yet, the daughter who also then found her birth parents turned out to be a wonderful situation and they built a relationship and it worked out very, very well. But in both cases, those situations involved a voluntary agreement on both sides and that there

June 2, 2017

was open adoption. They could follow through on this. This is a very different situation and I implore the circle to think very hard about that.

That what you might be saying is the right thing to do and all things being equal, you're failing to recognize the agreement that was made at the time, that this child could have either been born or the decision could have been made to not have a live birth at all and that those individuals have a lot to be grateful for that the choice was made for life in that situation and we should respect it and we should allow those women to be the ones to make that decision. It was their body.

It was their choice and it would be an awful thing for us, at this stage of their life span, and I would presume that it's quite -- you know, advanced life stage, for us to intrude and disrupt that life right now when we you know, stand on high moral ground on a certain principle with considering the damage that it would do to that individual woman. I can tell you those stories were heart wrenching. And there's a lot of pain to go on both sides of that coin but I would say to the individual looking.

I said, be grateful they chose your life. You have a lot to be grateful for and for that reason, Madam President, I needed to stand up to talk about that experience on that committee during that period of time. The debate was raging much more than we've had this year. It really was. There were a lot of individuals that came forward.

But as I said, the vast majority kept their anonymous nature, made us promise on that committee, if they talked to us that we would not disclose who

they were because they couldn't even take the chance that it might even slip out just even a little in the media and that's why they wouldn't come forward to testify in committee personally and we got a lot of anonymous letters. Hand written, typed, and sent to us beyond just the phone calls itself.

So I thank you, Madam President, for allowing me to discuss this issue. It took quite a bit of our time on the Human Services Committee that many years ago and here we are again, debating this issue today, but I certainly do not support this bill right now, that would disclose the identities of I think a group of women that we should protect and keep our promise to them. Thank you.

THE CHAIR:

Will you remark further? Senator Suzio.

SENATOR SUZIO (13TH):

Thank you, Madam President. I will not speak long about this, but I do bring to the circle an experience and perspective that perhaps nobody else has in this circle regarding this topic. From 1979 to 1992, my wife and I basically were a shelter home for pregnant young women and we had dozens of young women stay with us to have their babies and then go on with life. Many of those young women kept their children but there were those who decided to give up the babies for adoption.

I'll never forget the very first experience I had regarding this cause I had no idea what to expect. We had this young woman living with us for several months and then she had her baby and the procedure

was that once the baby was born, the baby was immediately taken away from the mother. There was no touching, no caressing, not a moment of embrace or anything like that because the approach was that once that happened, the bond is so strong between a mother and her child that it makes the separation associated with giving up a baby for adoption almost impossible.

Frankly, I think having a baby under those circumstances and giving the baby up for adoption is one of the greatest acts of self-sacrifice and love that I've ever witnessed in life. It's heroic to me and I know from watching these women during that period of time, it was a difficult decision for them and I think back -- in fact, I'm thinking back to the first one back in 1979 now -- so that's 38 years ago. It's hard to believe.

So that young woman is now probably approaching 60-years-old and of course, her baby is approaching, you know, 37, 38-years-old. And I am inclined to support this bill because the love that inspired these young women to give up their babies is still there. And I'm certain there's a yearning somewhere in their heart, wondering what happened to the children that they did have and I believe that the passage of time makes it easier for a coming together.

Both the young woman at the time who is now a mature woman, someone approaching 60-years-old and the child that they had is well into adulthood -- I don't think personally, that the reunion is that traumatic in a bad way. It might be traumatic in a positive way in a sense of love and being reunited with someone that you made a great sacrifice of love

for but personally, I -- knowing the love that motivated these young women to give up their babies at time, I mean, it's almost incomprehensible to think about it.

When I reflect now and think back about Nancy, the first young woman who did that that stayed with us and I think, wow. A woman who's capable of that kind of love is just someone I look up to and have great admiration for and I can't imagine that someone who could love that much would be afraid to see their child again. I just can't imagine that. I believe that it could be a very healing experience for both the child and the mother and I believe that it would be a good cathartic experience for both.

There's a natural human longing, I would say, to wonder on the part of a parent, you know, what happened to your child. Where do they stand? And of course, unequivocally, this was being motivated by the children themselves who want to come and recognize and see their mother for the first time. Imagine if you were in that situation, not knowing who your mother was. It's just a natural instinctive curiosity and I think it's reciprocal.

