JOURNAL OF THE HOUSE

Wednesday, December 18, 2019

The House of Representatives was called to order in Special Session at 2:36 o'clock p.m., in accordance with House Joint Resolution No. 204 of the 2019 Reconvened Session, Speaker Joe Aresimowicz in the Chair.

Prayer was offered by House Chaplain, Rabbi Alan Lefkowitz of Windsor, Connecticut.

The following is the prayer:

Let us pray. Dear God, Creator of us all, keep us mindful that this is a time that we are living in a fertile ground for training in being open-minded and open-hearted. Keep us mindful that whatever we do today will have a positive effect on the future.

While the problems of the world seem to divide us, we carry concepts of "us" and "them," "right and "wrong," and "worthy" and "unworthy." We do not leave room for a middle ground. There is a practice I learned in my chaplain training I call: Just like me. Anytime we are in a public place, sit there and look around - traffic jams are good for this. Zero in on a person and say to yourself, just like me this person does not want to feel uncomfortable, just like me this person loses it sometimes, just like me this person does not want to be disliked, just like me this person wants to have friends and intimacy. Of course, we cannot presume to know what someone else is feeling or thinking, and yet we still know a lot about each other.

We know we want to be cared about, we know that we can be hard on ourselves, we know that we can be triggered, and we know that we all want to be helpful. We also know that we all desire happiness without suffering. Viewing each other from the standpoint of "Just like me," let us each have a strong basis to connect with each other, despite any differences. We are at a time when old systems and ideas are being questioned and with it a great opportunity for something new and fresh to emerge.

As we begin in our responsible respected positions, keep us mindful that we are living in a time of fertile ground for training in being open-minded and open-hearted. Keep us mindful that whatever we do today will have a positive effect on the future - it's a life changer, for our personal selves, for our communities, for our state, for our country and for our world. Amen

The Pledge of Allegiance was led by Caleb A. Goodell of The Gilbert School in Winsted, Connecticut.

DEPUTY SPEAKER COOK IN THE CHAIR

HOUSE RESOLUTION ADOPTED
The resolution was explained by Representative Ritter of the 1st.

On a voice vote House Resolution No. 301 was adopted.

The following is the Resolution:

Resolved by this House:
That the rules of the House at this Special Session shall be the same as the rules of the House in force at the 2019 regular session, except as said rules are amended, altered or repealed in this resolution.
Strike out Rule 9.
Strike out Rule 11 and insert in lieu thereof the following:
11. (a) Each bill or substantive resolution may be acted upon in the House immediately after electronic notice of the filing and number of the bill or substantive resolution is provided to the majority leader and the minority leader, who shall be responsible for forwarding such notice to the members of their respective caucuses, and after final action may be transmitted immediately to the Senate. If the House rejects an amendment adopted by the Senate, the bill or substantive resolution after final action in the House may be transmitted immediately to the Senate. If the Senate rejects an amendment adopted by the House, the bill or substantive resolution when received from the Senate may be acted upon immediately.
(b) A bill or resolution certified in accordance with section 2-26 of the general statutes, if filed in the House, may be transmitted to and acted upon first by the Senate with the consent of the speaker; and if filed in the Senate, may be transmitted to and acted upon first by the House with the consent of the President Pro Tempore.
Strike out Rules 15, 19 and 20.
Strike out Rule 21 and insert in lieu thereof the following:
21. The order of business shall be as follows:
1. Reception of communications from the Governor and the Secretary of the State.
2. Introduction of bills and resolutions.
3. Reception of business from the Senate.
4. Miscellaneous.
Strike out Rules 32 and 33.
Add a new Rule 48 as follows:
48. Only those bills and substantive resolutions specified in Rule 7 of the Joint Rules for this session, certified as provided in Rule 9 of said Joint Rules, and, except as provided in Rule 33 of said Joint Rules, only those resolutions pertaining to the rules of this Special Session, the printing of the journals of the Senate and the House of Representatives, and the expenses of this Special Session, shall be received.

The resolution was explained by Representative Ritter of the 1st.

On a voice vote House Joint Resolution No. 401 was adopted.

The following is the Resolution:
Resolved by this Assembly:
That the joint rules of this Special Session shall be the same as the joint rules in force at the 2019 regular session, except as said rules are amended, altered or repealed in this resolution.