I think it's very natural for -- I would bet you that many of the young women who gave up their babies that stayed with us wonder what happened. And they themselves might be afraid to go and approach and intrude on the life of their child, fearing that they might disrupt the life of the child and in fact, if anything, I think that's probably the greater motivation.

They practiced heroic love when they gave up their child for adoption and it's heroic, I think, to

continue to not pursue the natural instinct to wonder where that child is today, what that child was doing. It is sacrificial love. It's the greatest form of love. So my instinct is knowing the kinds of women who did this who did this great sacrifice -- I believe that passing this law is not adverse to their interest. I think it is something that's a good thing. I think it's something that would be beneficial to both the child and the mother.

Can you imagine being reunited with a baby you had 40 years ago? I just -- I get -- I get goosebumps at the thought of -- again, knowing these young women who made this great sacrifice back then and I think, wow. I believe every single one of them -- the women I knew. The women who gave up and practiced this heroic love, I think that most of them would be receptive and interested in seeing their child again and I think that if they've avoided it, it's not because they fear what's gonna happen to their life and how knowing that child or having that child come back into their life will disrupt their life, I think that that kind of woman who could practice that kind of love is more fearful of disrupting the child's life and what the implications are.

So I think when the child themselves seeks out the mother, I think a lot of these women would be relieved and would be happy to see their children again. So I urge my brothers and sisters in this circle just to think carefully about this. I know you all are and I know it's not an easy decision and I know that you've heard from both sides of the table on this but again, I speak as someone who knew



many of these women, who had them live with my wife and myself.

I got to know them very personally and the kind of people they are and were and I believe it would be a good thing for them and certainly it would be a good thing for the children. So I urge my brothers and sisters in this circle to vote for this bill. I think it's a good thing and it'll be a blessing to both the mother and their child. Thank you, Madam President.

THE CHAIR:

Will you remark? Senator Kissel first. Senator Kennedy.

SENATOR KENNEDY (12TH):

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

THE CHAIR:

Please proceed, sir.

SENATOR KENNEDY (12TH):

So, I -- I'm just trying to get clarity on, and I'm confused because I've been given a lot of information by folks on both sides of this issue. I just want to make sure I understand crystal clear what we are being asked to vote on today. So for the -- before 1983, if you were born after October 1983, right now, in Connecticut and you want access to your birth certificate, what is the procedure that you use? Through you, Madam President.

cf  
Senate

June 2, 2017

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

If you are quote protected, the 1983 rule then you -  
- there are two possible ways. The proper -- three  
possible ways. Probate court is number one, which  
is expensive and time consuming. A second option is  
DCF. DCF has a program where they reach out to the  
mother. What's most important -- this is not a  
process of revealing the mother. This is a process  
of obtaining the birth certificate.

The mother will respond back, usually, responds back  
to DCF and will indicate, I do not want to have any  
contact whatsoever with my child, or I will provide  
the medical records or some combination of that.  
But that is an option in the letter to the birthing  
mother. That's only for those after 1983.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

Yes. Thank you very much. So because this is an  
important point that I -- I've just gotten different  
responses to and that is the concept of a  
confidential intermediary. Because I hear from some  
proponents of the bill that right now if a child is  
born after 1983, there is basically unrestricted  
access to birth certificates, but what I'm hearing

from the proponent of the bill right now is actually that's not in fact true.

That for somebody who wants to seek their birth mother, that they would have to go through a confidential intermediary whether that be the Department of Children and Families or some other private adoption service. Is that true? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Through you. To my knowledge, that is correct. Because I don't know else unless you do ancestry.com, you've gone through an adoption process. You lived with somebody through some agency. It might be a religious service, it might be a community service, an agency or whatever it might be, but somebody was in -- the intermediary between the mother giving up that child and you going to a new family.

That would be the intermediary that you would go through and again, going back to some of the earlier comments, I admire the women that have gone through and had their children and gone through the sacrifice of giving up that child. That had to be a very, very difficult time for these parents but this is an opportunity for that child that they gave birth to, to at least get medical records. They don't -- it's not documented with their name, address, where they live, telephone number or any of that. It is basically the medical records.

cf  
Senate

June 2, 2017

SENATOR KENNEDY (12TH):

So, though you --

THE CHAIR:

Sorry. Senator Kennedy.

SENATOR KENNEDY (12TH):

Through you, Madam President. So I understand that if the adoption took place through the Department of Children and Families, does the proponent of the bill -- do you know how -- what percentage of all adoptions take place through the Department of Children and Families and what percentage take place through a private agency? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

I couldn't even possibly guess at that. If I were to guess, I would say Children and Families would be a limited population compared to the much broader field of the national agencies that do adoptions. Almost all of the religions or religious organizations in the country have some system within their practice or their religion where they provide a variety of services to people of -- that are part of that parish or church or congregation. So then I would think it would be much wider in the non-public sector.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

Thank you. So if I were born before 1983, and I wanted to seek my -- get a copy of my birth certificate but I didn't know what agency facilitated the adoption when I was born or that agency may no longer be in existence or perhaps that agency may be out of state -- may not even be in Connecticut. How do I go about the process of obtaining my birth certificate? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

I believe my colleague, my Co-Chair Senator Logan might have the answer to that question.

THE CHAIR:

Senator Logan, will you accept the yield, sir?  
Senator Logan.

SENATOR LOGAN (17TH):

I do, Madam President. Thank you. So to try to help clarify, I'm going to refer to Public Act 14-133 and I'll first talk about those -- discuss those whose adoptions were finalized after October 1, 1983

cf  
Senate

90  
June 2, 2017

and then I'll discuss the rights of those under current law whose adoptions occurred before October 1, 1983.

THE CHAIR:

Senator Kennedy, do you have --

SENATOR LOGAN (17TH):

No, so I'll do that now.

SENATOR KENNEDY (12TH):

-- restate the question. If I were born before 1983, and I wanted to have access to my birth certificate, okay, I'm just curious to know if -- how I would go about finding out the agency. How would I even -- where would I call? How would I go about obtaining that birth certificate?

THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

Right. So if an individual were to contact multiple -- or different agencies in the State of Connecticut, the current law, the act requires the Department of Public Health -- so it's the Department of Public Health -- to give adopted individuals age 18 or older whose adoptions were finalized on or after October 1, 1983 or their children or grandchildren, uncertified copies of the birth certificates.

Under current law, people adopted before October 1, 1983 -- again, who go through the Department of Public Health, they or their adult children or grandchildren or certain relatives of deceased adoptee can obtain the original certificate through a court order. So before 1983. If the birth parents are alive, the court can only issue such order with the consent or in certain circumstances, the consent of a legal representative or guardian ad litem, the act repeals certain procedures related to the adoptees or other authorized applicants court petitions to accessing a missing or incomplete biological relative's identifying information.

So they would go through the Department of Public Health, they'd have to get the consent of the living parents in order to get access to their birth certificates. But once the -- if both parents are deceased, then that individual, the adoptee, their children, grandchildren then can have access to it. So this current law would change that and give those individuals whose birth parents are still alive -- would give them the opportunity to obtain their birth certificate.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

So just to clarify. They would have the absolute right then to request the birth certificate irregardless of what the birth mother had to say. Is that -- this is the point of clarification. Is that your understanding? It would be -- cause right now what you just explained to me was they would

contact the birth parents and if the birth parents didn't object, they would release the birth certificate but if they did, they wouldn't release the birth certificate?

I'm just trying to understand. I'm sorry. I'm just trying to make sure I understand. Because this is - - you know, a kind of a tough issue. I'm just trying to make sure I understand fully what exactly we're asked to vote on.

THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

Through you, Madam President. Right. So the individual seeking their birth certificate would not contact the birth parents directly. In Connecticut. They would go through the Department of Public Health and make a request. For example, George Logan would like to have a copy of my birth certificate and I am a adopted individual.

The Department of Public Health would then have to obtain permission from the living parents in order to be able to give them -- the adoptee -- a copy of his or her birth certificate. Without that consent of the living parents, under current law, the adoptee would not have access to their birth certificate. Would not be able to obtain a copy of their birth certificate. That is what we are attempting to correct with the current bill.

SENATOR KENNEDY (12TH):



cf  
Senate

June 2, 2017

So --

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

I'm sorry. Through you, Madam President. So the change that you would like to make in our state would be to be able to provide a copy of that birth certificate, the Department of Public Health which would have a copy of all the birth certificates from what I understand -- they -- the parents, the birth parents would not be contacted at all? Is that what you are proposing? Through you, Madam President.

THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

Through you, Madam President. So under the current bill, the living birth parents -- parent or parents would have to be contacted because they would have to indicate how they would like the contact to occur. Whether it's no contact, so the adoptee would obtain an uncertified copy of their birth certificate. Or if the parent wanted to have contact, the Department of Public Health would have to arrange that. But the adoptee would not be contacting the birth parents directly under our bill.

THE CHAIR:

cf  
Senate

June 2, 2017

Senator Kennedy.

SENATOR KENNEDY (12TH):

Okay. Well, thank you very much for that clarification because that was the point of confusion. So from what I understand, through this law -- if we should adopt this law, in the General Assembly, there would in effect be an intermediary whereby the adopted child would contact the Department of Public Health and the Department of Public Health would contact the birth mother.

There -- because I'm confused because some proponents of the bill seem to suggest that it's time to do away with this anachronistic system of an adoptee having to go through some sort of state agency and that they have an absolute right to their birth certificate and I'm confused. I just wanted to make sure that we're all clear that the -- what is being proposed is in fact, like an intermediary, is being proposed.

So if we vote for this, we're voting for a system that would allow an adoptee to contact the Department of Public Health or maybe another intermediary, I don't know, and having that intermediary contact the parent. Now, if we were to adopt this rule -- this new law, if the parent said no, I'm not interested, okay, and we're talking about, again, for people that were born before 1983. I understand the system is different. But if parents said no, what would be the process at that point in time? Through you, Madam President.

THE CHAIR:

cf  
Senate

95  
June 2, 2017

Senator Logan.

SENATOR LOGAN (17TH):

Through you, Madam President. So the procedure would be similar to what we have for individuals that were born -- that were adopted -- their adoptions are finalized after October 1, 1983, they would go through the Department of Public Health. The only sort of objection that the parent could have regarding the birth certificate and availability of that birth certificate to the adoptee -- is that they -- I don't want to have any contact with the adoptee.

So they would control how the contact would occur. So whether they want to have direct contact with the adoptee or not, through that process would be up to the birth parent. But the issue of whether the adoptee had access to his or her birth certificate would be out of the hands of the birth parents in this law.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

Thank you. Thank you for this clarification cause it is confusing, at least to me. So I'm interested by a couple of other points that the proponents have made. That -- talking about the sort of the DNA testing that evidently is the rage. Everybody wants to know, you know, what their DNA says about them.

They talk about how this exposes the people -- the birth parents in a much less private matter than legislation facilitating the communication. So why is the DNA -- ancestry.com etcetera, why -- I'm just trying to understand why is that less private than the system that you are proposing? Through -- a question to either of the proponents of the bill. Through you, Madam President.

THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

Through you, Madam President. So the concept there is with our bill, the adoptee goes to Department of Public Health and the Department of Public Health will do their research to find out if the birth parents are alive and whether they want to have any contact with the adoptee but if you go through public channels, social media, or DNA testing or ancestry.com, there the -- you're really looking to find any touches to blood relatives through your DNA. So the idea there is if you do that, you will -- the adoptee will have -- potentially gain access to family members in their attempt to hone it down to who their parents are.

So the idea there being is that the live parents would have less control because the adoptee can go out through social media, through ancestry.com, find aunts, uncles, second cousins, first cousins, and that -- in that fashion, you know, to exposing the birth parents is an uncontrolled manner as opposed to the adoptee going to the Department of Public Health and that arrangement being coordinated

cf  
Senate

June 2, 2017

through the Department of Public Health. We're doing a much more direct and private channel or manner.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

I see your point, Senator. Thank you.

SENATOR LOGAN (17TH):

Yeah, that was the only thing.

SENATOR KENNEDY (12TH):

I think that's a fair point. So -- but just following up on a response that you gave a few minutes ago, you said that if under the -- assuming that we passed the law, it -- in the General Assembly this session and it becomes the new law, people will be able to get access to their -- there'll be an intermediary who contacts the birth mother and if the birth mother wants no contact with that person, that will be respected but they still get access to the birth certificate? Is that correct? Whether or not the birth mother wants contact or not, they still by law, will be entitled to their birth certificate. Is that a correct understanding of the proposal? Through you, Madam President.