Strike out Rules 3, 4, 5 and 6.
Strike out Rule 7 and insert in lieu thereof the following:

BILLs AND RESOLUTIONs GENERALLY

7. Only bills and substantive resolutions specified in the Resolution Convening the General Assembly in Special Session to commence not earlier than 12:01 a.m. on July 22, 2019, and for the purpose of considering and enacting bills concerning workforce training needs and regulation of gratuities permitted or applied as part of the minimum fair wage, shall be received.

The Legislative Commissioners’ Office shall prepare all bills and resolutions. When a bill or resolution has been prepared by the Legislative Commissioners’ Office and signed by the Speaker and President Pro Tempore, the bill or resolution shall immediately be given to the clerk of the Senate or the House as designated. Before or at the time the bill or resolution is given to the clerk, the Legislative Commissioners’ Office shall provide to the Office of Fiscal Analysis copies of each bill or resolution to prepare a fiscal note if required by Rule 15 of the joint rules.

Each bill and resolution shall be printed, without interlineation or erasure. The duplicate copies of each bill or resolution shall be made on yellow-colored and blue-colored paper, respectively, of the same size and format as the original.

Each bill amending any statute or special act shall set forth in full the section or subsection of the statute or the special act to be amended. Matter to be omitted or repealed shall be surrounded by brackets or overstricken so that the omitted or repealed matter remains readable, and new matter shall be indicated by capitalization or underscoring of all words in the original bill and by capitalization, underscoring or italics in its printed form. In the case of a section or subsection not amending an existing section of the general statutes but intended to be part of the general statutes, the section or subsection may be in upper and lower case letters preceded by the word (NEW).

Each bill and resolution shall be transmitted, in triplicate by the Legislative Commissioners’ Office to the clerks of the House or Senate.

The clerks shall number each bill and resolution.

The clerks shall certify and keep on file a duplicate copy of each bill and resolution. The certified duplicate copy shall remain at all times in the clerk's office. If the original cannot be located, a copy of such certified duplicate copy shall be made by the clerk and used in lieu of the original.

The clerk shall make a notation on the certified duplicate copy of all action taken on the original.

Any member of the General Assembly may co-sponsor a bill or resolution by making a request in writing after it has been filed, to the clerk of the chamber in which the bill or resolution has been filed to add his or her name as a co-sponsor of the bill or resolution, but not later than the date of the signing of the bill, or the deadline for the signing of the bill, by the Governor, whichever is earlier, or the adoption of the resolution.

After introduction no bill or resolution shall be altered except by the legislative commissioners.

Strike out Rule 8.
Strike out Rule 9 and insert in lieu thereof the following:

EMERGENCY CERTIFIED BILLs AND RESOLUTIONs

9. Only bills and substantive resolutions certified by the Speaker and President Pro Tempore in accordance with section 2-26 of the general statutes may be introduced. Bills and resolutions so certified by the Speaker and the President Pro Tempore shall be identified as "bills" or "resolutions".

Strike out Rules 10, 11 and 13.
Strike out Rule 14 and insert in lieu thereof the following:

TRANSMITTAL BETWEEN HOUSEs

14. Upon passage in the first house, the bill or resolution shall be transmitted immediately to the second house.

Strike out Rule 15 and insert in lieu thereof the following:
15. Any bill or substantive resolution which if passed or adopted, would affect state or municipal revenue, or would require the expenditure of state or municipal funds, shall have a fiscal note attached. Any fiscal note printed with or prepared for a bill or resolution shall be solely for the purpose of information, summarization and explanation for members of the General Assembly and shall not be construed to represent the intent of the General Assembly or either chamber thereof for any purpose. Each such fiscal note shall bear the following disclaimer: "The following Fiscal Impact Statement is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose." When an amendment is offered to a bill or resolution in the House or the Senate, which, if adopted, would require the expenditure of state or municipal funds or affect state or municipal revenue, a fiscal note shall be available at the time the amendment is offered. Any fiscal note prepared for such an amendment shall be construed in accordance with the provisions of this rule and shall bear the disclaimer required under this rule.

Strike out Rule 16 and insert in lieu thereof the following:

BILLS AND RESOLUTIONS - READINGS
16. First reading of a bill or resolution shall be by title and number. Second reading shall be passage or rejection of the bill or resolution.

Strike out Rule 17 and insert in lieu thereof the following:
17. Each bill or substantive resolution may be acted upon immediately. No bill or substantive resolution may be acted upon unless it is accompanied by a fiscal note.

Each bill and substantive resolution shall be voted upon by a roll call vote. A bill or resolution, certified in accordance with section 2-26 of the general statutes, if filed in the House, may be transmitted to and acted upon first by the Senate with the consent of the Speaker; and if filed in the Senate, may be transmitted to and acted upon first by the House with the consent of the President Pro Tempore.

Strike out Rules 18, 19, 20, 31, 32 and 34.


The resolution was explained by Representative Ritter of the 1st.

On a voice vote House Joint Resolution No. 402 was adopted.

The following is the Resolution:

Resolved by this Assembly:
That the Joint Committee on Legislative Management is authorized to pay the necessary expenses of this Special Session of the General Assembly.


The resolution was explained by Representative Ritter of the 1st.

On a voice vote House Joint Resolution No. 403 was adopted.

The following is the Resolution:

Resolved by this Assembly:
That the journals of the proceedings of the Senate and House of Representatives at this Special Session shall be printed as provided in section 2-49 of the general statutes.
H.J. No. 404 REP. ARESIMOWICZ, 30TH DIST.; REP. RITTER, 1ST DIST.; REP. KLARIDES, 114TH DIST.; SEN. LOONEY, 11TH DIST.; SEN. DUFF, 25TH DIST.; SEN. FASANO, 34TH DIST. RESOLUTION CONVENING THE GENERAL ASSEMBLY IN SPECIAL SESSION.

The resolution was explained by Representative Ritter of the 1st.

The Speaker ordered the vote be taken by roll call at 3:17 p.m.

The following is the result of the vote:

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<th>Total Number Voting</th>
<th>Necessary for Adoption</th>
<th>Those voting Yea</th>
<th>Those voting Nay</th>
<th>Those absent and not voting</th>
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On a roll call vote House Joint Resolution No. 404 was adopted.

The following is the roll call vote:

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<th>Y</th>
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<th>ZIOGAS</th>
<th>Y</th>
<th>MCCARTY, K.</th>
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<td>X</td>
<td>MACLACHLAN</td>
<td>Y</td>
<td>RYAN</td>
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</tbody>
</table>
The following is the Resolution:

Resolved by this Assembly:
That pursuant to Article III of the amendments to the state constitution, and Rule 33 of the Joint Rules of this session, we the members of this General Assembly judge it necessary that there be a special session of the General Assembly, and that the call of the session be for the purpose of considering and enacting bills solely limited to approving and implementing the settlement agreement by and between The Connecticut Hospital Association et al. and the State of Connecticut, et al. filed with the clerks of the Senate and the House of Representatives on December 5, 2019.

BE IT FURTHER RESOLVED, that the clerks of the Senate and the House of Representatives deliver a copy of this resolution to the Secretary of the State forthwith.

IMMEDIATE TRANSMITTAL TO THE SENATE

On motion of Representative Ritter of the 1st District, House Joint Resolution Nos. 401, 402, 403 and 404 were immediately transmitted to the Senate.

RECESS

On motion of Representative Ritter of the 1st District, the House recessed at 3:18 o’clock p.m., to reconvene at the Call of the Chair.

AFTER RECESS

The House reconvened at 3:37 o’clock p.m., Deputy Speaker Cook in the Chair.

EMERGENCY CERTIFICATION

HOUSE BILL PASSED

The following bill was received, read by the Clerk and passed. (Emergency certification signed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives accompanied the bill.) A copy of the bill was on the desk of each member in accordance with the rules.

H.B. No. 7501 REP. ARESIMOWICZ, 30TH DIST.; REP. RITTER, 1ST DIST.; SEN. LOONEY, 11TH DIST.; SEN. DUFF, 25TH DIST.; SEN. FASANO, 34TH DIST.; REP. KLRIDES, 114TH DIST. AN ACT CONCERNING THE WORKFORCE TRAINING NEEDS IN THE STATE AND REVISIONS TO AND REGULATION OF GRATUITIES PERMITTED OR APPLIED AS PART OF THE MINIMUM FAIR WAGE.

The bill was explained by Representative Stafstrom of the 129th who offered House Amendment Schedule "A" (LCO 11315) and moved its adoption.

The amendment was discussed by Representatives Rebimbas of the 70th and Candelora of the 86th.

On a voice vote the amendment was adopted.

The following is House Amendment Schedule "A" (LCO 11315):

Strike section 5 in its entirety and insert the following in lieu thereof:
"Sec. 5. (NEW) (Effective from passage) Not later than April 1, 2020, the Labor Commissioner shall post on the eRegulations System a notice of intent to adopt regulations, in
accordance with the provisions of chapter 54 of the general statutes, concerning employees who perform both service and nonservice duties and allowances for gratuities permitted or applied as part of the minimum fair wage pursuant to section 31-60 of the general statutes. The Labor Commissioner shall consult with representatives of the restaurant industry, restaurant employees, service employees and other interested stakeholders prior to posting such notice. Such notice shall also provide for the repeal of section 31-62-E4 of the regulations of Connecticut state agencies upon the effective date of regulations adopted pursuant to this section. Regulations adopted pursuant to this section shall be: (1) In accordance with the Fair Labor Standards Act, 29 USC 203(m)(2) and 29 CFR 531.56(e), as interpreted by Section 30d00(e) of the federal Department of Labor's Field Operations Handbook, prior to November 8, 2018, which was previously referred to as the "80/20 rule", and (2) effective when posted to the eRegulations System web site by the Secretary of the State."

After the last section, add the following and renumber sections and internal references accordingly:

"Sec. 501. (NEW) (Effective from passage) Not later than thirty days following the date of adoption of regulations pursuant to section 5 of this act, the Labor Commissioner shall begin conducting random wage and hour audits of tipped workers in not less than seventy-five restaurants in the state of Connecticut and prepare a report on compliance by such restaurants with the regulations adopted pursuant to section 5 of this act. Not later than one year following the date of adoption of regulations pursuant to section 5 of this act, the Labor Commissioner shall report, in accordance with the provisions of section 11-4a of the general statutes, on the random wage and hour audits conducted pursuant to this section to the joint standing committee of the General Assembly having cognizance of matters relating to labor.

Sec. 502. (Effective from passage) (a) For the fiscal year ending June 30, 2020, the sum of $120,717 dollars appropriated to the Labor Department for the Workforce Training Authority in the biennial budget shall be reserved for three wage and hour investigators of the three wage and hour investigators.

(b) For the fiscal year ending June 30, 2020, the sum of $35,217 of the $120,717 reserved under subsection (a) of this section shall be available to reimburse the comptroller for associated fringe benefits costs."

This act shall take effect as follows and shall amend the following sections:

| Section 5 | from passage | New section |
| Sec. 501 | from passage | New section |
| Sec. 502 | from passage | New section |

The bill was discussed by Representatives Winkler of the 56th, Rebimbas of the 70th, Michel of the 146th, Wilson-Pheanious of the 53rd, Hughes of the 135th, Candelora of the 86th, Tercyak of the 26th, Hall of the 7th, Porter of the 94th and Luxenberg of the 12th.

SPEAKER ARESIMOWICZ IN THE CHAIR

The bill was further discussed by Representatives Klarides of the 114th and Ritter of the 1st.

The Speaker ordered the vote be taken by roll call at 4:57 p.m.

The following is the result of the vote:

| Total Number Voting | 136 |
| Necessary for Passage | 69 |
| Those voting Yea | 125 |
| Those voting Nay | 11 |
| Those absent and not voting | 12 |

On a roll call vote Emergency Certified House Bill No. 7501 as amended by House Amendment Schedule "A" was passed.
The following is the roll call vote:

Y  ABERCROMBIE  N  LOPES  Y  ZIOGAS  Y  MCCARTY, K.
Y  ALLIE-BRENNAN  N  LUXENBERG  Y  MCCORTY, B.
Y  ALTObELLO  Y  MCCARTHY VAHEY  Y  O’DEA
Y  ARCONTI  Y  MCGEE  Y  ACKERT  Y  O’NEILL
Y  ARNONE  Y  MESKERS  X  BETTS  Y  PAVALOCK-D’AMATO
Y  BAKER  N  MICHEL  Y  BOLINSKY  Y  PERILLO
Y  BARRY  Y  MILLER  Y  BUCKBEE  Y  PETIT
X  BLUMENTHAL  Y  MUSHINSKY  Y  CANDELORA, V.  Y  PISCOPO
Y  BORER  Y  NAPOLI  Y  CARNEY  Y  POLLETTA
Y  BOYD  Y  NOLAN  Y  CARPINO  Y  REBIMBAS
Y  COMEY  Y  PALM  Y  CASE  Y  RUTIGLIANO
Y  CONCEPCION  Y  PAOLILLO  Y  CHEESEMAN  Y  SIMANSKI
Y  CONLEY  X  PERONE  Y  CUMMINGS  Y  SMITH
Y  CURREY  X  PHIPPS  X  D’AMELIO  Y  SREDZINSKI
Y  D’AGOSTINO  Y  PORTER  Y  DAUPHINAIS  Y  VAIL
Y  DATHAN  N  REYES  Y  DAVIS  Y  WILSON
Y  DE LA CRUZ  Y  RILEY  Y  DELNICKI  X  WOOD, T.
Y  DEMICCO  Y  RITTER  Y  DEVLIN  Y  YACCARINO
N  DILLON  Y  ROCHELLE  Y  DUBITSKY  Y  ZAWISTOWSKI
Y  DIMASSA  Y  ROJAS  Y  FERRARO  Y  ZULLO
Y  DOUCETTE  Y  ROSE  Y  FISHBEEIN  Y  ZUPKUS
N  ELLIOTT  Y  ROTELLA  Y  FLOREN  VACANT
X  EXUM  Y  SANCHEZ  Y  FRANCE  VACANT
Y  FELIPE  Y  SANTIAGO, H.  Y  FREY
Y  FOX  Y  SCANLON  Y  FUSCO
Y  GARIBAY  Y  SERRA  Y  GREEN
Y  GENGA  Y  SIMMONS, C.  Y  HAINES  Y  ARESIMOWICZ
Y  GIBSON  Y  SIMMS, T.  X  HALL, C.
Y  GILCHREST  Y  STAFSTROM  Y  HARDING
X  GONZALEZ  X  STALLWORTH  Y  HAYES  Y  GODFREY
Y  GRESKO  Y  STEINBERG  Y  HILL
N  GUCKER  N  TERCYAK  Y  KENNEDY
Y  HADDAD  Y  TURCO  Y  Klarides  Y  BUTLER
Y  HALL, J.  X  VARGAS  Y  Klarides-DITRIA  Y  CANDELARIA, J.
Y  HAMPTON  Y  VERRENGLIA  Y  KOKORUDA  Y  COOK
Y  HORN  Y  WALKER  Y  LABRIOLA  Y  HENNESSY
N  HUGHES  Y  WILSON PHEANIOUS  Y  LANOUE  Y  MORIN
Y  JOHNSON  N  WINKLER  Y  LAVIELLE  Y  ROSARIO
N  LEMAR  Y  WOOD, K.  X  MACLACHLAN  Y  RYAN
Y  LINEHAN  Y  YOUNG  Y  MASTROFRANCIOSO  VACANT

IMMEDIATE TRANSMITTAL TO THE SENATE

On motion of Representative Ritter of the 1st District, Emergency Certified House Bill No. 7501 as amended by House Amendment Schedule "A" was immediately transmitted to the Senate.

RECESS

On motion of Representative Ritter of the 1st District, the House recessed at 5:00 o’clock p.m., to reconvene at the Call of the Chair.

AFTER RECESS

The House reconvened at 6:43 o’clock p.m., Speaker Joe Aresimowicz in the Chair.

REPRESENTATIVES ABSENT
The following Representatives were absent today or may have missed some votes due to the following:

- Representative Betts of the 78th District - personal business
- Representative Blumenthal of the 147th District - personal business
- Representative Currey of the 11th District - medical reasons
- Representative Exum of the 19th District - medical reasons
- Representative Gonzalez of the 3rd District - personal business
- Representative Hall of the 59th District - illness
- Representative MacLachlan of the 35th District - out of state - business
- Representative Vargas of the 6th District - medical reasons
- Representative Wood of the 141st District - personal business

ADJOURNMENT

On motion of Representative Klarides of the 114th District, the House adjourned at 6:44 o'clock p.m., sine die.

ATTEST: Charles R. Augur
Assistant Clerk of the House of Representatives
Hartford, Connecticut
December 18, 2019 at 6:44 o'clock p.m.