THE CHAIR:

Senator Logan.

cf  
Senate

June 2, 2017

SENATOR LOGAN (17TH):

Through you, Madam President. Yes. Which is the case for anyone whose adoption was finalized after -- currently -- under the current law -- after October 1, 1983.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

So I'm curious if DCF -- first of all, is there a fee that's involved if I am -- somebody who is seeking to -- my birth certificate or birth mother is there a fee? I would imagine this would an expense to the State of Connecticut but I don't know. Is -- how is this conducted right now? Through you, Madam President.

THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

Through you, Madam President. I don't have the exact amount of the fee but that fee will be borne upon the adoptee similar to when you seek a copy of your birth certificate from you know, town hall or from other -- another source. So it will be a revenue plus for the State of Connecticut but it will be a very, very minor and nominal one.

THE CHAIR:

cf  
Senate

June 2, 2017

Senator Cassano, have you stood for -- Senator Cassano, please.

SENATOR CASSANO (4TH):

Thank you, Madam President. I would add to that that the adoptee in seeking the birth record information pays a fee that is twice the amount of the normal fee. I believe it's \$600 dollars. I'm not sure on that, but I know it is twice the amount. OFR has said that it is a slight benefit to the state financially.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

Thank you, Madam President. So could you -- since we -- I guess the General Assembly made a change to this law. I'm told just a few years ago to account for the state, that we have the 1980 -- October 1, 1983 date. I was not serving in the Chamber at that time. Could you please tell me, how did we arrive at that October 1, 1983 cutoff date? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

I too was not here. But I have a copy of the bill. It was Public Act 14-133. This was based on a -- I

cf  
Senate

100  
June 2, 2017

believe an agreement with the legislature and some of the adoptee organizations who had made commitments to families and one of those commitments recognized and so the cutoff date was 1983.

THE CHAIR:

Senator Kennedy.

SENATOR CASSANO (4TH):

And I'm taking that secondary from what I've heard.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

I've just heard again, anecdotally through talking to people that that was -- there was some sort of -- that was some sort of date. In other words, did something change on that date that made that date the cutoff date by which people before 1983 would have no rights whereas the people after 1983 would suddenly have -- you know, the right to access their birth certificate -- I'm just confused. Why on Earth would we pick October 1, 1983? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):



I can't give you the exact date but it clearly was based on a agreement with church organizations and commitments made by the organizations prior to adoptees and so, they were -- anybody that would be adopted at a later date would be under a different circumstance. That guarantee wouldn't be there.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

Thank you, Madam President. So I -- like, how -- through you, Madam President. I'm just wondering what do you do if you need your driver's license or you need a passport or something like that? I mean, like -- how -- what do you do if you don't have a birth certificate and you're a citizen of the State of Connecticut? Like, how do you get a passport or something like that? I don't know how that happens. Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

You stay home. There are people that came before us that said they could not get a passport. They did not have an original birth certificate and could not get a passport. I don't know if that was correct. Senator Logan, I think is -- I know has some information on that.

THE CHAIR:

cf  
Senate

102  
June 2, 2017

Senator Logan, would you like to take the yield, sir?

SENATOR LOGAN (17TH):

Yes. Thank you, Madam President. They have birth certificates. The issue here is access to their original birth certificate. They were adopted so the adoptees do have birth certificates from the adoptive parents. It's a matter of getting their original birth certificates.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

So -- yeah, so I'm sorry. Now I'm really confused. So now there are birth certificates but those birth certificates are for when the child was adopted, so is the date on the birth certificate the date the child was born or the date the child was adopted? Who is on the birth certificates for these children that were born before 1983 if they were adopted -- I don't understand. What does that birth certificate look like? Through you, Madam President.

THE CHAIR:

Senator Logan.

SENATOR LOGAN (17TH):

Through you, Madam President. Yes, this is not an issue of figuring out the birth date of the

adoptees. They have birth certificates. It's with their correct birth date for the most part and it has -- it lists other people as their parents. Their adoptive parents. This is a matter of finding out who their biological parents are. Having their original birth certificate which in some cases, may include just one parent. In some cases, may include both parents on the birth certificate. So it's a matter of having access to their original birth certificate. Through you, Madam President.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

Okay. Thank you. I was confused because I think it's common sense that people want access to a birth certificate and we need birth certificates so I'm glad to know that actually there are certain kinds of birth certificates, maybe not their original birth certificate which is the item at issue today. So, look. I appreciate the answers to these questions. In my view, I do think that the State --

THE CHAIR:

Senator Kennedy, excuse me a moment. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, we have to PT this bill, please.

THE CHAIR: