THE CONNECTICUT GENERAL ASSEMBLY

THE HOUSE OF REPRESENTATIVES

Tuesday, May 14, 2019

(The House of Representatives was called to order at 11:34 o'clock a.m., Representative Joe Aresimowicz of the 30th District in the Chair.)

SPEAKER ARESIMOWICZ (30TH):

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

CLERK:

Will members, staff and guests please rise, direct your attention to the dais where Reverend Nicole Grant Yonkman will lead us in prayer.

GUEST CHAPLAIN NICOLE GRANT YONKMAN:

Thank you, Mr. Speaker and Representative Garibay for inviting me to lead you in prayer today.

Let us pray.
Oh God, we join in prayer today, a group of diverse voices from many religious traditions; Christian, Jewish, Muslim, Buddhist, Hindu and no religion at all.

As residents of the great State of Connecticut, we come from a long line of people who have looked to You for guidance and inspiration. When the first European settlers emigrated and joined the native people in what is now Windsor, Connecticut, they covenanted together with these ancient words, “We covenant with the Lord and with one another ... and we bind ourselves in the presence of God to walk together in all God’s ways.”

Today, a different and more diverse group of people renew our promise to one another and to you O God - to work toward the common good of all people, guided by the ethic of care, of service and of mutual responsibility.

You, O God, are the heart of compassion, we ask that You awaken in us compassion. Forgive us when we are indifferent, forgive us when we are willfully
deceitful and outwardly contentious. Guide us in our trust of one another. Open our hearts in expressing love. Deepen our humility. Help us to listen deeply and seek understanding, so that we may gain true wisdom.

We ask for prayers for the people of the world, especially those who are in war-torn regions and those in harm’s way. We remember our military, who offer themselves to protect and preserve our Nation. We pray for their safety -- and especially for peace for all of Your children -- and a time when we study war no more. We are grateful for all those who serve among us as elected officials, police officers, firefighters, first responders and all manner of volunteers in every community. They are the backbone of our community and we thank you.

We remember those in the wider United States, like those in Iowa and Nebraska, as floodwaters continue to rise in the Missouri River basin. Comfort those impacted by tornadoes and flash floods across the southern U.S. as rescue teams work long
hours and emergency shelters are put in place. Sustain those who are called to tend and care and safeguard for hours and days on end.

We lift up joys for the beauty of spring in all its glory, for the pink apple blossoms, the yellow forsythia, tulips of all colors, and purple irises. The rain brings forth abundant green growing things, planted by our farmers, to feed us - and all the creatures of the earth. For all of these things and many more, keep us forever hopeful for what the new day will bring. In your name we pray.

Amen.

SPEAKER ARESIMOWICZ (30TH):

Thank you. I know normally we have an elected Representative come up and lead us in the pledge. We are joined by some very special friends -- friends of Representative Klarides, the fourth-grade class from Orange, Connecticut Race Brook Elementary. We'd like you all to lead us in the Pledge of Allegiance.

So we all can face the flag, put our hand over
our heart and they will lead us.

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

SPEAKER ARESIMOWICZ (30TH):

Thank you very much. Is there any business on the Clerk's desk?

CLERK:

Yes, Mr. Speaker, good morning.

SPEAKER ARESIMOWICZ (30TH):

Good morning.

CLERK:

The communication from the Secretary of the State's special election results Assembly District 130.

SPEAKER ARESIMOWICZ (30TH):

What are they -- they be printed in the Journal? Ladies and gentleman, before you leave, Representative Klarides, for what purpose do you
rise?

REP. KLARIDES (114):

Thank you, Mr. Speaker. Mr. Speaker, although you've done the introduction which I thank you for, I want to say thank you to all the fourth graders at Race Brook School who came up to visit, their parents, their teachers. You did an amazing job with the pledge and I'm sure I'll see you soon in class and thanks for being here. We're all happy to see you.

SPEAKER ARESIMOWICZ (30TH):

Let's give them a round of applause.

(APPLAUSE)

SPEAKER ARESIMOWICZ (30TH):

I apologize for the interruption, Mr. Clerk. If you can proceed.

CLERK:

The favorable report House Bill number 7416, favorable report of the Committee on Finance Revenue and Bonding, AN ACT CONCERNING A STUDY OF WAYS TO ENCOURAGE RENOVATION AND EXPANSION OF THE
CONNECTICUT REGIONAL MARKET IN HARTFORD.

SPEAKER ARESIMOWICZ (30TH):

We'll table that for the calendar.

CLERK:

And finally the daily calendar.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, Mr. Clerk. Is there any announcements or introductions? Representative Ritter of the First District, sir. Please proceed, Representative. Mr. Majority Leader, you have the floor, sir.

REP. RITTER (1ST):

Sorry, Mr. Speaker, for that delay there. Just for the Chamber's quick attention for a quick -- I would ask for a moment of silence. Yesterday, Judge Ray Norko, who had been a Superior Court Judge for over three decades and a long-time West End resident in the city of Hartford, passed away after a long battle with cancer. Judge Norko was the one who started the Community Corps in 1988 which has been a marvelous model for criminal justice reform in
communities across the state.

And so if I would ask everybody for a moment of silence for Judge Ray Norko. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Ladies and gentlemen, if we could please rise for a moment of silence. (GAVEL) Thank you very much, Mr. Majority Leader.

Are there any other announcements or introductions? Representative Rosario of the 128th, sir you have the floor.

REP. ROSARIO (128TH):

Thank you, Mr. Speaker, it's good to see you up there.

SPEAKER ARESIMOWICZ (30TH):

Good to see you, sir.

REP. ROSARIO (128TH):

I rise for the purpose of an introduction.

SPEAKER ARESIMOWICZ (30TH):

Please proceed.

REP. ROSARIO (128TH):
Thank you, Mr. Speaker. We had the recent special election of the 130th District in Bridgeport and it's an honor for me to introduce our newest member. He's an outstanding young man and is gonna be a great member of this caucus. Representative Antonio Felipe of the 130th. Let's give him our customary welcome.

(APPLAUSE)

SPEAKER ARESIMOWICZ (30TH):

Representative Rosario, is it just a coincidence that you happen to have the new Representative seated on Bridgeport Day? How'd you work that out?

REP. ROSARIO (128TH):

I know some people, Mr. Speaker. (LAUGHTER)

SPEAKER ARESIMOWICZ (30TH):

Are there any other announcements or introductions? Representative Felipe of the 130th District jumping right into it. Go ahead, sir.

REP. FELIPE (130TH):

In honor of Bridgeport Day, I'd just like to
give a warm welcome to these students standing behind me from Cesar Batalla School from Bridgeport, the 130th District. Welcome, everybody.

SPEAKER ARESIMOWICZ (30TH):

    Let's give them a warm welcome.

(APPLAUSE)

    Are there any other announcements or introductions?

    Again, lady and gentlemen, I apologize for the delay today, it was the Finance Committee that ran 20 minutes long. Reminder moving forward, though, we will gavel and end committees if they do not finish on time. We have limited time.

    Any other announcements or introductions?

Seeing none. Will the court please call Calendar Number 536.

CLERK:

    On page one House Calendar 536, Senate Joint Resolution number 29, RESOLUTION CONFIRMING THE NOMINATION OF CARELTON J. GILES OF MIDDLETONWN TO BE A MEMBER AND THE CHAIRPERSON OF THE BOARD OF PARDONS
The favorable report on the Joint Standing Committee on Judiciary.

SPEAKER ARESIMOWICZ (30TH):

Representative Blumenthal of the 147th, sir, you have the floor.

REP. BLUMENTHAL (147TH):

Thank you, Mr. Speaker. Good morning. I move for acceptance of the Joint Committee's favorable report and adoption of the resolution in concurrence with the Senate.

SPEAKER ARESIMOWICZ (30TH):

The quest before the Chamber is on acceptance of the Joint Committee's favorable report and adoption of the resolution. Representative Blumenthal, you have the floor, sir.

REP. BLUMENTHAL (147TH):

Thank you, Mr. Speaker. This resolution is to reconfirm the Honorable Carlton J. Giles as full-time member and chairperson of the Board of Pardons and Paroles. He is eminently qualified, he has a
long career in criminal justice, law enforcement and sentencing. He has overseen during his time on the Board of Pardons and Paroles the adoption of improved data-driven and evidence-based structured decision-making techniques to make sure that our decisions regarding pardons and paroles are well-informed both in terms of data, outcomes and justice.

I urge the adoption of the resolution.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you very much, would you care to remark further, Representative Rebimbas of the 70th, you have the floor, madam.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker, and good morning to you.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, good morning to you as well.

REP. REBIMBAS (70TH):

Mr. Speaker, I rise in support of the nominee before us. Certainly I concur with all of the words
that the good Vice Chairman had indicated. Mr. Giles is someone who has made positive changes and certainly has made the process more efficient and transparent so I do rise in his support and encourage my colleagues to do as well.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Would you care to remark further? Would you care to remark further? If not, will the staff and guests please come to the well of the house, will the members please take their seats, the machine will be open.

(BELL RINGING)

CLERK:

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

DEPUTY SPEAKER ROSARIO (128TH):

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

The Clerk will please announce the tally.

CLERK:

Senate Joint Resolution 29 in concurrence with the Senate:

- Total number voting: 141
- Necessary for adoption: 71
  - Those voting Yea: 141
  - Those voting Nay: 0
  - Those absent and not voting: 10

DEPUTY SPEAKER ROSARIO (128TH):

The resolution is adopted.

(GAVEL)

Are there any announcements or introductions?

Representative Godfrey of the 110th, you have the floor, sir.

REP. GODFREY (110TH):

Thank you, Mr. Speaker. Purposes of an introduction.
DEPUTY SPEAKER ROSARIO (128TH):

You may proceed, sir.

REP. GODFREY (110TH):

Thank you, sir. I'm very pleased to have visiting us today Dawson Trotman. Dawson won election as the Youth Governor for the YAG YMCA program just a few weeks ago and he's here visiting with us today.

Interestingly enough, Mr. Trotman goes to Berlin High School. So we have a long tradition, I guess, of leadership from Berlin.

This was the 75th year for the Youth in Government Program, a real milestone and I'm pleased to continue to be a part of it for over -- over 20 years now. So I'm especially pleased that Dawson is with us today and I'm hoping that the House gives him a warm welcome.

Thank you, Mr. Speaker.

(APPLAUSE)

DEPUTY SPEAKER ROSARIO (128TH):

Welcome, Mr. Governor. It's well-known that
the Town of Berlin is known for great football and great leadership. Thank you. Welcome to the Chamber.

Are there any announcements or introductions? Any announcements or introductions? Representative Kupchick of the 132nd. You have the floor, madam.

REP. KUPCHICK (132ND):

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

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed, madam.

REP. KUPCHICK (132ND):

Thank you, Mr. Speaker. I am joined with my colleagues, Representative Devlin and Representative McCarthy Vahey and Representative Dubitsky. I'm going to take the first part of the introduction. I would like to introduce Robert Hendrick, Vice President of Corporate Responsibility for Bigelow Tea which is one of the largest employers in the Town of Fairfield and we're very proud to be home of Bigelow Tea. And so welcome, Robert. If you could
give him a warm welcome, I'd appreciate that. Thank you.

(APPLAUSE)

REP. DUBITSKY (47TH):

And I'd like to introduce Ken Fontaine, he's the President and CEO of Amgraph. They make packaging in Baltic. Packaging for things like Bigelow Teas so whenever you're having a Bigelow Tea, when you rip that little bag open, think about Ken. Why don't you give him a good hand? Thanks.

(APPLAUSE)

DEPUTY SPEAKER ROSARIO (128TH):

Thank you and welcome to the Chamber. I know Bigelow Tea is a great corporate sponsor and philanthropic sponsor for the great City of Bridgeport. So welcome to the Chamber.

Are there any announcements or introductions? Representative Lemar of the 96th, you have the floor, sir. All right, we've moving along. Representative Wood of the 29th. You have the floor, madam.
REP. WOOD (29TH):

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

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed, madam.

REP. WOOD (29TH):

Thank you, Mr. Speaker. I'm here with Emily Sambrook, Wethersfield resident. Emily is the Treasurer of the Greater Rocky Hill Young Democrats and I'm honored to have her with me here today. Thank you.

(APPLAUSE)

DEPUTY SPEAKER ROSARIO (128TH):

Welcome to the Chamber. Thank you for all that you do.

All right, will the Clerk please call Calendar Number 537?

CLERK:

On page two, House Calendar 537, Senate Joint Resolution number 30, RESOLUTION CONFIRMING THE NOMINATION OF REGINALD D. BETTS OF NEW HAVEN TO BE A
MEMBER OF THE CRIMINAL JUSTICE COMMISSION, the favorable report of Joint Standing Committee on Executive and Legislative Nominations.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Vargas, you have the floor, sir.

REP. VARGAS (6TH):

Can you hear me there? Thank you, Mr. Speaker. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

DEPUTY SPEAKER ROSARIO (128TH):

The question before the Chamber is on acceptance of the Joint Committee's favorable report and adoption of the resolution.

Representative Vargas, you have the floor, sir.

REP. VARGAS (6TH):

Thank you, Mr. Speaker. This resolution is to confirm Reginald D. Betts of New Haven to be a member of the Criminal Justice Commission. This is a non-paid position. The Commission makes appointments to and may remove state's attorneys, assistant state's attorneys and deputy state's
attorneys within the Division of Justice.

Mr. Betts was -- Attorney Betts was unanimously approved favorably in our Committee. His Bachelor's Degree is from the University of Maryland with honors and he majored in English. He has a Juris Doctors' Degree from Yale Law School and he's attended several conferences. He has a unique background of defending juveniles and working on legislative reform regarding youthful offenders.

He's been a law clerk, he's -- he's done many, many things including being appointed by President Obama to a coordinating council that assisted the Office of Juvenile Justice and Delinquency Prevention.

I urge a favorable vote.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you very much, sir, would you care to remark further? Representative Perillo of the 113th, you have the floor sir.

REP. PERILLO (113TH):

Thank you and good morning, Mr. Speaker.
DEPUTY SPEAKER ROSARIO (128TH):

Good morning.

REP. PERILLO (113TH):

If I may, a few questions to the good Chairman of the Executive Nominations Committee.

DEPUTY SPEAKER ROSARIO (128TH):

Please prepare yourself, Representative Vargas.

REP. PERILLO (113TH):

Mr. Speaker, could the gentleman tell me exactly what the scope is of the Criminal Justice Commission?

DEPUTY SPEAKER ROSARIO (128TH):

Representative Vargas.

REP. VARGAS (6TH):

Thank you for the question through the Speaker in response to the ranking member of our Committee. This is a commission that is very limited in scope. During our public hearing, some of the members inquired as to whether they even had an advisory role in terms of our Justice Division and we were informed that they did not even have an advisory...
role. Their role is strictly limited to the appointment of the state's attorneys or to the removal of state's attorneys for cause. But other than that, their power is very limited which surprised many of the members of the committee. It may be something that our Judiciary Committee may want to take a look at.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Mr. Speaker, and I thank the gentleman for his response. So the gentleman referred to situations where an attorney -- a state's attorney might be removed. What would the circumstances be behind such a situation? Through you, sir.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Vargas.

REP. VARGAS (6TH):

Through you, Mr. Speaker, I would imagine that the -- from -- from the responses we received during
the hearing, it seems to me it would be similar to the reason a person would be impeached. Any elected official would be impeached, maybe for malfeasance, for commissions of any crimes, for dereliction of duty or maybe for incompetence in the job.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Mr. Speaker, and again I thank the gentleman for his answer to the question. Do you know of any circumstances where a state's attorney has actually been removed by the Commission? Through you, sir.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Vargas.

REP. VARGAS (6TH):

That I am not aware of. I'm not sure if it -- if it has happened or if it has not happened.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Perillo.

REP. PERILLO (113TH):
Thank you, Mr. Speaker, and does the Commission have the ability to remove the individual themselves as a commission or would that just be a recommendation to some other body? Through you, sir.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Vargas.

REP. VARGAS (6TH):

It seems according to the statute that it would be a vote of the Commission.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Mr. Speaker and I -- again, I appreciate the gentleman's response. How often does the Commission meet? Through you, sir.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Vargas.

REP. VARGAS (6TH):

I imagine the Commission meets very infrequently since vacancies tend not to happen very
often with the -- with the Chief State's Attorneys or with the Deputies or assistants.

I gathered from the responses that they seem to meet on an on-need basis but I'm not 100 percent sure of that response.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Mr. Speaker and again I thank the gentleman for his answer to the question.

I was very pleased to vote in favor of the individual before us and I, of course, would urge a favorable vote on the resolution by every member of this chamber.

The individual's actually quite interesting and unique and has a wonderful story to tell, you know, an unusual story and I think it's of value to recount. Of course, the Chairman probably has much more information about this than I do.

So through you, Mr. Speaker, could the Chairman tell us all a little bit about the individual's
background prior to becoming an attorney?

DEPUTY SPEAKER ROSARIO (128TH):

Representative Vargas.

REP. VARGAS (6TH):

Well, this individual, Attorney Reginald D. Betts from New Haven has quite a unique background. He not only has worked in terms of assisting juveniles in dealing with the -- in dealing with legislative reform, he's also, you know, in conjunction with the Youthful Offender Act but he's worked on school expulsion issues and the -- as a Juvenile Justice certified legal intern, he also is a Coordinating Counsel Practitioner member and fellow. I'm not sure what that quite means but it was posted in his -- in his vetye [phonetic].

And he seems to have been very involved also with policy issues regarding these matters and the fact that he was appointed by the President on an advisory basis to the Office of Juvenile Justice and Delinquency Prevention means that he's been vetted at the Federal level.
So I am, you know, pretty -- pretty confident that for a non-paid position like this on a voluntary basis that he's more than qualified.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Mr. Speaker, and again I thank the gentleman for his answer to the question. It is very unique and I think it's important to have this gentleman's perspective on this commission. And I relate this because it's fact and I think it's important to understand.

Mr. Betts was actually arrested for a carjacking that occurred and at the age of 16, he was young at the time. And actually spent eight years in prison as a result of that.

And during that time, though, it's important to recognize that the individual completed his high school degree, gained an interest in reading and specifically in poetry. And that was just the beginning. He went on to college, law school -- not
just any law school, Yale. And has really made quite a lot of his life despite his crime at a very, very young age. And as I said, I think it's very, very important to have that perspective.

In addition to that, though, the gentleman is quite accomplished and extensively published. I know he's written quite a number of books and I think that was discussed during his hearing.

So through you, Mr. Speaker, if the gentleman could answer, what are some of the books that the individual has written?

DEPUTY SPEAKER ROSARIO (128TH):

Representative Vargas.

REP. VARGAS (6TH):

I recall the mentioning of books during the public hearing but I can't recall the titles of those books at this point. But they have to do with his perspective of having been on both sides of the criminal justice system and as -- as our ranking member of the committee explained, the committee felt that that perspective was a needed perspective,
especially, you know, since we're trying to do the best we can to reduce recidivism in our corrections system.

So I believe I recall that at least one of the books had to do with a biography of his experiences being in prison.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Mr. Speaker, and again I thank the gentleman for his answer to the questions. You know, as chair of the committee, he obviously is very much aware of the applicant's -- the nominee, rather -- his accomplishments and what he has done and the value that he will certainly add to this commission. There's no doubt that having been on both sides of the criminal justice system is of tremendous value.

And that perspective is very, very important and we heard that during the hearing and I think it's very, very important that every member of this
chamber hear that. It might be easy for some individuals to look at this gentleman's past history and say, "Well, that's probably not a good idea", but I would argue in fact it is an excellent idea to have someone with that perspective and that knowledge and that experience.

Again, I do wanna go -- you know, let's acknowledge that the individual is highly qualified. But I wanna go back to understanding exactly what the scope of this individual and the entire commission's role is. So if the gentleman could answer for me -- and we're talking about approvals and recommendations regarding state's attorneys. If the gentleman could clarify for me whether it -- is it just the chief state's attorney, is it deputy state's attorneys? Could the gentleman explain?

DEPUTY SPEAKER ROSARIO (128TH):

Representative Vargas.

REP. VARGAS (6TH):

Yes, it's both the chief state's attorney, the local state's attorneys, the deputy state's
attorneys and the assistant state's attorneys that are under the scope of the Criminal Justice Commission. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you very much, Mr. Speaker, I appreciate the gentleman's answer to the questions. This is a commission we don't often see before us on the Legislative and Executive Nominations Committee so it's important to really understand exactly what this commission does.

I think I have covered largely the issues I wanted to tackle here. But again, I cannot stress enough how valuable it is to have this gentleman's perspective on this commission. It can't just be a group of prosecutors. That wouldn't be right. There needs to be quite a swath of experience and talent and perspective.

So again, I appreciate the gentleman's answers to my questions and I would again urge a favorable
vote on the resolution by all members of this chamber.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Vargas.

REP. VARGAS (6TH):

I thank the ranking member of our committee for his remarks. I had my own support for the gentleman. If we are to give any hope to young people that there is a life after conviction, that they can still play a positive role in our society, then this gentleman is the perfect individual to help illustrate that. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative, would you care to remark further? Representative Blumenthal of the 147th, you have the floor, sir.

REP. BLUMENTHAL (147TH):

Thank you, Mr. Speaker. I just wanted to speak briefly in support of the nominee. As a law school schoolmate and we actually sat for the Connecticut bar together and we both passed, amazingly enough on
my part.

We've already spoken a bit about the nominee's exemplary and unique qualifications. In addition to being an attorney who has a variety of public service credentials already in his young legal career, is also an award-winning poet and the name of that memoir was "A Question of Freedom". It was a meditation on his time incarcerated and the role of that in his life and the lives of others. He is a true renaissance person and we are lucky to have him here in the state of Connecticut and willing to serve the state of Connecticut.

But I think he would also want us to say that although he is an exceptional person, it is not just because he is exceptional that we should have him on this commission. His background as a formerly incarcerated person, his perspective that I think we should be incorporating into a lot of our criminal justice decisions and certainly this one, I think he will bring a unique perspective, a great amount of wisdom and I urge this Chamber's support.
DEPUTY SPEAKER ROSARIO (128TH):

Thank you. Thank you very much, Representative, would you care to remark further? Representative Yaccarino of the 87th, you have the floor, sir.

REP. YACCARINO (87TH):

Thank you, Mr. Speaker, good afternoon.

DEPUTY SPEAKER ROSARIO (128TH):

Good afternoon.

REP. YACCARINO (87TH):

I stand in support of Mr. Betts. I think when we have somebody in the Justice Department or Judicial System or even here, we should look at what other people -- how the people walk in their shoes. So I think he's had both perspectives and I think it's vitally important for young folks to make proper decisions. So I stand in strong support of Mr. Betts and we should all remember that to walk -- when we walk in someone else's shoes how it would be. So I think it's important. So thank you.

DEPUTY SPEAKER ROSARIO (128TH):
Thank you, Representative, would you care to remark further? Would you care to remark further on the resolution before us? If not, let me try your minds. All those in favor of the resolution, please signify by saying yea.

VOICES:

Yea.

DEPUTY SPEAKER ROSARIO (128TH):

All those opposed, all those opposed nay. The yeas have it, the resolution is adopted.

(GAVEL)

DEPUTY SPEAKER ROSARIO (128TH):

Will the Clerk please call Calendar Number 538?

CLERK:

On page two, House Calendar 538, Senate Joint Resolution number 31, RESOLUTION CONFIRMING THE NOMINATION OF ROBERT M. BERKE OF WEEKBRIDGE TO BE A MEMBER OF THE CRIMINAL JUSTICE COMMISSION, a favorable report of the Joint Standing Committee on Executive and Legislative nominations.

DEPUTY SPEAKER ROSARIO (128TH):
Representative Vargas, you have the floor, sir.

REP. VARGAS (6TH):

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

DEPUTY SPEAKER ROSARIO (128TH):

The question before the Chamber is on acceptance of the Joint Committee's favorable report and adoption of the resolution. Representative Vargas, you have the floor.

REP. VARGAS (6TH):

Thank you, Mr. Speaker. This resolution is to confirm Robert M. Berke of Woodbridge to be a member of the Criminal Justice Commission.

He is an individual -- Attorney Berke is an individual who received the unanimous support from our committee. He attended Sumy at Albany and he majored in Criminal Justice and received his juris doctorate degree from the University of Bridgeport.

His career has included working as a lecturer at the Connecticut Bar Association and as an Assistant Public Defender. He has represented
clients in criminal matters in state, district and federal court. He has been practicing law for over 20 years as a member of the Woodbridge Democratic Town Committee and of the Woodbridge Board of Police Commissioners. I urge a favorable vote.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you very much, sir, would you care to remark further? Representative Perillo of the 110th -- 113th, you have the floor.

REP. PERILLO (113TH):

Thank you, Mr. Speaker, I appreciate that. I just want to act on the gentleman's comments. This individual, though a new appointment, clearly has excellent credentials. I would urge adoption.

I also want to extend a thank you to Representative Currey who came over before and addressed some of my concerns about the voting today. I appreciate that very much. I urge adoption.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you. Would you care to remark further?
Would you care to remark further on the resolution before us? If not, let me try your minds. All those in favor of the resolution, please signify by saying yea.

VOICES:

Yea.

DEPUTY SPEAKER ROSARIO (128TH):

All those opposed? The yeas have it, the resolution is adopted.

(GAVEL)

Will the clerk please call Calendar Number 539?

CLERK:

On page two, House Calendar 539, Senate joint resolution number 32. RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE MELANIE L. CRADLE OF DURHAM TO BE A MEMBER OF THE CRIMINAL JUSTICE COMMISSION.

The favorable report of the Joint Standing Committee on Executive and Legislative nominations.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Vargas, you have the floor, sir.
REP. VARGAS (6TH):

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

DEPUTY SPEAKER ROSARIO (128TH):

The question before the Chamber is on acceptance of the Joint Committee's favorable report and adoption of the resolution. Representative Vargas, you have the floor.

REP. VARGAS (6TH):

Thank you, Mr. Speaker. This is a resolution appointing the Honorable Melanie L. Cradle of Durham to be a member of the Criminal Justice Commission.

Judge Cradle was -- her vote on our committee was also unanimous. She studied anthropology and sociality at Adelphi University and graduated with honors and she studied law at Seton Hall Law.

Her career has included being a professor of law, a senior assistant state's attorney and she is currently a State of Connecticut Superior Court Judge.
Just a quick note, there -- the statutes require that there be a minimum number of judges on this commission. I urge a favorable vote on this resolution.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you very much, sir. Would you care to remark further? Representative Perillo of the 113th, you have the floor, sir.

REP. PERILLO (113TH):

Thank you, Mr. Speaker, I appreciate that. And just to further clarify, there were some questions during the public hearing as to whether or not we had the right number of judges on the -- on the commission and as it turns out, we do because the statute references specifically superior court judges and we weren't sure if whether the judges before us qualified. And indeed they do so we do have that right number so rest assured that that's the case, we did that proper vetting.

The individual here is very qualified as a new
appointee and I would urge adoption.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you very much. Would you care to remark further? Would you care to remark further on the resolution before us? If not, let me try your minds. All those in favor of the resolution, please signify by saying yea.

VOICES:

Yea.

DEPUTY SPEAKER ROSARIO (128TH):

All those opposed nay. The yeas have it, the resolution is adopted.

(GAVEL)

Will the clerk please call Calendar Number 540?

CLERK:

On page two, House Calendar 540, Senate Joint Resolution Number 33, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE ANDREW J. MCDONALD OF STAMFORD AS A EMBER AND CHAIRPERSON OF THE CRIMINAL JUSTICE COMMISSION.

Favorable report of Joint Standing Committee on
Executive and Legislative Nominations.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Vargas, you have the floor, sir.

REP. VARGAS (6TH):

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

DEPUTY SPEAKER ROSARIO (128TH):

The question before the Chamber is on acceptance of the Joint Committee's favorable report and adoption of the resolution. Representative Vargas, you have the floor, sir.

REP. VARGAS (6TH):

Thank you, Mr. Speaker. The Honorable Andrew J. McDonald, under this resolution would also be appointed to be a member plus he would also be appointed to be the Chairperson of the Criminal Justice Commission.

Andrew McDonald is a person well-known to all of us here in the Chamber. He is a Supreme Court Justice of the State of Connecticut. He received
the unanimous favorable report on a bipartisan basis.

He attended the Cornell School of Government. He also attended UConn Law School where he graduated with honors, was the managing editor of the Connecticut Journal of International Law and his career has spanned private practice over 20 years. He's also been an associate partner and partner at Pullman and Comley and at the same time he was a Director of Legal Affairs and Corporation Counsel for the City of Stamford.

He served as a state Senator from Stamford and Darien and was Judiciary Chair for eight years. He served as legal counsel for the Governor until his appointment to the Supreme Court in January of 2013.

I urge a favorable vote, he's eminently qualified. Thank you.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you very much, sir. Would you care to remark further? Representative Perillo of the 113th, you have the floor.
REP. PERILLO (113TH):

Thank you, Mr. Speaker, I appreciate it. As was noted, this is a reappointment. The Justice has been on the commission previously. I would expect no different going forward than his practice in the past. My vote was favorable in Committee. Thank you, sir.

DEPUTY SPEAKER ROSARIO (128TH):

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

VOICES:

Yea.

DEPUTY SPEAKER ROSARIO (128TH):

All those opposed nay. The yeas have it and the resolution is adopted in concurrence with the Senate.

(GAVEL)

Will the Clerk please call Calendar Number 541?

CLERK:
On page three, House Calendar 541, Senate Joint Resolution number 34. RESOLUTION CONFIRMING THE NOMINATIN OF SCOTT J. MURPHY OF FARMINGTON TO BE A MEMBER OF THE CRIMINAL JUSTICE COMMISSION.

Favorable report of the Joint Standing Committee on Executive and Legislative Nominations.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Vargas, you have the floor, sir.

REP. VARGAS (6TH):

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

DEPUTY SPEAKER ROSARIO (128TH):

Question before the Chambers on acceptance of the Joint Committee's favorable report and adoption of the resolution, Representative Vargas, you have the floor, sir.

REP. VARGAS (6TH):

Thank you, Mr. Speaker. This resolution confirms Attorney Scott J. Murphy's appointment as a member of the Criminal Justice Commission.
Attorney Murphy received a unanimous favorable vote in our Committee. He attended Alfred University and Suny Buffalo Law School. His career -- in his career, Attorney Murphy has been a Prosecutor for 34 years in the Division of Criminal Justice. He also served as Executor Director of Judicial Review for two years.

He is now retired and currently volunteers his time to AARP as a tax aide. He is eminently qualified for this position. I urge a favorable vote.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you very much, sir. Would you care to remark further? Representative Perillo of the 113th, you have the floor, sir.

REP. PERILLO (113TH):

Thank you, Mr. Speaker. And looking back to the first individual who was before us today, Attorney Betts who brought a unique perspective and important perspective as someone who had been a defendant and incarcerated, it's important that we
have representation from prosecutors as well. Mr. Murphy, Attorney Murphy, was a Prosecutor State Attorney for many years and that will bring tremendous value to the discussions that the Commission holds and I would urge adoption.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you very much, Representative, would you care to remark further? Would you care to remark further on the resolution before us? If not, let me try your minds. All those in favor of the resolution, please signify by saying yea.

VOICES:

Yea.

DEPUTY SPEAKER ROSARIO (128TH):

All those opposed, nay. The yeas have it, resolution is adopted in concurrence with the Senate.

(GAVEL)

Will the Clerk please call Calendar Number 542?

CLERK:

On page three, calendar 542, senate joint
resolution number 35. RESOLUTION CONFIRMING THE NOMINATION OF MOY N. OLGIVIE OF BLOOMFIELD TO BE A MEMBER OF THE CRIMINAL JUSTICE COMMISSION. Favorable report of the Joint Standing Committee on Executive and Legislative nominations.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Vargas, you have the floor, sir.

REP. VARGAS (6TH):

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

DEPUTY SPEAKER ROSARIO (128TH):

The question before the chamber is on acceptance of the Joint Committee's favorable report and adoption of the resolution. Representative Vargas, you have the floor, sir.

REP. VARGAS (6TH):

Thank you, Mr. Speaker. Moy N. Ogilvie of Bloomfield will be appointed by this resolution as a member of the Criminal Justice Commission and Attorney Ogilvie also received a unanimous favorable
in our committee.

She attended Bowdoin College where she mastered in sociology and at Boston University, she earned her juris doctorate degree.

She began her career in non-profit and public service. She's been in private practice as an associate at Cummings and Lockwood. She's worked on both federal and state court cases. Currently she's a managing partner at McCarter and English in Hartford.

She's very qualified for this position and I urge a favorable vote.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you very much, sir, would you care to remark further? Representative Perillo of the 113th, you have the floor, sir.

REP. PERILLO (113TH):

Thank you, Mr. Speaker, and as the gentleman said, the individual has tremendous experience. Attorney Ogilvie is really quite an applicant, quite a nominee. You know, especially, you know having
attended Bowdoin College, BU Law, excellent schools, tremendous legal pedigree and I would urge adoption.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you very much sir, would you care to remark further? Would you care to remark further on the resolution before us? If not let me try your minds. All those in favor of the resolution please signify by saying yea.

VOICES:

Yea.

DEPUTY SPEAKER ROSARIO (128TH):

All those opposed, nay. The yeas have it and the resolution is adopted in concurrence with the Senate.

(GAVEL)

Will the Clerk please call calendar item 142?

CLERK:

On page 13, House Calendar 142, Substitute House Bill number 7156, AN ACT CONCERNING THE PROCUREMENT OF ENERGY DERIVED FROM OFFSHORE WIND. Favorable report of Joint Standing Committee on
Energy and Technology.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Cheeseman, for what purpose do you arise?

REP. CHEESEMAN (37TH):

Mr. Chairman, to avoid the appearance of a conflict of interest, I intend to recuse myself from voting on this matter.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you. Representative Zupkus, for what purpose do you rise?

REP. ZUPKUS (89TH):

Thank you, Mr. Speaker, I too will be recusing myself from this.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you. The Chamber will stand at ease. The Chamber will come back to order.

Representative Arconti, you have the floor, sir.

REP. ARCONTI (109TH):

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

DEPUTY SPEAKER ROSARIO (128TH):

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

REP. ARCONTI (109TH):

Thank you, Mr. Speaker. Mr. Speaker, this bill will ultimately transform Connecticut's net zero carbon energy portfolio and catalyze a new Maritime industry in our state and the northeast region.

By harnessing the economic potential of our strategically located ports, our skilled workforce and our longstanding environmental leadership, Connecticut is poised to lead the region's green economy hub for the offshore wind industry.

As legislators, this is our moment to make a positive impact and sparking economic growth and securing clean energy for the future.

Mr. Speaker, the Clerk has an amendment, LCO 8292. I would ask the Clerk to please call the
amendment and grant me leave of the chamber to summarize.

DEPUTY SPEAKER ROSARIO (128TH):

Will the Clerk please call LCO 8292 which will be designated House Amendment Schedule A.

CLERK:

House amendment schedule A, LCO number 8292 offered by Representative Arconti, Senator Needleman et al.

DEPUTY SPEAKER ROSARIO (128TH):

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

REP. ARCONTI (109TH):

Thank you, Mr. Speaker. Mr. Speaker, this amendment will become the bill so DEEP will be able to coordinate with other states on its own -- with other states or on its own -- in solicitations for offshore wind facilities. The DEEP Commissioner
shall initiate a solicitation within 14 days after this bill becomes law and the policy choice behind that is so the State of Connecticut can take advantage of a federal tax credit that is expiring at the end of 2019 and we are unsure if that tax credit will be continued or not.

Any solicitation this year from bidders shall include at least one proposal that the name play capacity of 4,000 megawatts in the year 2019 and the RFP will be for up to 2,000 megawatts in the aggregate.

Solicitations shall include environmental and fisheries mitigation plans for construction and operation of offshore wind facilities. And going forward, the integrated resources plan set forth by DEEP will show a procurement schedule to solicit no more than 2,000 megawatts in the aggregate schedule by December 31, 2030.

And Mr. Speaker, I just want to thank the entire Energy and Technology Committee from both sides of the aisle. A lot of hard work went into
this bill over the last few months and I urge adoption.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the amendment? Representative Ferraro of the 117th, you have the floor, sir.

REP. FERRARO (117TH):

Thank you, Mr. Speaker. I rise in strong support of this amendment which becomes the underlying bill.

This is a strong bipartisan amendment to incentivize the creation of an offshore wind hub in Connecticut as well as a new industry of jobs to support it.

This is more than just a great bill for our energy's future, it's a great bill for our economic development and workforce development within our state. New England is often referred to as a Saudi Arabia of offshore wind energy. As the wind follows the Gulf Stream from Florida all the way up the east coast uninterrupted.
Connecticut is specifically poised to be a hub for much of the development of offshore wind in the region as well as a country as a whole.

We have three deep water ports with no bridge obstructions. This allows these ports to serve as a critical base for the construction, development, deployment and continued operation of these facilities. It's important to recognize that while New London has gotten the majority of attention in the media with regard to these developments, New Haven and Bridgeport can also be major beneficiaries of this new industry. This will ultimately benefit the towns in my district -- Milford, West Haven and Orange.

The state has already seen the impact of economic development associated with this proposal -- $93 million dollars has already been invested. The state has pledged $35.5 million dollars, $25.5 million dollars from the port authority and $10 million dollars from DECD through the Manufacturing Assistance Act.
The partners in the New London Project, Orsted and Eversource, have also committed $57.5 million dollars in private funding for upgrades to facilitate the project.

This will have a substantial economic impact on New London as the Port Authority has committed to sharing ten percent of the revenues from the pier with New London in addition to $75 thousand dollars a year to offset the cost for police and fire and other services.

With that being said, Mr. Speaker, and through you, I have a couple of questions for the proponent of the bill. Of the amendment.

DEPUTY SPEAKER ROSARIO (128TH):

Please prepare yourself, Representative Arconti.

REP. FERRARO (117TH):

Through you, Mr. Speaker, does this bill allow the State of Connecticut to solicit wind procurement bids up to two thousand megawatts of power as early as 2019?
DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Yes, through you, Mr. Speaker.

REP. FERRARO (117TH):

And through you, Mr. Speaker --

DEPUTY SPEAKER ROSARIO (128TH):

Representative Ferraro.

REP. FERRARO (117TH):

Thank you, Mr. Speaker and I thank the gentleman for his answer. And through you, Mr. Speaker, do we expect to procure the entire 2,000 megawatts this year?

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Through you, Mr. Speaker, the Commissioner has the ability to but I don't believe DEEP will procure the entire 2,000 megawatts in the 2019 solicitation. Through you.

DEPUTY SPEAKER ROSARIO (128TH):
Representative Ferraro.

REP. FERRARO (117TH):

Thank you, Mr. Speaker and through you, if we don't procure the entire 2,000 megawatts of wind power this year, under this plan how long can we expect solicitations to continue. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Thank you, Mr. Speaker and so going forward, we mandate that DEEP shall give to the community of cognizance which is energy and technology, the Integrated Resources Plan January 1, 2020 and within that IRP, there needs to be a solicitation schedule that DEEP had laid out for the next decade that shows how they will solicit proposals for offshore wind with 2,000 megawatts in the aggregate. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Ferraro.
REP. FERRARO (117TH):

Thank you, Mr. Speaker, and through you to the proponent of the bill. Is it true that the state of Connecticut has a renewable portfolio standard goal that 40 percent of our energy will be derived from class one renewable resources by 2030?

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Yes it is. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Ferraro.

REP. FERRARO (117TH):

Thank you, Mr. Speaker and through you, is it also true that the current deal with Millstone Power Plant will expire in about the same time?

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

They -- the Representative is correct. Through you.
DEPUTY SPEAKER ROSARIO (128TH):

Representative Ferraro.

REP. FERRARO (117TH):

And through you, Mr. Speaker, how much of the state's current power needs are satisfied by the Millstone Power Plant?

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Through you, Mr. Speaker, it's my understanding that Millstone generates a little over 2,000 megawatts and which is about half of our state's power needs. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Ferraro.

REP. FERRARO (117TH):

I thank the good gentleman for his answer and through you, Mr. Speaker, will this bill serve as a significant step forward for our state to be able to meet its established renewable portfolio standard goals.
DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Yes, Mr. Speaker, I believe it will. Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Ferraro.

REP. FERRARO (117TH):

Thank you, Mr. Speaker, and I do have one last question. Through you, could the proponent of the amendment which is the underlying bill please elaborate on how this bill includes plans for protection of the -- of and mitigation of impacts to wildlife, natural resources, ecosystems and traditional or existing water-dependent uses such as commercial fishing.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Thank you, Mr. Speaker, I thank the -- the Representative for his question. So the bidders in
this bill have to develop a mitigation plan that includes best practices to minimize and mitigate environmental and fishery impact. It also authorizes DEEP to create environmental impact commission to develop environmental and fishery standards requirements to include in the solicitations for DEEP to use. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you. Representative Ferraro.

REP. FERRARO (117TH):

Thank you, Mr. Speaker, and I do thank the kind gentleman for his answers, he's done a great job and I would also like to thank the Chairman Arconti and Chairman Needleman for their leadership and for keeping the issue of the Energy and Technology Committee as a bipartisan nature.

I would also like to thank Senator Formica and Ranking Member Representative Allie-Brennan, Vice Chairman, for their tremendous effort in this work.

And also, I'd like to thank the staff, Lynn
Kirshbaum, Attorney for OR, and our analysts Ray Collins and Alex Pietchowski for their hard work. And with that being said, Mr. Speaker, I urge my colleagues to support this amendment and eventually the underlying bill.

Thank you very much, sir.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you very much, Representative. Will you remark further on the amendment before us? Representative Buckbee of the 67th, you have the floor, sir.

REP. BUCKBEE (67TH):

Thank you, Mr. Speaker, just a comment if I may on this bill. On this amendment, I'm sorry.

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed.

REP. BUCKBEE (67TH):

Thank you, Mr. Speaker. In the Committee, I was opposed to this bill across the board and really the biggest concern I had was the jobs that'd be available in Connecticut and this -- quite frankly,
this amendment changes everything for me. It's a wonderful amendment that really does show, I think. I'd like to applaud our ranking members as well as the Chairman of the committee for their hard work on this. And they've corrected this to be an excellent bill that's the right thing for Connecticut. So great amendment ought to pass. And great bill ought to pass. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative, will you remark further on the amendment before us? Representative Ackert of the 8th, you have the floor, sir.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. And again, a comment. The good ranking member had good dialog with the Chair and the Vice Chair, I think, that the good work that they have done on this was answered throughout the comment process here.

But it struck me, recently we had a bunch of youth students here and talking about green technology and energy and I was proud that my local
town of Coventry had young man in sixth grade, Lou Kinney (phonetic) who did an essay saying "Going clean". "Go clean". And it was talking about wind energy.

And I said, you know, given the opportunity I want to mention you because there's our youth talking about green technology and offshore wind and onshore wind both. And it was proud that this bill became the good work of this committee as the Chair and Vice Chair and ranking member have worked together on it and of course the Senate but we don't need to include them all the time.

But and so -- but you know, we have -- many people know that Millstone Power Plant generates about 2100 megawatts and if we ever had to replace it or, you know, the need for gas line expansion, we can offset that with wind and not have to worry about gas line expansion and other technologies that we probably don't consider to be as clean and green as we want them to. So I look forward to the passage of this amendment and the underlying bill.
Thank you, Mr. Chairman.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative, would you like to remark further on the amendment for us? Representative Fishbein of the 90th, you have the floor, sir.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker, and good afternoon at this point.

Mr. Speaker, I -- very interesting concept before us, if I may add some questions for the proponent.

DEPUTY SPEAKER ROSARIO (128TH):

Please prepare yourself, Representative. You may proceed.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. Is there a fiscal note attached to this legislation? Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.
REP. ARCONTI (109TH):

No, Mr. Speaker, there is no fiscal note attached. Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker, and I note -- well, let me ask you this -- is there anticipated to be an impact upon fishing vessels and the fishing that is done in this particular area presently? Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Yes, Mr. Speaker, through you, that -- we addressed the commercial fishing potential issues through the bidding process where each bidder who places a bid on procurement has to submit a mitigation plan and how they will address potential impacts on the Connecticut fishing industry and also the Connecticut fishing industry will be represented
on the Environmental Standards Commission that DEEP will put together that will make recommendations to the Commissioner for each solicitation.

Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker, and I know -- and I'm looking for the particular language, I've gone to a different page, perhaps the good Representative knows. The amendment references a fund being created to mitigate those issues. And if the good Representative is knowledgeable of that fund, I have some questions with regard to that.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Could my neighbor direct me to the line that he's referencing? Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Fishbein.
REP. FISHBEIN (90TH):

I know I saw it in the requirements of the bidders.

REP. ARCONTI (109TH):

Requirements of the --

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti, are you ready?

REP. ARCONTI (109TH):

So I know the -- in the requirements of the bidders that starts at line 36 through line 45.

Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. Perhaps it was the original language, just wanna pull that up.

REP. ARCONTI (109TH):

Okay.

REP. FISHBEIN (90TH):

That I think -- yes, okay. In the original language, lines 48 through 51 contemplated the
DEPUTY SPEAKER ROSARIO (128TH):

Representative Fishbein, pardon me, we're on the amendment.

REP. FISHBEIN (90TH):

Yes, and the amendment would be a change to the underlying so it would be appropriate for me to ask about the change that results from the proposed amendment. So I'm comparing the original language to the amendment.

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed.

REP. FISHBEIN (90TH):

Thank you. In the original language that's being amended by this amendment, there is a requirement that a development of a compensation fund be funded at a level that is determined to be sufficient by economic studies to compensate fishermen and fishing communities affected by the project.

Am I to understand that the -- the need, the
requirement of that compensation fund is being eliminated by this amendment? Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Yes, Mr. Speaker, that language is not present in the amendment. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. So then may I ask why it was determined initially that a fund would be necessary. And I know that allegedly there was no fiscal impact from that either. And then now this is being removed to compensate those that are potentially negatively impacted, as the good Representative says, there will be impact. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.
REPRESENTATIVE ARCONTI (109TH):

So we -- I want to -- I guess I'll rewind a little bit to go back through the Committee process. We had two bills that we heard for public hearing on this -- on this topic. One was a Senate bill which was the Governor's original bill and the other was the bill we have before us, this House bill.

And the reason why we did that is because the original bill asked for an authorization for 15 percent of the load which is 1,000 megawatts. Myself, Representative Ferraro, Senator Formica, Senator Needleman and the rest of the committee wanted to go a little bit further in our procurement of offshore wind which is why we drafted this committee bill.

And in drafting this committee bill, we relied on the expertise of Senator Formica when it came to the commercial fishing industry here in Connecticut and there weren't adequate -- there wasn't adequate language in the Senate bill so we asked Senator Formica to come up with protections for the
committee bill so we could have a public hearing addressing this.

Now part of the environmental mitigation plans could include funds to offset negative impacts but without mandating it allows more flexibility within the RFP process. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. And I noticed the couched language, you know, could include mitigation funds and I ask through you, Mr. Speaker, where those funds would potentially come from. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Representative Arconti.

REP. ARCONTI (109TH):

Through you, the developers, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you. Representative Fishbein.
REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. I note that it does not require the developers, though, as part of their bid package to offer any money unless I'm reading something incorrectly. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

The good gentleman is correct in his reading. It does not require. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. Am I to assume that there was no public hearing on the amendment that's before us, it was merely the language that anticipated payment or some sort of actual mitigation to the fishing industry. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.
REP. ARCONTI (109TH):

That is correct, Mr. Speaker, there was no public hearing on the exact language in this amendment but this concept, two bills were heard in a public hearing and we've had many bipartisan stakeholder meetings of the last few months. After the public hearing, through the committee process and I forgot the second part of the good Representative's question. Through you, Mr. Speaker, if he would mind.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Fishbein, restate your question, please?

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker, perhaps I would foundationaly set that up with my understand is that in order to get some agreeing on this language there was a representation that the fishing industry was going to be somehow provided with money through this fund. And that there's been no public hearing and I noticed no input from the fishing industry now
that this fund has essentially been taken away unless I can be corrected. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

I suppose I'll say the fishing industry has now reached out to me directly. I know Senator Formica has been working very closely with the industry and this is why we're also putting together the Environmental Standards Commission which will have a representative from the fishing industry on that commission which will make recommendations to DEEP for each solicitation. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Well, thank you, Mr. Speaker, I just -- I agree with the underlying intent of the bill. I just -- I sort of see a bait-and-switch sort of thing going on here, with all due respect. You know, we make a
representation that there's going to be a fund, we claim there's no fiscal impact and then we don't require those that the good Representative would have pay into the fund to be required to bid, we leave that whole industry holding the bag. And that's just not appropriate.

I look forward to the rest of the debate. Given where we are, I think I'm probably the last one on this one but you know, interesting. I just think we should have -- we should've protected that industry. So thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you very much Representative Fishbein. Would you care to remark further on the amendment before us? Representative Piscopo of the 76th, you have the floor, sir.

REP. PISCOPO (76TH):

Thank you, Mr. Speaker. Mr. Speaker, I voted no on this committee. I do appreciate the work since the bill was reported out of -- out of committee. It is a better -- this amendment makes
-- makes it a better bill. And I, when I did vote no, though, I did voice some concerns I have and I think I just -- it's one of those bills where I think you've gotta explain yourself if you're gonna be voting some way, a certain way.

And I just still have troubles with this. I understand that it's going to be great for the Port of New London and the upgrades that are gonna be done there. The industry that's going to be coming to New London and the jobs. I understand all the good parts of this bill and I accept that and wish them well.

I just got a letter -- copy of a letter to the editor in the New London paper that said that it's going to be built on state property and not subject to taxes, some of this. But that's -- that's just one of my concerns.

I do have just general concerns about wind power and it's -- and you've heard them voiced in the past. The footprint, the footprint that these wind turbines will take up, acres and acres of
property and it's gonna be out in the ocean, I understand, but it's gonna be a huge amount of these turbines and to -- to produce 50,000 or 40,000 megawatts or 400 megawatts at a time with our procurement.

So the footprint to produce that kind of energy is huge. And these things aren't small. They're gonna make them big to -- they're gonna make them -- they're gonna dwarf any skyscraper you might think of. That's how big these things are.

This is an industrial energy producer off the coast of Block Island and so I do have a concern that way. My concerns also are with the migratory bird population. It's been told that this would harness the Gulf Stream and a lot of our migratory birds follow the Gulf Stream when they come North in the spring and South in the fall. And it's a real danger toward migratory birds, especially our more endangered predatory birds. They call them the cuisinarts of the sky. They really do chew up birds.
We did hear testimony from fishermen, our commercial and recreational fisherman that they are really worried about the liability aspect so if their boat loses power and their heading for one of these things, it could be -- it could be a problem that way.

And -- and a lot of the issues that the gentleman brought up that just spoke before me, you know when these things are -- and the renewable -- our renewable portfolio standards have been brought up, too. We should have a good debate about our renewable portfolio standards. What that does is it skews the market. It says the state shall procure so much class one renewable energy sources.

When the market's right for these, when -- when it's cost effective to procure them, they will enter the market and we will buy them. But to have this just artificial readable portfolio standards forces the state to buy that kind of energy at a higher price -- it's a higher price -- and thus we wonder why we have the highest electricity bills in the
country.

So when the market's right for these, they -- it'll be, it'll come onto the market when -- when it's right for them. And also, the money we're gonna be spending for this, it's not -- you know, we're not getting this for free, it's a -- I think our outlay may be $35 million dollars. I don't know if that's in bonding or under economic development bonding or what but we're gonna have to shell out some money to get these things started.

So for all those reasons, I -- I still have problems with this amendment although I do commend the good chairman and the ranking member of the bill for making some pretty good changes to it. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Would you care to remark further on the amendment before us? Representative Davis of the 57th, you have the floor, sir.

REP. DAVIS (57TH):
Thank you, Mr. Speaker, always a pleasure to see you at the dais.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you.

REP. DAVIS (57TH):

Mr. Speaker, if I may, I have a question to the proponent of the amendment.

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed. Representative Arconti.

REP. DAVIS (57TH):

Thank you, Mr. Speaker, through you to the kind proponent, does this amendment continue to include language that any bid submitted to construct these facilities would have to include prevailing wage provisions and project labor agreements? Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Yes, Mr. Speaker, that can be found lines 26 through 35. Through you, Mr. Speaker.
DEPUTY SPEAKER ROSARIO (128TH):

Representative Davis.

REP. DAVIS (57TH):

Thank you, Mr. Speaker, and is the kind Chairman aware of any other procurement proposal that has this type of requirement for prevailing wage and project labor agreements? Through you, Mr. Chairman. Or Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Yes, Mr. Speaker, our neighboring states have used similar language in their offshore wind procurements. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Davis.

REP. DAVIS (57TH):

Thank you, Mr. Speaker, but have any other procurement processes in Connecticut have this similar type of requirement? Through you.

DEPUTY SPEAKER ROSARIO (128TH):
Representative Arconti.

REP. ARCONTI (109TH):

Through you, I know some private companies have used this -- this type of language but from my memory of past Energy Committee procurement bills, I don't recall this language. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Davis.

REP. DAVIS (57TH):

Thank you, Mr. Speaker and these -- this project would ultimately be a private industry participating or is this some state-run entity that would be building these facilities? Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Through you, private developers, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Davis.
REP. DAVIS (57TH):

Thank you, Mr. Speaker and I think there's another section here, lines 46 through 53 that talks about a bidder for this procurement process, that they may submit plans to used skilled labor that they had the training program through the apprenticeship council. Is that correct, through you, Mr. Speaker?

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

That is correct. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Davis.

REP. DAVIS (57TH):

Thank you, Mr. Speaker, and is there a reason why we did not require the bidder to use the apprenticeship council apprenticeship program? Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.
REP. ARCONTI (109TH):

Through you, Mr. Speaker, in our discussions with the industry and DEEP, we felt the -- in our discussions with them -- then they felt that May was appropriate in this section. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Davis.

REP. DAVIS (57TH):

Thank you, Mr. Speaker. Would they be given any type of preferential treatment if they were to use Connecticut-based employees through this apprenticeship program? Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Through you, Mr. Speaker, that is a criteria that the commissioner shall use in grading these bids in order to pick one. So if a developer includes plans such outlined in this section, there's nothing in -- in the language that mandates
that the commissioner shall weigh that more heavily but the Commissioner does have to determine which bid is in the best interest of the repayers and best interest economically for the state of Connecticut and if someone does include these plans in consultation with the DECD Commissioner, then yes, I would say a developer who includes plans related to this section would have a great chance of a bid being chosen. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Davis.

REP. DAVIS (57TH):

Thank you, Mr. Speaker, and I did oppose the bill in Committee in particular for these two sections that are here in this amendment that have been edited since the initial bill. But the language regarding prevailing wage and project labor agreements I find troubling in that we're mandating that these private contractors provide prevailing wage and enter into a project labor agreement. I'm not sure if that should be something that we put
into statute that we require them to do that. It's my understanding discussions with the industry that most likely they would be paying prevailing wage or higher and they may or may not enter into a project labor agreement on their own. So I'm not denying the fact that these two things will probably happen but my concern is that we'd be requiring it under statute and setting a precedent potentially for future projects and future procurement processes.

And the kind gentleman had mentioned that the Commissioner, while evaluating these procurement bids is supposed to take into account the impact on the rate pair and try to find the best result for the rate pair. And my fear is that by putting in mandates that require certain levels of pay and certain types of agreements, that we might ultimately be causing -- otherwise would be a cheaper energy source to be a little bit more expensive. Unnecessarily in my view but perhaps not so unnecessary in those who are part of unions.

And I do have concerns that we're not requiring
them to use training program from the Apprenticeship Council but I do understand that that may ultimately lead to a shortage of workers and if they were to be required to use that type of program. So I respect the fact that it's a may and shall there but I certainly hop whoever does bid that they use those types of Connecticut-based workers as much as possible and help us build up these workforce development boards, especially down in southeastern Connecticut that desperately needs the redevelopment of the many industries that have left that region over the last couple of decades.

I find this proposal to be one that will hopefully restore some of that job loss in that section of the state. I think we'll have an opportunity for our large deep water ports like Bridgeport, like New London, to be able to access manufacturers and other entities that would provide jobs to Connecticut residents and provide services to the offshore wind development off of our shore and possibly make us a hub for this type of activity
in the general region because I think most likely you will probably see more and more of these types of developments into the deep waters 40 or more miles off the coast like this one is being proposed.

So for those reasons, I will support the amendment and support the underlying bill here today because I think ultimately it is a very positive thing for Connecticut and especially southeastern Connecticut. However, I wish that these sections were better and there was not requirements for prevailing wage and project labor agreements but instead let the private marketplace set those rates and let the private marketplace enter into those agreements without state statute mandating that they do.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you very much, Representative. Will you remark further on the amendment before us? Representative de la Cruz, you have the floor, sir.

REP. DE LA CRUZ (41ST):
Thank you, Mr. Speaker. I stand in strong support of this amendment and I also want to speak to what some of the other Representatives have said earlier about -- about prevailing rate and how it affects this project in particular.

I think this is the opportunity that we would put it in, that we would enter this kind of agreement because, you know, we're talking the future of our state, thousands and thousands of jobs that'll be coming here and we have a choice to make today. We can make people pay a rate that's livable here in Connecticut. My fear of not having that kind of language in a bill like this will promote folks from other states to come up here by the thousands and work for sub-par wages. And I can tell you the -- all the companies involved, Orsted which we've met and wanted many times. They have been big supporters of labor, they understand that the labor that they need and the labor they're looking for is a highly skilled labor.

So you know, this is an opportunity. This is a
change. Southeastern Connecticut also holds Millstone in our area. They produce 50 percent of the energy in our state right now.

Again, if we -- if we're looking at for replacement down the road and we all know that's gonna happen, they just signed a ten-year deal -- maybe in 15 or 20 years when we're looking to replace, we're gonna wish that we got on board maybe even sooner than we did.

But today's the day to seize the opportunity. I support this, thank you Chair for bringing this out. A great bill, oughta pass.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further? Will you remark further on the amendment before us? If not, I will try your minds. All those in favor, please signify by saying yea.

VOICES:

Yea.

DEPUTY SPEAKER ROSARIO (128TH):

All those opposed nay. The yeas have it and
the amendment is adopted.

(GAVEL)

Will you remark further on the bill as amended?
Will you remark further on the bill as amended?
Representative Steinberg of the 136th, you have the floor, sir.

REP. STEINBERG (136TH):

Good afternoon, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Good afternoon.

REP. STEINBERG (136TH):

I rise in qualified support of this bill. I've been a strong proponent of renewable energy and certainly offshore wind is gonna play an important component of Connecticut's commitment to renewable energy and its future going forward.

I'm also very excited about the prospect of aiding New London to become once again an active, vital port for the state of Connecticut and for all of New England. And the prospect of creating new good jobs in New London is very appealing to me.
However, I view this bill as just the beginning of what we need to do to make sure that if we're going to commit to renewable energy and move away from fossil fuels that we're also doing the right thing in a variety of other ways.

One example of how this is just the beginning is that I would like to see our procurements going forward take into account more opportunities here in the state of Connecticut for Connecticut workers, for a greater emphasis on storage. Perhaps there's a prospect for co-locating storage facilities nearby the staging grounds in New London as we go forward.

And most importantly, I think this is just the beginning in our assuring that there are appropriate and comprehensive environmental protections for the habitat and ecosystems that are potentially going to be threatened by heavy industrial activities in placing and siting these turbines offshore.

These turbines are larger than have been typically installed in any other part of the world and therefore pose new challenges for us. And it's
incumbent not only upon DEEP but upon Eversource as the -- who's procuring the energy and whomever is actually installing these technologies, in this case Orsted and perhaps there'll be others involved as we go forward, to establish an appropriate precedent for environmental protectants. And I think we have a ways to go to assure ourselves that these organizations are going to be transparent in their process, that they're going to engage all stakeholders from the environmental concerns to fishermen to those who use these waterways for a variety of purposes and perhaps even including the various military activities taking place in the New London/Groton area, to make sure that we are looking out for all these interests long term because this will establish a precedent for how we go forward with citing offshore wind. Not only off the coast in this one project but in the future procurements that are spelled out in this bill.

I would recommend that we as a legislature remain vigilant in assuring that as we go forward
with future procurements that the protectants that we can build in to these procurements through the RFPs adequately reflect our desire to protect the environment.

Ultimately, I think this gonna be great for rate payers, it's gonna be great for jobs, it's gonna be great for the state of Connecticut but we also have a responsibility to make sure that we're honoring our commitment to the environment and to the other considerations that have to do with siting wind turbines in waterways where there are existing activities involved.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the bill as amended? Representative Stafstrom of the 129th, you have the floor, sir.

REP. STAFSTROM (129TH):

Thank you, Mr. Speaker. Mr. Speaker, I rise in support of the bill before us and I do so for several reasons but as you are well aware, Mr.
Speaker, certainly there rightfully has been a focus on the potential economic impact of this bill and certainly much of the conversation here today has been about what the potential economic impact could be for one of our deep water ports.

But as the ranking member of the Energy and Technology Committee mentioned, there are two other deep water ports in the state and I certainly appreciate that this bill is structured as an open competitive RFP process so that the best proposals will -- will have a chance to be evaluated and be selected and procured through this process certainly.

We know Mr. Speaker, down in Bridgeport that Vineyard Wind and some of our local developers down there have been working on a -- working on a proposal to revitalize part of our port and bring jobs into the city of Bridgeport and we certainly are appreciative of them for that effort and look forward to this RFP process playing forward and certainly when there's competition, the best
proposal will rise to the top be that through the best impact to rate pairs be that and the best economic impact for the state be that in terms of making sure that the labor is performed locally.

So for all of those reasons, I appreciate the open competitive nature of this bill and rise in its support.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Seems like a win/win for many communities. Will you remark further on the bill as amended? Representative Gresko of the 121st, you have the floor, sir.

REP. GRESKO (121ST):

Thank you, Mr. Speaker, I rise in support of this legislation as well. Connecticut has the chance to diversify our renewable energy portfolio as we go forward with this bill and to help us to meet our goals. Just floating this idea has generated quite a bit of interest on both ends of the shoreline and the state of Connecticut. Specifically for Bridgeport and for greater
Bridgeport, this potentially means local jobs, potentially means high tech local jobs that the greater Bridgeport residents would be eligible to be trained to fill.

The potential for municipal and state tax revenue generation is also an attractive prospect for the city of Bridgeport bidders. Potential commitment to the city of Bridgeport and to the state of Connecticut includes some state-of-the-art technology and also a willingness to understand the environmental concerns that we all have. The fishing industry needs to be -- needs to be asked and interested in how we go forward with this and their willingness to mitigate some of these environmental concerns is also very important.

So to wrap it up, I strongly encourage my colleagues to support the bill and thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you very much, Representative. Will you remark further on the bill as amended?
Representative Michel of the 146th, you have the floor, sir.

REP. MICHEL (146TH):

Thank you, Mr. Speaker, I rise today to make some comments. I have no questions for the proponents of the bill.

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed.

REP. MICHEL (146TH):

What an amazing experience of becoming a legislator. I was not part of a blue wave, I was in a primary, I really never liked division and my emphasis during the campaign was to make sure we find the common causes that link us all.

I fought the development in Stamford that has pushed out working families out of my district otherwise spewing massive amount of pollution into Long Island Sound which has added to the major storm water issues that we need to correct as a coastal state.

I would like to thank Rep Arconti and the other
chairs and vice chairs of energy for the massive amount of work done on this bill. I, too, have worked hard on this since mid-January. I am in favor, of course, of replacing fossil fuels and nuclear energy with clean renewable energy but certainly not at the expense of the environment for that is the whole point of the other sides.

Let me explain. We have as a state and as a customer the possibility of doing what is right. But what is considered right. As a newbie, I thought we could mandate for the better of all but I've learned that we cannot be prescriptive. On the issue of sound during construction and operation, I worked with the top baleen whale scientist -- North American right whales or baleen whales -- Chris Clark, who taught me that I'd lose the battle if I went for a sound limit that was based on the whale behavioral change but suggested I at least added to the bill the sound that may have injury to the whales which is 160 decibels 750 meters from the source.
I thought this would not be dictating anything about techniques used by the developer but this was understood as so by various parties. So it seems the developer is really not sure they can mitigate sound to this level. However, so they would use sound mitigation techniques that would cause the raw cost of energy to be higher.

Why the whales? Why not the birds, the fish, sea turtles and crustaceans? They are all related to each other through the whales. The North American right whales are the -- are the keystone species that are considered guarders to the seas. They help multiply the phytoplankton that involves their poop but I won't get into the details. Which feeds the zooplankton which are the baby crustaceans and the fish.

With the loss of our whales, we're likely heading towards the fishers collapse. There are a number of articles that do indicate that as we only have close to 400 North American right whales left. The loss of one pregnant female could doom the
species to extinction.

Why am I talking about noise? There are several ways to construct a base of an offshore wind turbine. One, pile driving large diameter steel base into the seaport would cause a huge amount of noise disruption.

Two, by constructing and floating a 6,000 ton concrete offshore wind foundation, we would not have the negative impacts to the marine environment and we would be creating a lot more jobs.

The developer has made it clear they would prefer to use municipals with noise mitigation techniques. The arguments that were spread around the legislature were often quite weak.

I understand that construction would be done while the whales are not in the area but I've talked with scientists who explained they're no longer in areas they're known to be at a given time. Due to the changes in temperatures and currents, they look for their food in new areas in a sort of non-predictable way. I doubt having helicopters and
binoculars will prevent one pregnant female to slip through.

I've heard that we might have a soft soil when we very clearly have very solid soil in the North Atlantic in front of New England. Thanks to all glaciers we have what is called marine soil which is ideal for concrete gravity base system.

I've heard the biggest offshore wind developer has said they will mitigate sound levels during construction. When I asked them how much more this will cost the Connecticut rate payer, not much of an answer was formulated. I asked them if they had the ability to mitigate sound as low as 160 decibels, 750 meters from the source of the noise and they had difficulties addressing the question.

It has been said that concrete gravity base would be bad for marine and fishing vessels due to its large width, 30 meters on the sea floor, to which I replied that most regulations in Europe dictate the vessel to stay clear by 50 meters from the concrete gravity base are municipals any base.
It has been said that concrete gravity bases are not good on the long term for the marine environment when concrete is used for coral restoration.

The life span of a municipal is said to be 15 to 25 years while a concrete gravity-based system is at least 50 years and they can be lifted and recycled when steel pipes could be kept near the sea floor level and something would be left.

Then they said technology would be different in 25 years so you do not need a life span of 50 years but nothing prevents us to attach the latest technology to the concrete gravity base in 50 years. A doorknob is still a doorknob.

As much as I am in favor of renewable energy, I wanna stress the fact that it is worth it if clean and creating jobs. That is the whole point of the green new deal. I will support this bill to go forward but I would like to stress that the pressure is going to be on the DEEP and the commission it will appoint on the environmental factors and
mitigation.

The DEEP has a chance at regaining trust from the people of the state and some of us legislators and they should do that.

The pressure for the creation of jobs will be on the DCD with steel pipes welded overseas for the pile driving techniques, the concrete gravity base would create up to 28 times the amount of jobs.

If welding takes place here, the pile driving techniques would create only 20 percent of the jobs the concrete gravity base would create.

We as legislators are not prescribing what technique should be used but it is quite clear what every detail is pointing us to. NOAH has come up with the same number of decibels. Even the NRDC published this number several months ago. The problem or difficulty that almost none of the environmental advocacy groups supported this sound limit for injury to the wells as an amendment to the bill yet they pushed and pressured to dictate which base to use.
I'd like to say I very much respect all the good work the environmental advocacy groups have done but I ask of them then to prioritize the environment and all animal species. We are running out of time. Climate change is the number one security threat for the planet. The oceans are the climate regulators. It would be really bad if we did not take this into consideration.

Plankton produces more than half of the oxygen in the air we breathe. We need to protect the environment we're responsible for. Our years to reverse some of the damages are going to be one-by-one like grains of sand in the timer. Let's do what is right and encourage the development of new energy but in the right way or it will be stopped in a few years when we realize we're destroying our marine ecosystem and losing our whales and fisheries.

Let's scrutinize together and put pressure together on the DEEP and DCD to do what is right for our future generations. This is the age of men, the Anthropocene and we're on the sixth massive wave of
extinction. Sixth wave of massive extinction.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the bill as amended? Representative Nolan of the 39th, you have the floor, sir.

REP. NOLAN (39TH):

Thank you, sir. Just wanted to stand coarse and strong in favor of this bill and ask my fellow Representatives to support this bill.

This will help New London rise to a place that we've been far from for so long and I would just ask for your considered support in regards to this for the impact -- economic impact that this will have on our community in this area of Connecticut for jobs and I just ask you to support the bill. Thank you.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the bill as amended? Representative Case of the 63rd, you have the floor, sir.

REP. CASE (63RD):
Thank you, Mr. Speaker. Just a couple questions through you to the proponent.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, you may proceed, sir.

REP. CASE (63RD):

Thank you, Mr. Speaker. And as spoken earlier, in lines 47 -- actually, let me go back. With this bill, would be a possibility of federal dollars coming in for this project? Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Yes, through you, Mr. Speaker. So we asked the commissioner to issue a solicitation 14 days after this bill becomes law and the policy decision behind that was there is a federal tax credit on offshore wind projects that expires at the end of 2019. We don't know if it's gonna be renewed so those are the only federal dollars that I'm aware of that we could utilize for an offshore wind project in 2019.
But if the federal government renews the tax credit, I see no reason why it can't be something that the commissioner or the state utilizes going forward.

Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Representative Case.

REP. CASE (63RD):

So through you, Mr. Speaker, with a lot of our bids out there and things we do, especially with DEEP, I know we have this with our boat launches and other things. If we have any sort of a federal string attached, is that why the word "may include apprentices in the training program"? Because if there's any federal dollars used, it has to be opened up to anybody outside of the state. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):
I don't know. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Case.

REP. CASE (63RD):

Thank you, Mr. Speaker. I guess my concern is I like the idea of the clean energy but when we put language and we get excited about using Connecticut labor, if there's any federal dollars attached, that blows that out and I believe that's why the word may is in here.

I would feel much more comfortable with shall and we keep the dollars for what we have here but if we can't get a confirmation that that's the reason may is in there, I'm not sure I can support it at this time because I'd like it to be what people are talking about and using the registered Connecticut State Apprenticeship Council with registered Connecticut workers but I'm concerned any federal dollars would put that to an end and I believe that's why the word may is in there.

Through you, Mr. Speaker, does the good
chairman have any concerns on that? Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

Through you, Mr. Speaker, I do not and at all the various stakeholder meetings that we've had with DEEP and the industry, that question has never come up so I would -- I don't have -- I don't share the same concerns that my good friend from Torrington does. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Case.

REP. CASE (63RD):

Thank you, Mr. Speaker and then just a few brief comments because not having to do directly with the wind but we did take some federal dollars to redo our boat launches at our lakes and things like that so by doing that, we cannot restrict outside people from the state of Connecticut to come into those boat launches because federal dollars
were used to rebuild those.

We couldn't restrict the contractors that came to work on those boat launches, which all of us in our -- in my district -- wanted to use local and state people. People are writing me, asked me why we had a Massachusetts contractor doing it.

And for that concern, I had to explain to people because there were federal dollars tied to the dollars that were being used to rebuild these boat launches. And people were like, "The state of Connecticut pays to stock these lakes but federal people get to enter through the boat launches. Or anybody from any state can enter."

So we have to be careful when we look at this language and when we put may or shall because it could be that we might not have any Connecticut apprentice workers on this because there will be federal dollars attached. I'd just like people to be concerned about that and hopefully maybe we can work on it but at this point, if I can't have confirmation that we're gonna put money forward on
something and not keep it to here in the state of Connecticut just because of maybe one little stream or tax rebate that we're gonna get from the federal government, lines 47 to 53 have no meaning.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Representative Arconti.

REP. ARCONTI (109TH):

Through you, Mr. Speaker, so it's my understanding that the tax credit is a tax incentive, not a grant and there are no federal dollars attached. Hopefully that clarifies things a little bit better for my good friend. Through you. That's it. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Representative Case.

REP. CASE (63RD):

Just to clarify that, any type of a string from the federal government ties our hands and you have
to read the small print because that has happened to us with many projects in the state of Connecticut. So with that, Mr. Speaker, thank you very much.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Representative Arconti. Okay, will you remark further on the bill as amended? Representative Morin of the 38th (sic), you have the floor, sir.

REP. MORIN (28TH):

Thank you very much, Mr. Speaker, good afternoon.

DEPUTY SPEAKER ROSARIO (128TH):

Good afternoon, the 28th, I'm sorry.

REP. MORIN (28TH):

Yeah, just a -- probably a quick question or two then a -- maybe a statement. To the good Rep, Chair of the Energy and Technology Committee, is this -- I really appreciate that this is a jobs bill and we've talked about it benefits the environment and such but has there been studies done about, or has this committee looked at the studies done that
-- following up on Representative Michel's case that there are harmful impacts or could be harmful impacts to marine life. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

    Representative Arconti.

REP. ARCONTI (109TH):

    Through you, Mr. Speaker, I'm not aware of any studies personally. I know we've taken great -- we've gone to great lengths to put language in this bill to mitigate any environmental impacts. And since these turbines will be in federal waters, there are a whole host of federal regulations, federal environmental regulations that will be around the waters where these turbines are going.

    So I feel extremely confident that the environmental standards that we have in the state of Connecticut will be upheld through this bill and through this language with these projects going forward. Through you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

    Representative Morin.
REP. MORIN (28TH):

Thank you, Mr. Speaker and I guess I have great faith in the environmental laws of the state of Connecticut and the current administration. I'm not sure I can share that for what our federal government is doing so I guess that doesn't give me much great comfort.

Has this bill been in front of the Environment Committee?

DEPUTY SPEAKER ROSARIO (128TH):

Representative Arconti.

REP. ARCONTI (109TH):

No, through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Morin.

REP. MORIN (28TH):

Well, I thank him for the answer. I always appreciate honesty and as I said before, I respect my colleagues that are looking at this in the positive aspect of helping create jobs and clean energy. I do get that and I -- and I respect it and
all but I really have some concerns that we're not looking at what's gonna happen to the marine life because there's cause and effect everywhere, with every action we do.

And I do have those concerns and I don't believe they've been met. In my opinion only so I'm gonna have to look at this a little harder before I vote. I appreciate the answers, I appreciate the time. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

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

(BELL RINGING)

CLERK:

The House of Representatives is voting by roll. Members to the chamber. The House of Representatives is voting by roll. Members to the
chamber.

DEPUTY SPEAKER ROSARIO (128TH):

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

The Clerk please announce the tally.

CLERK:

House Bill 7156 as amended by House A.

Total number voting 144

Necessary for adoption 73

Those voting Yea 134

Those voting Nay 10

Those absent and not voting 7

DEPUTY SPEAKER ROSARIO (128TH):

The bill as amended is passed.

(GAVEL)

Are there any announcements or introductions?

Representative Ritter of the 1st, you have the floor, sir.
REP. RITTER (1ST):

Thank you, Mr. Speaker, I move that we immediately transmit House Bill 7156 to the Senate. Thank you.

DEPUTY SPEAKER ROSARIO (128TH):

Is there no objection? So ordered. Any announcements or introductions? Representative Rochelle of the 104th, you have the floor, madam.

REP. ROCHELLE (104TH):

I rise to the purpose of an introduction.

DEPUTY SPEAKER ROSARIO (128TH):

Yes, you may proceed.

REP. ROCHELLE (104TH):

I am honored to have here today three members of the Board of the Valley Fire Chiefs Fire Association here today, the Fire Training School. We have Chuck Stankye and Ted Smith here and we did have Kenny Mitchell as well who is the president of the Valley Fire School.

They came through because they were up in Hartford and I just wanted to highlight a few of
their accomplishments because they're such tremendous leaders in our community.

So between the three gentlemen, they have more than 132 years of fire service between them. They are on the Board of the Valley Fire Chiefs Fire Training School and they're all past chiefs. In the past six years, the fire school has trained fire departments, police departments, high schools, local little leagues, boards of education and the National Guard for over 44 different towns across the region including multiple fire departments in each of the several of the 44 towns.

In addition to that, the 25th team, the Valley Fire School has trained over 70,000 -- has had over 70,000 student contact hours and it trains more people per man hour than any other fire school in the state of Connecticut so we're very proud of the work that they do. In a time when the fire service is losing volunteers, we're excited and appreciative of all they do to build the fire service and to make sure that the residents in our state stay protected.
So thank you gentlemen, I'm so happy to have you here today and I know all my colleagues are in deep support of them.

(Applause)

DEPUTY SPEAKER ROSARIO (128TH):

Welcome to our Chamber and thank you for all you do to save lives every day.

Are there any announcements or introductions? Representative Klarides of the 114th, you have the floor, madam.

REP. Klarides (114TH):

Thank you, Mr. Speaker. I also rise with my colleagues, Representative Rebimbas, Representative Klarides-Ditria, Representative Perillo, Labriola and McGorty to welcome -- sorry, sister fight -- to welcome our wonderful guests, very longtime friends, Chuck Stankye and Teddy Smith.

What you guys may not know is Mr. Smith has bologna pins made because they're the bologna capital of the world and we all -- we all have them. Beacon Falls, right. Will you stop talking to me?
(LAUGHTER) See, she should stay in her row.

But I want to welcome them and thank them for all the work that they have done. I've said time and time again, fire fighter, police officer, I don't know how they do the work they do. They save our lives every day and keep us safe. Volunteer fire fighters, they do it, they don't get paid, they do it for the love of the job and the love of the people that they protect and save so I want to thank both of you for coming up and all the work you've done.

Thank you, Mr. Speaker.

(APPLAUSE)

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Madam Minority Leader. I want to welcome our friends from the valley up to the capitol. Thank you.

Are there any announcements or introductions? Representative Ritter of the 1st, you have the floor, sir.

REP. RITTER (1ST):
Thank you, Mr. Speaker. There's gonna be an immediate House Democratic caucus in 207-A and I move that we go into recess subject to the call of the Chair, Mr. Speaker. Thank you.

DEPUTY SPEAKER ROSARIO (128TH):

If there is no objection, the House will stand at ease. The House will be at recess.

(GAVEL)

(On motion of Representative Ritter of the 1st District the House recessed at 1:28 o’clock p.m., to reconvene at the Call of the Chair.)

(The House reconvened at 3:24 o’clock p.m., Deputy Speaker Rosario in the Chair.)

SPEAKER ROSARIO (128TH):

Will the Clerk please call Calendar No. 524?

CLERK:

On page 54, Calendar 54, Substitute House Bill No. 7130, AN ACT CONCERNING PROBATE COURT OPERATIONS. Favorable Report of the Joint Standing
Committee on Judiciary.

SPEAKER ROSARIO (128TH):

Representative Blumenthal of the 147th, you have the floor, Sir.

REP. BLUMENTHAL (147TH):

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

SPEAKER ROSARIO (128TH):

The question before the Chamber is on acceptance of the Joint Committee's Favorable Report and passage of the bill. Representative Blumenthal, you have the floor.

REP. BLUMENTHAL (147TH):

Thank you, Mr. Speaker. This is our annual probate court operations bill and as a result, it makes very stimulating reading. I will try to keep my remarks brief. It makes a number of significant developments. One is that it clarifies that E-filing is acceptable for all filing and service except for those methods, or motions or petitions
requiring personal service. It expands slightly the circumstances under which the Department of Children and Families must notify the probate court of a finding of substantiated abuse or neglect allegation. It increases the filing fee by $25 dollars and it takes away the ability of a probate court to of its own motion appoint a guardian for a minor. Instead, now a limited number of individuals with ties to the minor will be able to petition or apply for a guardian to be appointed, and it expands slight the notice requirement so that children of age 12 and older must be notified in certain circumstances of certain proceedings. And finally, it repeals an asset-freezing procedure that currently exists for conservatorship proceedings. I urge passage of the bill.

SPEAKER ROSARIO (128TH):

    Thank you, Representative. Will you remark further on the bill? Representative Rebimbas of the 70th, you have the floor, madam.

REP. REBIMBAS (70TH):
Thank you, Mr. Speaker. Mr. Speaker, I rise in support of the bill before us. Certainly the good Vice-Chairman just highlighted all of the proposed changes that are being proposed in front of us. It certainly is a lengthy one. I just want to thank all the individuals who took the opportunity to obviously review our statutes and certainly these, I believe, are improvements to that process so I do rise in support and this once again, as indicated, did come out the Judiciary unanimously.

SPEAKER ROSARIO (128TH):

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

CLERK:

The House of Representatives is voting by roll. Members to the Chamber. The House of Representatives is voting by roll. Members to the
Have all the members voted? Have all the members voted? Have all the members voted? Have all the members voted? Will the members please check the board to determine if your vote is properly cast? If all members have voted, the machine will be locked and the Clerk will take a tally. The Clerk will please announce the tally?

House Bill 7130.

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The bill passes. [Gavel] Will the Clerk please call Calendar No. 34?

On page 4, Calendar No. 34, House Bill No. 7064, AN ACT CONCERNING MUNICIPAL VETERANS'
REPRESENTATIVES. Favorable Report of the Joint Standing Committee on Veterans Affairs.

SPEAKER ROSARIO (128TH):

Representative Borer, you have the floor, madam.

REP. BORER (115TH):

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

SPEAKER ROSARIO (128TH):

The question is acceptance of the Joint Committee's Favorable Report and passage of the bill. Representative Borer, you have the floor, madam.

REP. BORER (115TH):

Thank you, Mr. Speaker. We know that veterans often go to their town or their city hall to seek information or benefits for themselves or their dependents around education or health benefits or vocational and municipalities that have a Veterans' Advisory Board are required to and those who don’t
have a Veterans' Advisory Board are required to have an employee that's designated to provide those answers to those veterans seeking information. What this bill does is allow a volunteer to serve in that position. Mr. Speaker, I have an amendment that I'd like to call. LCO 8590.

SPEAKER ROSARIO (128TH):

Will the Clerk please call LCO No. 8590, which will be designated as House Amendment Schedule A.

CLERK:

House Amendment Schedule A LCO No. 8590, offered by Representative Borer and Senator Maroney.

SPEAKER ROSARIO (128TH):

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

REP. BORER (115TH):

Thank you, Mr. Speaker. What this amendment does is put a little more clarity around that
volunteer position. It requires the municipality and the volunteer to come up with a mutually agreed upon number of hours that the volunteer will serve, and will also require a monthly report to include activities that the veterans designated volunteer had conducted throughout the month.

SPEAKER ROSARIO (128TH):

Thank you. The question before the Chamber is adoption of House Amendment Schedule A. Will you remark on the amendment? Representative Vale of the 52nd, you have the floor, sir.

REP. VALE (52ND):

Thank you, Mr. Speaker. Good afternoon. I rise, I have one quick question for clarify for the proponent of the amendment, through you.

SPEAKER ROSARIO (128TH):

Representative Borer, please prepare yourself.

REP. VALE (52ND):

Again, just for clarity, so this would apply only to the volunteers if they are designated in that municipality and not to the designees that are
town employees? Through you.

SPEAKER ROSARIO (128TH):

Representative Borer.

REP. BORER (115TH):

Thank you, Mr. Speaker. Can you clarify the question? Would what apply to the volunteer versus the employee?

SPEAKER ROSARIO (128TH):

Representative Vale.

REP. VALE (52ND):

In the amendment, lines 2 through 10, that would be added after line 39 of the underlying bill, that, it looks to me like this is only going to apply to the municipalities if they have a volunteer, that they would have to do these reports and submit them to the municipality. This wouldn’t apply to those municipalities that continue to use an employee for this purpose? Through you.

SPEAKER ROSARIO (128TH):

Representative Borer.

REP. BORER (115TH):
Thank you. Through you, Mr. Speaker. Yes, to the good Representative, that is correct. If the employee is serving in that capacity, they would be required to oversee the activities as their normal course of employment. The volunteer is required to fill out the report just to provide some accountability so that the volunteer comes back to the municipality and lets those in charge of the municipality what activities occurred throughout that month.

SPEAKER ROSARIO (128TH):

Representative Vale.

REP. VALE (52ND):

Thank you for that clarification. Through you, and again, I support this amendment and I support the underlying bill so I won't get up again to say that after this amendment passes. Thank you.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the amendment before us? Representative Yaccarino of the 87th, you have the floor, sir.
REP. YACCARINO (87TH):

Thank you, Mr. Speaker. I was actually going to speak on the bill, but I do support the amendment. I do have a question about the amendment. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Sure. You may proceed.

REP. YACCARINO (87TH):

Currently, under current statute, this is being done by municipalities on a voluntary basis; is that correct? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Can you ask the Representative to repeat the question? I couldn’t hear him.

REP. YACCARINO (87TH):

A couple of years ago we passed something similar to this, that you would have a liaison in each municipality, a volunteer. In our town, he passed away, Dan Riccio, he was Commander of our Post, but we have somebody filling his shoes so this is similar to what we've already passed like three
years ago. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

   Representative Borer.

REP. BORER (115TH):

   Thank you, Mr. Speaker. Through you, I'm not aware that we passed this in previous years. I know it's not in current statute and so this is something new.

SPEAKER ROSARIO (128TH):

   Representative Yaccarino.

REP. YACCARINO (87TH):

   I'm sure of this, I'm sure we've done this. I'll listen to further debate, but we did pass, this is in statute. I remember testimony actually with Commissioner Saadi we talked about it's in statute now and this maybe just strengthens it and I support it, I just want to make sure that this is in statute and we are, most towns have been doing this and I think we should do this. So many men and women unfortunately, not just men and women that come home from the military after serving overseas, but older
veterans commit suicide and this is one of the
predictions of this like a hotline number for that,
but, so I'll listen to further debate but I think as
long as we strengthen it and it's clear and all the
information should go back to the Commissioner's
office or the people who are relevant for the
information. That's the only way we can help our
men and women who serve us so thank you and I'll
listen to further debate. Thank you, Mr. Speaker.
Thank you to the good Chair and Ranking Member of
veterans.

SPEAKER ROSARIO (128TH):

Thank you. Representative Borer?

REP. BORER (115TH):

Yes, Thank you, Mr. Speaker. I think, the
Clerk just shared with me that in previous years,
there was a bill that required there be a designated
employee so the difference with this bill is it's a
designated volunteer.

SPEAKER ROSARIO (128TH):

Thank you. Will you remark further on the
amendment before us? Will you remark further on the amendment before us? If not, I will try your minds. All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ROSARIO (128TH):

All those opposed, nay. The ayes have it and the amendment is adopted. [Gavel] Will you remark further on the bill as amended? Will you remark further on the bill as amended? Representative Borer?

REP. BORER (115TH):

Thank you, Mr. Speaker. I think this is a good bill. I appreciate the support by my ranking members and it should pass.

SPEAKER ROSARIO (128TH):

Thank you. Will you remark further on the bill as amended? Representative Cheeseman of the 37th, you have the floor, madam.

REP. CHEESEMAN (37TH):

Thank you very much, Mr. Speaker, and I want to
encourage my colleagues to support this. I want to thank the Chair and Ranking Member. We have a fabulous representative in our town, Brian Burridge, who works tirelessly to support our veterans, deal with their issues regardless of their age, and anything we can do to help our veterans going forward is to be encouraged so I'm happy to support this bill today. I thank the good Chair and the Ranking Member and thank you very much, Mr. Speaker.

SPEAKER ROSARIO (128TH):

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

CLERK:

The House of Representatives is voting by roll. Members to the Chamber. The House of Representatives is voting by roll. Members to the Chamber.
SPEAKER ROSARIO (128TH):

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

CLERK:

House Bill 7064 as amended by House A.

Total Number of Voting 147
Necessary for Passage 74
Those Voting Yea 147
Those Voting Nay 0
Those absent and not voting 4

SPEAKER ROSARIO (128TH):

The bill as amended is passed. [Gavel] Are there announcements or introductions? Are there any announcements or introductions? Representative Vargas of the 6th, you have the floor, sir.

REP. VARGAS (6TH):

Thank you, Mr. Speaker. I'm very proud today to say that I have a delegation visiting all the way from
Portolano, Italy and they've come to visit our beautiful city and they're on a project. There's three professors from Liceali in Portolano, four graduate students and they've embarked on a project to write a book about the history of the immigrants who came from Italy to our shores and they've collected an amazing amount of material including letters that are over 200 years old between families of Italian descent here in Connecticut and their relative back in Italy and they're collecting them into a book and the Portolano Society wants to translate that to English. It's a fascinating story because as you know, back then, when you crossed ocean there was no going back to your family so we as a House of Representatives, I'll only read a little bit of one, but we as a House of Representatives have congratulated them with an official citation on behalf of the State of Connecticut. And they all read the same so it was introduced by the Hartford Delegation and it says that the entire Connecticut General Membership offers its sincerest congratulations to this great delegation and we have the Consul of Italy, the Honorary Council of
Italy is with us, the Honorable Quintino Cianfaglione will raise your hand and the delegation, will the delegation please rise, the whole delegation? Let's give them a big welcome. [Applause] Thank you very much to all the members for this. The Portolano Society is in my district. I have the pleasure of the neighborhoods that are in my district to represent Little Italy so I am el represente de la pico Italia and very proud of it. We have the County Quinnatisset Club, we have Carbone's Restaurant, a lot of small businesses of Italian descent in my district which I'm very proud of so thank you very much for the membership. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Ciao! Bon Italde [phonetic] Welcome to the Chamber. Welcome to the State of Connecticut. Are there any announcements or introductions? Will the Clerk please call Calendar No. 153?

CLERK:

On page 13, House Calendar 153, Substitute House Bill No. 7248, AN ACT CONCERNING IN-STATE
STUDENT STATUS FOR SPOUSES AND CHILDREN OF CERTAIN MEMBERS OF THE ARMED FORCES. Favorable Report of the Joint Standing Committee on Veterans Affairs.

SPEAKER ROSARIO (128TH):

Representative Borer of the 115th, you have the floor, Madam.

REP. BORER (115TH):

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

SPEAKER ROSARIO (128TH):

The question before the Chamber is on acceptance of the Joint Committee's Favorable Report and passage of the bill. Representative Borer, you have the floor.

REP. BORER (115TH):

Thank you, Mr. Speaker. As we know, we have an in-state tuition cost and an out-of-state tuition rate. We also know that our active service members can be transferred in and out of our state and often, the dependents of the active members are
caught in between when they're trying to enroll in college and that's why there's a federal requirement that dependents of active service members be given the in-state tuition rate. What the Connecticut current law does is it requires us to give the in-state tuition rate for those dependents that are enrolled at the time that the active service member is transferred out of state. What this bill does is it changes it to provide to the dependent the in-state tuition rate to those students who are accepted into the college in Connecticut.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on this bill? Will you remark further on this bill? Representative Vale of the 52nd, you have the floor, sir.

REP. VALE (52ND):

Thank you, Mr. Speaker. The Chairwoman of the Veterans Committee did a perfect job explaining it and I strongly urge my colleagues to vote in favor of it. Thank you.
SPEAKER ROSARIO (128TH):

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

CLERK:

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

SPEAKER ROSARIO (128TH):

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

CLERK:

House Bill 7248.

Total Number of Voting 146

Necessary for Passage 74
Those Voting Yea 146
Those Voting Nay 0
Those absent and not voting 5

SPEAKER ROSARIO (128TH):

The bill passes. [Gavel] Will the Clerk please call Calendar item 529?

CLERK:


SPEAKER ROSARIO (128TH):

Representative Stafstrom of the Park City, you have the floor, sir.

REP. STAFSTROM (129TH):

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

SPEAKER ROSARIO (128TH):

The question before the Chamber is on acceptance of the Joint Committee's Favorable Report and passage of the bill. Representative Stafstrom,
you have the floor, sir.

REP. STAFSTROM (129TH):

    Thank you, Mr. Speaker. Mr. Speaker, this bill cleans up an ambiguity that we've discovered within our statutes concerning advanced directives in someone's death. Currently, our statutes are silent on whether, if somebody has given advanced directives and control of a decedent's body, whether that custody and control extends to that person's reproductive tissue. This bill specifies the disposition, the authority for the disposition of a decedent's body generally does not allow for the retrieval of egg or sperm unless the advance directives specifically allow that within the writing. I urge support for the bill.

SPEAKER ROSARIO (128TH):

    Thank you, Representative. Will you remark further on this bill? Representative Rebimbas of the 70th, you have the floor, madam.

REP. REBIMBAS (70TH):

    Thank you, Mr. Speaker. Mr. Speaker, I stand
in support of the proposal before us. Just through you, a few questions for clarification.

SPEAKER ROSARIO (128TH):

You may proceed, madam.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Through you, Mr. Speaker to the good Chairman. Was there a reason that this proposal has come before us currently? Through you.

SPEAKER ROSARIO (128TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Yes, Mr. Speaker. Through you, there was an incident at Yale New Haven Hospital where a family of a decedent wanted to harvest the gentleman's sperm and submitted that because they had custody and control of the decedent's body, they could do so. The hospital was unsure about whether in fact the family had the authority or not. Given the ambiguity, it ended up in probate court, still ambiguity and this statute seeks to clear it up and
set a default provision with into our statute. Through you.

SPEAKER ROSARIO (128TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker, and through you, Mr. Speaker, for clarification purposes, in the documents that are highlighted in the proposal before us, it is sufficient for an individual to simply say that Mr. or Mrs. X has the ability to make all decisions regarding my reproductive tissue or my organs, or does it specifically have to have language detailed allowing the retrieval of either an egg or a sperm? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you, Mr. Speaker, the latter.

SPEAKER ROSARIO (128TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):
Thank you, Mr. Speaker and I want to thank the
good Chairman for those clarifying questions. I
think it's important obviously as we move forward on
this topic that truly it does have to be something
specific because this is something that certainly
could lead for you know financial burdens in the
future if it ever is to then be retrieved and then a
life is then born from there so these are some
severe financial responsibilities, moral
responsibilities that we want to make sure then the
intent is clearly stated in these documents. Mr.
Speaker, I do rise in support of the proposal before
us.

SPEAKER ROSARIO (128TH):

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

[Ringing]

CLERK:
The House of Representatives is voting by roll.

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

SPEAKER ROSARIO (128TH):

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

CLERK:

House Bill 7272.

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SPEAKER ROSARIO (128TH):

The bill passes. [Gavel] Will the Clerk please call Calendar No. 492?

CLERK:
On page 49, Calendar 492, Substitute House Bill No. 7340, AN ACT CONCERNING THE USE OF VEIL PIERCING TO DETERMINE THE PERSONAL RESPONSIBILITY OF AN INTEREST HOLDER OF A DOMESTIC ENTITY FOR THE DEBTS, OBLIGATIONS OR OTHER LIABILITIES OF SUCH ENTITY AND THE RESPONSIBILITY OF A DOMESTIC ENTITY FOR THE DEBTS, OBLIGATIONS OR OTHER LIABILITIES OF AN INTEREST HOLDER OF SUCH ENTITY. Favorable Report of the Joint Standing Committee on Judiciary.

SPEAKER ROSARIO (128TH):

Representative Stafstrom, you have the floor, sir.

REP. STAFSTROM (129TH):

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

SPEAKER ROSARIO (128TH):

The question is acceptance of the Joint Committee's Favorable Report and the passage of the bill. Representative Stafstrom, you have the floor.

REP. STAFSTROM (129TH):
Thank you, Mr. Speaker. I'm wondering if I
need to summarize the title, but, [laughter] but,
Mr. Speaker, as folks in this Chamber are probably
aware, over the last several years, the Judiciary
Committee has undertaken a bipartisan effort with
the help of the Connecticut Bar Association and
others to clean up our corporate and corporation
statutes in this State, to modernize our LLC Act, to
bring up to date our Business Corporations Act in an
effort to make our State more business friendly and
a place where folks want to open their business as
opposed to incorporating in a state like Delaware or
others based on looking at best practices around the
country. In doing so, we began to look at the issue
of a common law doctrine known as veil piercing in
which an individual can become liable for a
corporation, LLC or other entity. We've realized
that our common law in this area seems to be
piecemeal at best and certainly at least one of the
doctrines currently existing on our common law is I
would submit unworkable, unwieldy and provides very
little predictability to businesses.

So, Mr. Speaker, what we attempt to do in this bill is to provide some predictability and some certainly and to outline the instances in which an individual who is a member of an LCC or invests in a corporation or is a member of a domestic partnership can be held personally liable for the debts of that corporation and to limit those instances from where they are under the common law. Mr. Speaker, the Clerk is in possession of an amendment, LCO No. 7835. I ask that the amendment be called and that I be granted leave of the Chamber to summarize.

SPEAKER ROSARIO (128TH):

Will the Clerk please call LCO No. 7835 which will be designated House Amendment Schedule A.

CLERK:

House Amendment Schedule A, LCO No. 7835 offered by Representative Stafstrom.

SPEAKER ROSARIO (128TH):

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

REP. STAFSTROM (129TH):

Mr. Speaker, the amendment merely makes a technical correction on the burden of proof for proving veil piercing that was pointed out after this bill left committee. I move adoption.

SPEAKER ROSARIO (128TH):

The question before the Chamber is adoption of House Amendment Schedule A. Will you remark further on the amendment? Representative Rebimbas of the 70th, you have the floor, madam.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker and through you, Mr. Speaker, to the good Chairman, if he could just describe, especially for those non-attorneys that are not used to the language before us the difference in the meaning of what's being proposed. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):
Representative Stafstrom.

REP. STAFSTROM (129TH):

Yes, Mr. Speaker. Through you, when the bill came out of Committee it provided for a clear and convincing standard in order to pierce the corporate veil under the underlying bill. The common law currently uses a preponderance of the evidence standard. We were not seeking to abdicate the preponderance of the evidence which is a lower standard than clear and convincing evidence so this amendment reverts the bill back to a preponderance of the evidence standard, thus matching up through the common law. Through you.

SPEAKER ROSARIO (128TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker and I rise in support of the amendment before us.

SPEAKER ROSARIO (128TH):

Thank you. Will you remark further? Will you remark further on the amendment before us? If not,
I will try your minds. All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ROSARIO (128TH):

All those opposed, nay. The ayes have it and the amendment is adopted. [Gavel] Will you remark further on the bill as amended? Will you remark further on the bill as amended? Representative Stafstrom.

REP. STAFSTROM (129TH):

Thank you, Mr. Speaker. Mr. Speaker, I just want to certainly thank both members of the Connecticut Bar Association including the Business Law Section and the Connecticut Trial Lawyers Association for their work and weigh-in on the final language of the bill before us.

SPEAKER ROSARIO (128TH):

Will you remark further on the bill as amended? Representative Rebimbas of the 70th?

REP. REBIMBAS (70TH):
Thank you, Mr. Speaker. I too rise in support of the bill as amended before us. As the good Chairman described, all of the changes that were being made, the predictability and consistency when it comes to business community is certainly an important one and this is a good business bill so I do rise in support of it and hopefully by the time it makes it to the other Chamber, maybe we'll have an acronym for the title. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you, Representative.

SPEAKER ROSARIO (128TH):

Will you remark further on the bill as amended?

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

CLERK:

The House of Representatives is voting by roll. Members to the Chamber. The House of Representatives is voting by roll. Members to the
CHAMBER.

SPEAKER ROSARIO (128TH):

Have all the members voted? Have all the members voted? Will the members please check the board to determine -- Have all the members voted? Have all the members voted? If all members have voted, the machine will be locked and the Clerk will take a tally. The Clerk will please announce the tally?

CLERK:

House Bill 7340 as amended by House A.

- Total Number of Voting: 146
- Necessary for Passage: 74
- Those Voting Yea: 146
- Those Voting Nay: 0
- Those absent and not voting: 5

SPEAKER ROSARIO (128TH):

The bill as amended is passed. [Gavel] Will the Clerk please call Calendar No. 346?

CLERK:

On page 66, Calendar 346, Substitute House Bill No. 6749, AN ACT TO REORGANIZE THE ZONING ENABLING ACT AND PROMOTE MUNICIPAL COMPLIANCE. Favorable
Report of the Joint Standing Committee on Housing.

SPEAKER ROSARIO (128TH):

Representative McCarthy Vahey, you have the floor, madam.

REP. MCCARTHY VAHEY (133RD):

Thank you, Mr. Speaker. Mr. Speaker, this bill which is the good work of many, many folks including, I will give credit to Representative Lamar, the Fair Housing Group and Mr. Speaker, I move for acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER ROSARIO (128TH):

The question is acceptance of the Joint Committee's Favorable Report and passage of the bill. Representative McCarthy Vahey, you have the floor, madam.

REP. MCCARTHY VAHEY (133RD):

Thank you, Mr. Speaker. Mr. Speaker, I'll try that again. This bill is the good work of many folks including our own Representative Lamar, the Fair Housing Working Group, the planners, builders.
ROSARIO (128TH):

Pardon me one second. [Gavel] If we could take our conversations out of the Chamber? I can't hear the gentle lady from Fairfield. Thank you. You may proceed.

REP. MCCARTHY VAHEY (133RD):

Thank you, Mr. Speaker. Mr. Speaker, this bill clarifies what municipalities may do, must do, and cannot do with respect to zoning and does a lot to reorganize and clarify the zoning statues. It helps address ambiguities for municipalities, developers and non-profits. As well, it does provide a few changes. In addition, it requires the Commissioner of Housing to create a working group which will then help municipalities address what will be in their Affordable Housing plans. Mr. Speaker, this bill has been again worked on by many folks and again, I move passage. Mr. Speaker, thank you. The Clerk is in possession of an amendment, LCO No. 8675. I would ask the Clerk to please call the amendment and that I be granted leave of the Chamber to summarize.
SPEAKER ROSARIO (128TH):

Will the Clerk please call LCO No. 8675 which will be designated House Amendment Schedule A.?

CLERK:

House Amendment Schedule A, LCO No. 8675 offered by Representative McCarthy Vahey, Representative Zawistowski, et al.

SPEAKER ROSARIO (128TH):

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

REP. MCCARTHY VAHEY (133RD):

Thank you very much, Mr. Speaker. Mr. Speaker, the amendment addresses just a change in Section 2 to allow for towns to submit their Affordable Housing Plans to the Commissioner of Housing, and replacing Section 3 to provide for membership and the work of the working group that the Commissioner of Housing will convene and I move adoption.
SPEAKER ROSARIO (128TH):

The question before the Chamber is adoption of House Amendment Schedule A. Will you remark on the amendment? Representative Zawistowski of the 61st, you have the floor, uh, Representative McCarthy Vahey.

REP. MCCARTHY VAHEY (133RD):

Thank you, Mr. Speaker. Again, in the bill and the amendment we have both the changes to the zoning which is a reorganization. We have the working group that will be put together by the Commissioner of Housing and this is really an effort to help our towns and municipalities know what they need to do to provide their Affordable Housing Plans and to submit them to the Commissioner of Housing. The Commissioner of Housing and this working group together will look at how municipalities will be able to be in compliance with the zoning regulations and Affordable Housing Plan requirements and provide potential incentives for compliance in the form and manner in which compliance will be realized. Thank
you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

    Thank you, Representative. Will you remark on the amendment? Representative Zawistowski of the 61st, you have the floor, madam.

REP. ZAWISTOWSKI (61ST):

    Thank you, Mr. Speaker. I would like to speak on the bill once the amendment has been considered. Thank you.

SPEAKER ROSARIO (128TH):

    Sure. Will you remark further? Will you remark further on the amendment before us? If not, I will try your minds. All those in favor, please signify by saying aye.

REPRESENTATIVES:

    Aye.

SPEAKER ROSARIO (128TH):

    All those opposed, nay. The ayes have it and the amendment is adopted. [Gavel] Will you remark further on the bill as amended? Will you remark further on the bill as amended? Representative
Zawistowski of the 61st, you have the floor, madam.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. A number of us voted against this bill in the Committee because one of the requirements was that the towns have their penalties if the towns did not comply with the requirements. The amendment does take care of this. The previous penalties were loss of discretionary funds which resulted in a fiscal note. With the amendment, that fiscal note has been removed.

Some of you who were here last year may remember that we had a very similar bill during the last session and we actually did pass this out of Committee once the penalties were removed. This is actually even a better amendment than we had last time. Mr. Speaker, if I may, a couple of questions for the proponent of the bill?

SPEAKER ROSARIO (128TH):

Please prepare yourself, Representative. You may proceed.

REP. ZAWISTOWSKI (61ST):
Thank you, Mr. Speaker. In Section 1, it reorganizes the state zoning regulations. I just wanted to ask whether or not it makes any material changes in those regs or if it's strictly a reorganization. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative McCarthy Vahey.

REP. MCCARTHY VAHEY (133RD):

Thank you, Mr. Speaker and I thank the good Representative for the question. It is primarily a reorganization; however, there are a couple of substantive changes including in lines 44 through 46 which address specifically the Federal Fair Housing Act, in lines 47 and 48, eliminating character as a consideration, and lines 56, 62, and 65 strengthening the requirement that towns must provide for rather than encourage affordable housing. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):
Thank you, Mr. Speaker and I thank you for the answer. Another question if I may to the proponent. Are towns currently required to have a Fair Housing Plan? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative McCarthy Vahey.

REP. MCCARTHY VAHEY (133RD):

Thank you, Mr. Speaker and through you, we have in previous legislation required that towns have an Affordable Housing Plan and one of the reasons for this legislation is to give some guidance and support to the towns from the Commissioner of Housing and the working group to help them know what they need to put in that in order that they can then be in compliance in a manner that will be determined and recommended to the Commissioner by this working group. Through you.

SPEAKER ROSARIO (128TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. The bill as amended
actually establishes a working group to come up
with, to deal with some of the issues. Through you,
Mr. Speaker, who determines who will be serving on
this working group? Who actually selects the
people, the types of representatives that will be in
the group?

SPEAKER ROSARIO (128TH):

Representative McCarthy Vahey.

REP. MCCARTHY VAHEY (133RD):

Thank you, Mr. Speaker and I thank my ranking
member for the question. The Commissioner of
Housing will be the person who will be appointing
the members of the working group. Through you.

SPEAKER ROSARIO (128TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. And does this bill
contain any penalties for noncompliance with a
town's Fair Housing Plan? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative McCarthy Vahey.
REP. MCCARTHY VAHEY (133RD):

Thank you, Mr. Speaker and through you, no, it does not.

SPEAKER ROSARIO (128TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

And I thank the Chair for her answers. This bill as amended does simplify the zoning regs and does actually remove a lot of the, remove the penalties, opens the door possibly to incentives. This was a collaborative effort among a lot of groups including CCM and COST have actually signed onto this amendment. I will be supporting this bill and I suggest to my colleagues that they do the same. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

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

CLERK:

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

SPEAKER ROSARIO (128TH):

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

CLERK:

House Bill 6749 as amended by House A.

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SPEAKER ROSARIO (128TH):

The bill as amended is passed. [Gavel] Is there
any business on the Clerk's desk?

CLERK:

Yes, Mr. Speaker. I have a Favorable Report of the Joint Standing Committee on Judiciary on House Joint Resolution No. 165, A RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE ROBERT J. DEVLIN, JR., OF SHELTON TO BE A JUDGE OF THE APPELLATE COURT AND A JUDGE OF THE SUPERIOR COURT.

SPEAKER ROSARIO (128TH):

Order tabled for the Calendar. Representative Ritter of the 1st, you have the floor, sir.

REP. RITTER (1ST):

Thank you, Mr. Speaker. I move for the suspension of our rules for the immediate consideration of Calendar 582. Thank you.

SPEAKER ROSARIO (128TH):

Without objection, so ordered. Will the Clerk please call Calendar No. 582?

CLERK:

Calendar 582, House Joint Resolution 165, A RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE ROBERT J. DEVLIN, JR., OF SHELTON TO BE A
REP. STAFSTROM (129TH):

Thank you, Mr. Speaker. Mr. Speaker, it is my distinct honor to stand here to put forward the nomination of Judge Robert Devlin to be a judge of our Appellate Court. Judge Devlin has a long and distinguished career on our Superior Court bench,
currently serving as the presiding criminal judge in the Bridgeport Courthouse. He also has performed many roles within our judicial system including serving as a member and now as the current chair of the Connecticut Sentencing Commission. He also has chaired the Criminal Jury Instruction Committee and the Judiciary Branches Media Committee. Judge Devlin I would argue has about if not more experience trying criminal cases than anyone in the State of Connecticut. He has tried some of the most significant cases to come through the Bridgeport Courthouse. He is an extreme asset to our Judicial Branch. He will do an extraordinary job on the Appellate Court and bring criminal experience to that panel and certainly upon his retirement, will continue to serve as an invaluable judge trial referee on the Appellate Court. With that, I urge adoption of the Resolution.

ROSARIO (128TH):

Thank you very much. Would you care to remark further on the Resolution before us? Representative
Rebimbas of the 70th, you have the floor, madam.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker, I do rise in support of the nominee before us. Judge Devlin is an individual who is very well qualified, well respected, and a professional, an individual who has a world of knowledge, especially his expertise in the criminal law. He continues obviously to serve the Judicial Branch in a variety of different ways and as the good Chairman had indicated, even on the Sentencing Commission because his knowledge is vast and with the historical aspect of legislation and the impact of today's society and how we can change laws to make it appropriate for obviously different crimes and settings is very important so he truly is an asset to the Judicial Branch. Certainly his elevation to the Appellate Court, individuals question because of how soon he may be retiring but again, he's still going to be able to continue to serve us and I do believe that his professionalism and expertise will continue to be an asset so I do
rise in his support.

SPEAKER ROSARIO (128TH):

Thank you very much. Would you care to remark further on the Resolution before us? Representative McGorty of the 122nd, you have the floor, sir.

REP. MCGORTY (122ND):

Thank you, Mr. Speaker. You look great up there today too, you're doing a fantastic job.

SPEAKER ROSARIO (128TH):

Thank you.

REP. MCGORTY (122ND):

I just want to say that I stand in great support of Judge Devlin. He's from my district, he has a proven track record of outstanding work. He's a hard worker and his professionalism in the courthouse has just been phenomenal and I just urge everybody's support today on the Judge. Thank you.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Would you care to remark further on the Resolution before us? Would you care to remark further on the Resolution before
us? If not, will staff and guests please come to the well of the House? Will the members please take your seats? The machine will be open. [Ringing]

CLERK:

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

SPEAKER ROSARIO (128TH):

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

CLERK:

House Joint Resolution 165.

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SPEAKER ROSARIO (128TH):

The Resolution is adopted. [Gavel] Representative Ritter of the 1st, you have the floor, sir.

REP. RITTER (1ST):

Thank you, Mr. Speaker. I move that we immediately transmit Calendar 582 to the Senate. Thank you.

SPEAKER ROSARIO (128TH):

Without objection, so ordered. Will the Clerk please call Calendar Item 288?

CLERK:


SPEAKER ROSARIO (128TH):

Representative Lemar of the 96th, you have the floor, sir.

REP. LEMAR (96TH):

Thank you very much, Mr. Speaker. Mr. Speaker, I move for the Joint Committee's Favorable Report
and passage of the bill.

SPEAKER ROSARIO (128TH):

The question before the Chamber is on acceptance of the Joint Committee's Favorable Report and passage of the bill. Representative Lemar you have the floor.

REP. LEMAR (96TH):

Thank you. Mr. Speaker, the bill before increases from the age of 18 to age 21 the age in which a person must wear a helmet while operating or riding as a passenger on a motorcycle or motor driven cycle. I move adoption.

SPEAKER ROSARIO (128TH):

The question before the Chamber is on acceptance of the Joint Committee's Favorable Report and passage of the bill. Will you remark further on the bill? Representative Devlin of the 134th, you have the floor, madam.

REP. DEVLIN (134TH):

Thank you, Mr. Speaker. Through you, just a couple of questions for the proponent of the bill?
REP. DEVLIN (134TH):

Thank you. So, through you, just for clarification purposes to the good Chair, would this include those operators who are age 21 or is it, that would still be required to wear a helmet or is the choice to wear a helmet or not begin at age 22? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, through you, age 21, the day you turn 21, is the day you can make the choice to wear a helmet or not. Through you.

SPEAKER ROSARIO (128TH):

Representative Devlin.

REP. DEVLIN (134TH):

Thank you, and Mr. Speaker, through you, does this also apply to the age of passengers on a
motorcycle? Through you.

SPEAKER ROSARIO (128TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, through you, yes, that age applies similarly to passengers.

SPEAKER ROSARIO (128TH):

Representative Devlin.

REP. DEVLIN (134TH):

Thank you, Mr. Speaker and have there been widespread infractions over the course say the past year related to drivers of motorcycles under the age of 18?

SPEAKER ROSARIO (128TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, through you, there have not been widespread infractions. What we were able to learn through OFA was that in Fiscal Year 18, there were only eight offenses for folks under the age of 18. Expanding this to the
age of 21 will likely yield more infractions but also safer outcomes for our Connecticut roadway users. Through you.

SPEAKER ROSARIO (128TH):

Representative Devlin.

REP. DEVLIN (134TH):

Thank you, Mr. Speaker. And through you, is there any change in the rate of the infraction or the violation? Through you.

SPEAKER ROSARIO (128TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Through you, there is no change in the rate or cost of the infraction.

SPEAKER ROSARIO (128TH):

Representative Devlin.

REP. DEVLIN (134TH):

Great. Thank you, Mr. Speaker. I don't have any further questions for the proponent of the bill. This did pass with wide majority of support through the Transportation Committee and including many of
those motorcycle enthusiasts who also were in support of this bill because of added safety for our youth so I do support the bill and encourage our members to do the same.

SPEAKER ROSARIO (128TH):

Thank you, madam. Will you remark further on the bill? Representative Gilchrest of the 18th, you have the floor, madam.

REP. GILCHREST (18TH):

Thank you, Mr. Speaker. I just rise, I appreciate the work that has been done on this bill but I don’t believe it has gone far enough. I think there’s been a discussion on this issue for far too long in this state. This is a major public health issue. We've heard from healthcare providers this session and in prior years about the issue of not wearing helmets for all riders so I will support this proposal today, but I look forward to continuing the conversation next year with the hopes of having full helmet requirement in the future.

Thank you, Mr. Speaker.
DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further on the bill? Will you remark further on the bill? Representative Vail, you have the floor, sir.

REP. VAIL (52ND):

Thank you, Mr. Speaker. If I may, a question for the proponent of the bill?

DEPUTY SPEAKER MORIN (28TH):

Please proceed, sir.

REP. VAIL (52ND):

Is there any data out there on people who are riding a motorcycle without a helmet and how that affects someone else other than that person? Does it create more accidents? Does it injure other people? Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker and thank you for the question. The data that we do have suggests that
the health outcomes that a helmeted user versus an un-helmeted user are quite dramatic. In fact, health outcomes related to death, long-term hospitalization and healthcare costs drop dramatically if you're wearing a helmet so while someone wearing a helmet or not wearing a helmet does not make other roadway users safer, it certainly does protect those folks who reside in the State of Connecticut, who end up responsible for covering the cost of someone who is hospitalized or dies as a result of an accident. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Vail.

REP. VAIL (52ND):

I actually think this is a violation of the civil liberties for adults for the age of 18 to 21. There's so many different bills in this State. You know there's studies out that says someone's brain doesn’t stop developing until age 25. We have certain gambling laws that you have to be 21 and over to go to a casino. You have to be 18 and over
to gamble at off-track betting. You can smoke cigarettes at 18 years old and you can drink alcohol at 21. There's no consistency. You know I think, I think we need to figure out when an adult is an adult. You know my belief is 18 years old. You can serve this country, you can decide whether you want to wear a helmet or not on a motorcycle and I'm going to be opposing this bill. Thank you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Vail. Will you remark further? From the 127th District, Representative Hennessey.

REP. HENNESSY (127TH):

Thank you, Mr. Speaker. Mr. Speaker, I rise in support of the bill and I concur with the good Representative from the 18th District that you know the law of physics doesn’t recognize age and the head is, you hit your head on the pavement or a curb and it's never a good thing. I've always been kind of amazed that we haven't done this before and I'm glad that this bill is before us today. Thank you,
Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Speaker Hennessey. Will you remark further on the bill? From the 14th District, Representative Delnicki. You have the floor.

REP. DELNICKI (14TH):

Good evening, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Good evening, sir.

REP. DELNICKI (14TH):

Just a brief statement. I first got my motorcycle license when I was 16 years ago, a substantial period of time ago, and I always wore a helmet when I was riding in the woods and in the dirt and I found that anytime I rode on the street, wearing a helmet reduced my peripheral vision and made it more difficult for me to have a feel for what was around me in the way of traffic and from a standpoint of avoiding an accident because I always attempted to avoid an accident, it actually would’ve made it more difficult for me. I do think 18 is
where the number should like and not 21 cause I can understand under 18 you're technically not an adult. Based on this, I cannot support this piece of legislation. It is well intended, I will grant you that, and quite frankly could make a difference in a number of situations, but from my perspective, my experience of nearly 50 years of riding, I found that wearing the helmet on the street reduced my peripheral vision and made it more difficult to safely ride on the street. I thank you for the opportunity to voice my opinion on this. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Delnicki. Will you remark further? Representative Candelora, the floor is yours.

REP. CANDELORA (86TH):

Thank you, Mr. Speaker. You know, Mr. Speaker, when I drive to Hartford every day, I think there's not a day that's gone by this session that I don't see an accident and I, I know this legislature,
we've tried to deal with the issues of distracted driving and certainly there are the risks out there and I understand the healthcare costs and the impact of not wearing a helmet and the costs associated with that. If there is an accident, there are brain injuries and I would also say consistently, as we debate these type of bills in trying to, um, you know address the issue of a personal decision and how that impacts society because obviously, if people don’t have insurance, the State of Connecticut ends up paying for it. I hope we keep that in mind when we address the issue or don’t address the issue of legalizing things like marijuana because I think the same argument applies.

Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Candelora. Will you remark further? Ah, from the 8th District, Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker, and just a question to
the proponent of the bill, sir?

DEPUTY SPEAKER MORIN (28TH):

Please proceed, sir.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. To the good gentleman, we've had 18 as a helmet law for many, many years and I just looked at the penalty and it says no less than $90 dollars is the infraction and I'm curious as to, we do many, many bills in here and pass laws that you know nobody really might understand and if they're out driving on the passage of this legislation, what is the way that we're going to get the information out or is there any type of way to get it out rather than you know we pass this bill and local officer pulls you over and fines you for that and you go wait a minute, it's been 18 for as long as I can remember or you know whatever it may be, so the question is, is there any intent to, you know I see it's no less than $90 dollars so I guess a warning might not be in the queue. Through you, Mr. Speaker, for an appendant.
DEPUTY SPEAKER MORIN (28TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you very much, Mr. Speaker. Mr. Speaker, there is no provision in the bill to engage in a widespread education opportunity. What this is similar to every bill that we pass. A law changes and it is the responsibility of our citizenry to be concurrent. The rules that are entrenched in receiving your operator's license state that you must compliant with the laws as passed by the Connecticut General Assembly and as such, a person would be liable to stay in contact with the State of Connecticut's rules regarding roadway regulations and this will be one of them and under the age of 21, you’ve gotta wear a helmet if you ride a motorcycle. Through you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, sir. Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker and I hope that there is
a way. We have these wonderful billboards that change that we run through the Department of Transportation that say accident ahead or something along that line so maybe somebody from DOT might take the initiative to say you know not just fasten your seat belt but the new Connecticut law if this does pass this evening that says under the age of 21 shall a wear a helmet. Doesn’t cost anything and it might be a good initiative on the Department of Transportation or the Department of Motor Vehicle, whichever that falls under. Thank you, Mr. Speaker and thank you to the good gentleman for his responses.

DEPUTY SPEAKER MORIN (28TH):

Thank you, sir. Will you remark further on the bill? From the 105th District, Representative Klarides-Ditria, you have the floor, madam.

REP. KLARIDES-DITRIA (105TH):

Thank you, Mr. Speaker, for the fourth time. A question to the proponent of the bill. Through you, Mr. Speaker.
DEPUTY SPEAKER MORIN (28TH):

Never too times, Representative. Prepare yourself, Representative Lemar. Please proceed.

REP. KLARIDES-DITRIA (105TH):

I don't believe anybody asked this question yet, but if we do raise this helmet law to 21, will 18-year-olds and 19 and 20-year-olds be grandfathered in? Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, through you, no, they will not be grandfathered in.

REP. KLARIDES-DITRIA (105TH):

Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

You're quite welcome. Will you remark further on the bill? Will you remark further on the bill? From the 125th District, Representative O'Dea.

REP. O'DEA (125TH):

Thank you very much, Mr. Speaker. Just a quick
question to the proponent if I may. I recommend testimony coming out that there was over $1 million dollars a year in medical costs, hospital costs for those that were insufficiently insured with head injuries. Is that correct? Do I recommend that right? Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Lemar.

REP. LEMAR (96TH):

Mr. Speaker, through you, the number is much higher than that. That was on a per incident basis. Sometimes the cost associated with uninsured motorists reach over $1 million dollars per case for the care and continued support that someone with a massive brain injury as a result of motorcycle accidents incurs. So oftentimes, Connecticut taxpayers as seen in the testimony provided by some of the largest medical associations and hospitals in the testimony indicated that these costs are extraordinary and oftentimes, they are borne by Connecticut residents and it's far in excess of $1
million dollars and it's closer to $1 million dollars per instance. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative O'Dea.

REP. O'DEA (125TH):

Thank you for that response. You know I had spoken with the former Chair of Transportation, Representative Guerrera about potentially having a waiver where you know if you didn’t want to wear a helmet, you didn’t have to but the State wouldn’t be on the hook for your medical bills. That didn’t go very far and I joked, much to my son's chagrin, that you know my son at the time was a senior in high school, he probably should be wearing a helmet all the time not just on a motorcycle, but all kidding aside, I've gone back and forth on this bill. I think I'm going to vote for it and you know since it's 21 and under, as I recall there were a number of motorcycle enthusiasts who were actually in support of this so I'm going to vote for it, but I do understand the slippery slope that we're going on
and I'm torn on that. Obviously over 21 is more of a problem but 21 and under, I'm for it. Thank you very much, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative O'Dea and please give you son a pat on the back when you get home tonight, please. [laughter] Will you remark further on the bill? Representative Kokoruda of the 101st District.

REP. KOKORUDA (101ST):

Thank you, Mr. Chairman, Mr. Speaker, rather. I just want to say I am in support of this bill and I know personal responsibilities, personal rights, I totally understand but I have to tell you this story. Several years ago I was talking to an eye surgeon and we were talking about what's happened with eye surgery and all the technology and all the changes. He told me that Connecticut never has a shortage of corneal transplants. There's always plenty of corneas to transplant when they're needed. The number one reason? Our helmet laws and that
came from a respected eye surgeon so I think it's something we've gotta look at to protect our young people. Thank you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further? From the 67th District, Representative Buckbee.

REP. BUCKBEE (67TH):

Hello there, Mr. Speaker, how are you?

DEPUTY SPEAKER MORIN (28TH):

I'm doing great. How are you, sir?

REP. BUCKBEE (67TH):

I'm wonderful. It's great to see you up there as always. I have a question for the proponent of the bill?

DEPUTY SPEAKER MORIN (28TH):

Please proceed, sir.

REP. BUCKBEE (67TH):

So I guess the question is if any research has been done to show an advanced number of accidents with motorcycle riders in that age group compared to
young drivers in cars, trucks, whatever else they may be driving? Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, through you, yes. The Insurance Association indicated that there is a much higher rate of accidents that occur for folks under the age of 25, uh, 25 and under. We settled on the age of 21 because it was consistent with other motor vehicle laws that identified the age of 21 granting certain rights and responsibilities on the roadway, so we settled on 21, but yes, there is well-documented research indicating that the accident rate begins to drop precipitously after the age of 25, and that eight different age groups between 18 and 21, 21 to 25 also see similar drops and so there is correlated evidence about accident rates and age. Through you.

DEPUTY SPEAKER MORIN (28TH):

Thank you. Representative Buckbee.
REP. BUCKBEE (67TH):

I thank the proponent for the answer. I guess I'd like to restate that maybe. In those numbers of even up to 25, is there a breakdown of those with motorcycles as opposed to cars, trucks, whatever else they may be driving? Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, through you, I don't recall seeing a breakdown by vehicle type in that data. Uh, I do not recall it being presented at the public hearing but we did hear testimony from the major motorcycle riders and affinity groups throughout the State of Connecticut who supported this idea and their thought was ultimately, they wanted to protect a person's right to choose to wear a helmet or not, but they recognized the accident rate amongst the younger population was much higher and that certain protections should be in place to protect the State
and to get folks comfortable riding with a motorcycle helmet so they don’t have the instance when someone is 30, 40 years old, a rider doesn’t feel comfortable wearing a motorcycle helmet cause they have no experience with that. So those groups came forward and suggested that this was a good idea, to get our younger riders who are more prone to accidents, have less experience on the roadways, uh, wearing helmets. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Buckbee.

REP. BUCKBEE (67TH):

Thank you again for that answer. I guess my concern is, it is still kind of a grab at a number to me, that it's 21 as opposed to 18 to 25, somewhere in there. I think it's a great idea that someone should wear a helmet when they first start riding and maybe the first year that they have their license, they should have to wear a helmet until they feel comfortable enough where they might want to take their helmet off and I have heard many of my
constituents who have talked about not wearing a helmet for the same reasons we heard before as far as vision goes too so I don't think I can fully support it, although I would recommend that people wear a helmet at any time they ride regardless of their age, but I think uh for the same reasons we heard from my uh, my good colleague from Stafford, I want to say Stafford Springs, I don't know why, um, but you're old enough to serve the country and make that decision and you're old enough to vote, you're old enough to make a decision on your helmet. I just hope you make a good decision. I just don’t think that's our place to tell them to do so. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Buckbee. Will you remark further? Will you remark further on the bill? The esteemed Deputy Speaker from Torrington, Representative Cook.

REP. COOK (65TH):

Good evening, Mr. Speaker.
DEPUTY SPEAKER MORIN (28TH):

Good evening.

REP. COOK (65TH):

Mr. Speaker, I rise first to thank the Committee for bringing out a bill that becomes rather contentious many times. As we do many things here that sometimes upset our constituent base, this is a piece of legislation that I put forward because of a constituent. The valedictorian of one of our technical high schools lost a couple of very good friends last summer in the northwest corner on motorcycles. None of them were wearing helmets, all of them going well beyond the speed limit and quite frankly, during the campaign season she came in and she said could you please propose this? I don't know if it will go anywhere but at the end of the day, we start a conversation and maybe we can save lives and so here we are. And I just texted her and I said, Taylor, by the way, we're getting ready to bring up the motorcycle bill and her response was no way, recognizing that sometimes people don’t think
that we work for our constituents but we are actually doing something that can truly save lives and we have to realize that our youth that are going to be taking care of us one day are sometimes wiser than we are.

In the State of Connecticut, and there's been a couple of questions, I'd like to answer them. In the State of Connecticut, since 2013, the average fatality on a motorcycle is at least 50 and to Representative Buckbee's question, the average fatality by car or vehicle is over 258, so it's about 50 people that die, um lose their life on a motorcycle. The highest percentage is from our youngest riders and a lot of that is because we do not think that we are going to lose our life. We have a sense of recklessness and believe that we can fight our way through anything when we're that age. We've all been there. We've tried something we shouldn't have. We've done things that have pushed the limits you know and quite frankly, it doesn't start necessarily or end on a motorcycle. We do it
in vehicles and other things as well.

Representative Ackert, you bring a great point when you talk about how do we alert and educate people and what a great way to start by educating our youth by using our billboard systems. We see about bucking up and we let people know that there's ice and we ensure that people, if God forbid, there is a child that has been taken, we use our billboards for those reasons. This would be a great thing to use our billboards for as well.

So I stand here in strong support and great gratitude from the Committee and for every person that finds it in their heart to press yes on this bill and it's for many, many people. For Taylor for having the courage to say I need to help find a way to save my friends, but in memory of one resident and one constituent who lost his life too early and his name is Jacob and he was only 19. And so if we do anything here tonight, maybe we can save life and one life is a beginning. Thank you, Mr. Speaker.
Thank you, Representative Cook. Will you remark further on the bill? Representative Lavielle, the floor is yours, madam.

REP. LAVIELLE (143RD):

Mr. Speaker, I will in a minute. [laughs] I'm sorry.

DEPUTY SPEAKER MORIN (28TH):

Are there technical difficulties, Representative? [laughter]. I did see Representative Shaban in the House, former Representative Shaban [laughter] so his hijinks could be in place [laughter].

REP. LAVIELLE (143RD):

That was an interesting experience. You know always something new here. Anyway, good afternoon, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Good afternoon.

REP. LAVIELLE (143RD):

I just have a well, on the one hand, I really
don’t believe it's our business to tell people whether they should wear a helmet or not. I personally think that it's you know reckless to an extent but you know that's people choice. On the other hand, there is this question of insurance and I'm very concerned and disturbed by that and so I have, I have a couple of questions for the proponent, please.

DEPUTY SPEAKER MORIN (28TH):

Please proceed ma'am.

REP. LAVIELLE (143RD):

Thank you. So at the moment, is it, are there any insurance contracts that exist that stipulate that if someone riding a motorcycle without a helmet has an accident, that they won't, they won't receive the same compensation on a claim that they would if they were wearing a helmet? Through you, Mr. Speaker.

Thank you, Mr. Speaker. Mr. Speaker, through you, in Transportation we received no testimony to that like. The indication that we received was that
the insurance companies are writing policies to this group at a traditional rate. They have a rider for age, but they do not preclude the purchase of insurance based upon age and that's the most information that I received from the Insurance Association in advance of this bill. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you. I just, it's a, I think it's really interesting. I'm genuinely curious because for example, in home insurance, recently we had our, we did our work in the kitchen and utility room and the insurer came out to see what we did and they said well, the one thing we would tell you is in your connector for your washer and dryer, you know we really want you to have the metal braided thing instead of a plastic thing and, uh, if you don't do that, we're not going to give you as good a rate and that was interesting.

Now, of course, they can tell whether we have
it or not. They come out and see it and they know we're not going to change it the next day. Now, an insurer can't judge in advance whether you're going to wear a helmet or not but if something happens to you, they can. They know whether you were wearing a helmet and if that doesn't exist, then we have a problem here with people not wearing helmets and particularly at an age where there may be more you know uh, there are, seem to be more accidents among young people than amount some other age groups so um is there, I guess my other question would be is there anything else that we know that, um, differentiates I guess with what the good gentleman is telling me is that the only differentiation with insurance contracts that he knows of is just what your age is in this case? Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, through you. We did not tackle the many myriad insurance
related issues as it relates to motorcycle usage in the Committee so the preponderance of insurance questions that you might have, I am probably the least qualified to answer, certainly in this setting but as this did not pertain to insurance coverage or insurance coverage riders or mandates to the insurance industry, we did not touch the current constraints of that coverage and their liability. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you. This is, this is the one issue that continues to bother me when we get to whether we should tell people to wear helmets or not and if it is not something that's being not so much dictated but sort of steered by the insurance companies, then to an extent I think we have a responsibility to other people, not just the folks who are wearing a helmet or not and from that point of view, I tend also to think I will probably vote for this because
it is a, that's really a major problem. I hope we can get it resolved in an even more pertinent way when it comes to the involvement of the insurance companies. Thank you very much, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Lavielle. Will you remark further? Will you remark further on the bill? Representative Mastrofrancesco from the 80th District.

REP. MASTROFRANCESCO (80TH):

Thank you, Mr. Speaker. Mr. Speaker, I rise. I have questions for the proponent of the bill.

DEPUTY SPEAKER MORIN (28TH):

Representative Lemar, please prepare yourself. Please proceed, madam.

REP. MASTROFRANCESCO (80TH):

Thank you, Mr. Speaker. To the proponent of the bill, Representative Lemar, I'm just, you might have spoken about this before, maybe I didn’t hear the answer. Would you be able to tell me how many accidents there were, motorcycle accidents for
children or adults between the age of 18 and 21? Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, there were countless pieces of testimony that were submitted during the public hearing process. I will point the good Representative to testimony submitted by the Connecticut Insurance Association where they use Center for Disease Control and Prevention data talking about motor vehicle cases. There was data from National Conference of State Legislatures. I am hesitant to find, I mean hesitant to give you a number I recall being articulated. There was a Connecticut specific number that I am searching for in that testimony, but I do think if the good Representative avails herself with that testimony, she will find the answer she is looking for you. Through you.

DEPUTY SPEAKER MORIN (28TH):
Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you, Mr. Speaker and through you, you referenced the testimony online. Is that referenced under the House Bill 6161 under public hearing testimony? Is that online? I do not see much testimony at all for this particular bill. Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, that testimony referenced under that bill and under House Bill 7140, which was a recommendation to mandate the usage of helmet for all age groups. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you, Mr. Speaker and through you, my apologies. I am looking at the bill that is before me when I'm looking at the testimony online, I'm
looking at a previous bill so my apologies. Would you be able to tell me, has there been any citations or tickets given to people under the age of 18 on a motorcycle not wearing a helmet and how many have been given? Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Lemar.

REP. LEMAR (96TH):

Thank you, Mr. Speaker. Mr. Speaker, now that I've had a chance to review the data before us, under that bill, there is, the following numbers are indicated in testimony: In 2017, a total of 57 motorcycle operators and passengers were killed on Connecticut roadways, representing 20 percent of all of the State's traffic fatalities. The most recent FARS data indicates that 15.9 percent of Connecticut motorcycle riders killed in a crash were un-helmeted.

A recent observational study by the Preusser Research Group indicated that 50 percent of Connecticut riders were helmeted so there is a
disproportionate number of highway deaths related to motorcycle users not wearing a helmet than the numbers would otherwise suggest and yes, as I stated to a previous questioner, we do have data on the number of tickets that were issued. There were very few. There were eight tickets issued to folks under the age of 18 who were un-helmeted generating total revenue to the magnitude of $1000 dollars in offenses. We anticipate there will be more tickets issued to the folks between the ages of 18 and 21. We did not adjust the rate because we felt compliance was the more important factor. We want to limit the number of folks who are suffering serious and debilitating brain injuries as a result of not wearing a helmet and so with that, I feel I have presented all of the information entailed both in this bill and the predecessor bill. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you, and through you, Mr. Speaker, thank
the Representative for answering my questions. It is good to hear that there have only been eight tickets given out for people under the age of 18 not wearing a helmet. It tells me that it is working, uh, that they are protecting themselves and that's a good thing. Although I am concerned about mandating to an adult between the ages of 18 and 21 what they have to do, you are an adult at the age of 18, is where my concerns lie. You can defend this country at the age of 18 and I always put that into the forefront. Who are we as a State to tell an adult what to do and what not to do and that's pretty much where I draw the line. I think it has good intentions and I would hope that people out there are very careful and they know better. We would all want every, we certainly want everyone to wear a helmet to protect themselves, but in my opinion, I believe it is there choice and not the choice of the state to tell them what to do, but I appreciate the comments. I think it is well intended and I will not be supporting that bill today, but thank you
very much.

DEPUTY SPEAKER MORIN (28TH):

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

CLERK:

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

DEPUTY SPEAKER MORIN (28TH):

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

CLERK:

House Bill 6161.

Total Number of Voting 146
Necessary for Passage 74
Those Voting Yea 113
Those Voting Nay 33
Those absent and not voting 5

DEPUTY SPEAKER MORIN (28TH):

The bill passes. [Gavel]

SPEAKER ROSARIO (128TH):

The bill passes. [Gavel] Will the Clerk please call Calendar No. 430?

CLERK:

On page 41, House Calendar 430, House Bill No. 7275, AN ACT CONCERNING BOARD OF EDUCATION VACANCIES. Favorable Report of the Joint Standing Committee on Planning and Development.

SPEAKER ROSARIO (128TH):

Representative McCarthy Vahey, you have the floor, madam.

REP. MCCARTHY VAHEY (133RD):

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

SPEAKER ROSARIO (128TH):
The question is acceptance of the Joint Committee's Favorable Report and the passage of the bill. Representative McCarthy Vahey, you have the floor.

REP. MCCARTHY VAHEY (133RD):

Thank you so much, Mr. Speaker. Mr. Speaker, this bill clarifies in statute that any vacancy with the Board of Education for more than 30 days would be filled by the members of the Board of Education. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you very much. Will you remark further on the bill? Representative Zawistowski of the 61st, you have the floor, madam.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. A few questions if I may for the proponent of the bill?

SPEAKER ROSARIO (128TH):

You may proceed.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. How do the provisions
of this bill differ from existing statute? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative McCarthy Vahey.

REP. MCCARTHY VAHEY (133RD):

Thank you, Mr. Speaker and I thank the Representative for the question. This changes existing statute and assures that special acts and charters and home rule ordinance take precedence for appointments on town boards and commissions and clarifies that a vacancy on the Board of Education after 30 days would be filled in accordance with Section 10-219.

SPEAKER ROSARIO (128TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker and I just wanted to repeat, I know you had mentioned this, this does not override any town charters; is that correct? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):
Representative McCarthy Vahey.

REP. MCCARTHY VAHEY (133RD):

Thank you, Mr. Speaker and through you, yes, that is correct. It does not override a charter. Thank you.

SPEAKER ROSARIO (128TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

And thank you for that and I would like to find out what is the background for this bill? What made it, I just want to try to get some background so the people can understand where it originated. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative McCarthy Vahey.

REP. MCCARTHY VAHEY (133RD):

Thank you, Mr. Speaker and Mr. Speaker, there is some confusion in statute between 7107 and 10-219 and as a result, at least one Connecticut community ended up in court with a judge having to provide a ruling as to who the appointing authority was, so
this will really clarify the appointment authority via statute so that no town needs to spend its resources in going to court to have a determination made. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker and I thank the good Representative for her answers. This does clarify some issues that may come up in some towns. It's probably something that doesn’t come up very often. I do support this bill and urge my, urge my colleagues to do the same. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

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

[Ringing]

CLERK:
The House of Representatives is voting by roll. Members to the Chamber. The House of Representatives is voting by roll. Members to the Chamber.

SPEAKER ROSARIO (128TH):

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

CLERK:

House Bill 7275.

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SPEAKER ROSARIO (128TH):

The bills passes. [Gavel] Are there any announcements or introductions? Representative Rojas of the 9th, you have the floor, sir.

REP. ROJAS (9TH):

Thank you, Mr. Speaker, for an announcement?
SPEAKER ROSARIO (128TH):
You may proceed.

REP. ROJAS (9TH):
Thank you, Mr. Speaker. The Finance Review and Bonding Committee will be meeting tomorrow morning at 10:00 o'clock so I just wanted to let everybody know that so they can plan accordingly. Thank you.

SPEAKER ROSARIO (128TH):
Thank you, Representative. Representative Lemar, you have the floor, sir.

REP. LEMAR (96TH):
Thank you, Mr. Speaker. I rise for purpose of an announcement.

SPEAKER ROSARIO (128TH):
You may proceed.

REP. LEMAR (96TH):
The Transportation Committee will be meeting tomorrow morning at 10:15 o'clock. Thank you.

SPEAKER ROSARIO (128TH):
Are there any announcements or introductions? Are there any announcements or introductions? Is there any business on the Clerk's desk?
CLERK:

Yes, Mr. Speaker. I have Favorable Reports of House Joint Resolutions to be tabled for the calendar.

SPEAKER ROSARIO (128TH):

The Chair recognizes Representative Curry. You have the floor, sir.

REP. CURREY (11TH):

Thank you, Mr. Speaker. I move that we waive the reading of the House Joint Resolutions and the Resolutions be tabled for the Calendar.

SPEAKER ROSARIO (128TH):

Is there objection? Hearing no objection, so ordered. The Chamber will stand at ease. The Chamber will come back to order. Will the Clerk please call Calendar No. 202?

CLERK:

On page 18, House Calendar 202, House Bill No. 7241, AN ACT CONCERNING MINOR AND TECHNICAL CHANGES TO THE WORKERS' COMPENSATION ACT. Favorable Report of the Joint Standing Committee on Labor and Public
Employees.

SPEAKER ROSARIO (128TH):

Representative Hall, you have the floor, sir.

REP. HALL (7TH):

Good evening, Mr. Speaker. I move for acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER ROSARIO (128TH):

The question is acceptance of the Joint Committee's Favorable Report and the passage of the bill. Representative Hall, you have the floor, sir.

REP. HALL (7TH):

Mr. Speaker, the Clerk has an amendment, LCO 8044. I would ask the Clerk to please call the amendment and I be granted leave of the Chamber to summarize.

SPEAKER ROSARIO (128TH):

Will the Clerk please call LCO No. 8044 which will be designated House Amendment Schedule A?

CLERK:

House Amendment Schedule A, LCO No. 8044
offered by Representative Porter and Representative Polletta.

SPEAKER ROSARIO (128TH):

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

REP. HALL (7TH):

Thank you, Mr. Speaker. The amendment was needed simply to list all the sections where the words Workers' Compensation Commissioner was referenced to conform with Section 1 of the Bill. I move adoption. Thank you.

SPEAKER ROSARIO (128TH):

The question before the Chamber is adoption of House Amendment Schedule A. Will you remark further on the amendment? Will you remark further on the amendment? Will you remark further on the amendment before us? If not, I will try your minds. All those in favor, please signify by saying aye.
Representative Ackert, you have the floor, sir.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. Just a quick question to the proponent of the amendment. I noticed it just, it strikes lines 40 through 44, I believe, of the current language and I just was curious. It seems like a position is being removed and is there somebody that does that job now? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Hall.

REP. HALL (7TH):

Through you, Mr. Speaker. No, there isn’t.

SPEAKER ROSARIO (128TH):

Representative Ackert.

REP. ACKERT (8TH):

So this division, is the division, is it manned by individuals or how is this Compensation Commission handled, through you, Mr. Speaker, without a person?

SPEAKER ROSARIO (128TH):

Representative Hall.

REP. HALL (7TH):

Through you, Mr. Speaker. So the lines referenced by the good Representative, the director position has been eliminated; however, there is someone that does perform that responsibility.

SPEAKER ROSARIO (128TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you. Thank you to the good gentleman for his answers, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you. Will you remark further on the amendment before us? Will you remark further on the amendment before us? If not, I will try your minds. All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ROSARIO (128TH):

All those opposed, nay. The ayes have it and the amendment is adopted. [Gavel] Will you remark
further on this bill as amended? Will you remark further on this bill as amended? Representative Polletta of the 68th?

REP. POLLETTA (68TH):

Good evening, Mr. Speaker. Just one quick question for the proponent of the bill? Through you.

SPEAKER ROSARIO (128TH):

Sure, you may proceed.

REP. POLLETTA (68TH):

Does this bill indeed just make minor and technical changes? Through you.

SPEAKER ROSARIO (128TH):

Representative Hall.

REP. HALL (7TH):

Through you, Mr. Speaker. Yes, it does.

SPEAKER ROSARIO (128TH):

Representative Polletta?

REP. POLLETTA (68TH):

And thank you to the good vice-chair of the Labor Committee for his answer. I stand in support.
Thank you.
SPEAKER ROSARIO (128TH):

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

The House of Representatives is voting by roll. Members to the Chamber. The House of Representatives is voting by roll. Members to the Chamber.
SPEAKER ROSARIO (128TH):

Have all members voted? Have all members voted? If all members have voted, the machine will be locked and the Clerk will take a tally. The Clerk will please announce the tally.
CLERK:

House Bill 7241 as amended by House A.

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Those Voting Nay 0
Those absent and not voting 6

SPEAKER ROSARIO (128TH):
The bill as amended is passed. [Gavel] Will the Clerk please call Calendar Item 478?

CLERK:

SPEAKER ROSARIO (128TH):
Representative Palm, you have the floor, madam.

REP. PALM (36TH):
Thank you, Mr. Speaker. I move for acceptance of the Joint Committee's Favorable Report and acceptance of the Resolution.

SPEAKER ROSARIO (128TH):
The question before the Chamber is on
acceptance of the Joint Committee's Favorable Report and the passage of the bill. Representative Palm, you have the floor, madam.

REP. PALM (36TH):

Thank you, Mr. Speaker. This is a claim that came before the Judiciary Committee. The case was originally dismissed for jurisdictional reasons by the Claims commissioner because she felt that the claimant had another avenue for seeking relief and specifically, through Federal Court under Title 42 of the U.S. Code 1983 and while we are not arguing the merits of the case, the Judiciary Committee did vote to remand this claim back to the Claims Commissioner for decision on the merits because the 1983 claim is different. It has a different standard of liability. It can only be brought against an individual, not against the State so therefore, it's not a similar claim under the relevant statute so I would urge my colleagues to support the Resolution and remand it back to the Claims Commissioner. Thank you.
SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on this bill? Representative Cummings from the Brass City, you have the floor, madam.

REP. CUMMINGS (74TH):

Thank you, Mr. Speaker. Mr. Speaker, this is narrowly tailored agreement that specifically allows the claim to go back to the Claims Commissioner specifically on the negligence aspect of this and I also urge my colleagues to support this Resolution. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

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

CLERK:

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

SPEAKER ROSARIO (128TH):

Have all members voted? Have all members voted?

If all members have voted, the machine will be locked and the Clerk will take a tally. The Clerk will please announce the tally.

CLERK:

House Joint Resolution 113.

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SPEAKER ROSARIO (128TH):

The Resolution passes. [Gavel] Will the Clerk please call Calendar No. 487?

CLERK:


SPEAKER ROSARIO (128TH):
Representative Horn, you have the floor, madam.

REP. HORN (64TH):

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

SPEAKER ROSARIO (128TH):

The question before the Chamber is acceptance of the Joint Committee's Favorable Report and the passage of the bill. Representative Horn, you have the floor, madam.

REP. HORN (64TH):

Thank you, Mr. Speaker. This is a straightforward technical fix which also offers this Chamber the opportunity to fix something that is of great interest to the disabled community. Connecticut in past years has gone to great lengths to fix/address technical difficulties with our power or attorney statutes in particular making it possible for those with a physical disability that makes it impossible for them to actually sign a document, to direct someone to sign that document.
for them. This bill aligns the land conveyance statute so that a person with a physical disability may also execute that type of power of attorney by directing someone else to sign the document in their presence so that someone else doesn’t have to come along and move their hand physically to sign the document. I urge passage. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on this bill? Representative Rebimbas from the 70th, you have the floor, madam.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Through you, Mr. Speaker, just one clarifying question to the good lady?

SPEAKER ROSARIO (128TH):

You may proceed.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Through you, the proposal that we have before us specifically is limited to the execution for land conveyance
documents; is that correct? Through you.

SPEAKER ROSARIO (128TH):

Representative Horn.

REP. HORN (64TH):

Through you, Mr. Speaker. That is correct.

SPEAKER ROSARIO (128TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker, I rise in support of the proposal before us. It did pass the Judiciary unanimously. This is something that also was brought to our attention by the Connecticut Bar Association. It's certainly a good one for all the good reasons already previously stated and many times, unfortunately, there are other situations that necessitate this and so I do rise in its support.

SPEAKER ROSARIO (128TH):

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

CLERK:

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

DEPUTY SPEAKER HENNESSEY (127TH):

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

CLERK:

House Bill 7108.

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DEPUTY SPEAKER HENNESSEY (127TH):
The Bill passes. [Gavel] Will the Clerk please call Calendar No. 44?

CLERK:


DEPUTY SPEAKER HENNESSEY (127TH):

Representative D'Agostino.

REP. D'AGOSTINO (91ST):

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

DEPUTY SPEAKER HENNESSEY (127TH):

The question is acceptance of the Joint Committee's Favorable Report and the passage of the bill. Representative D'Agostino, you have the floor, sir.

REP. D'AGOSTINO (91ST):

Thank you, Mr. Speaker. This bill efforts to put some structure on the various work that we see
DOT performing on our state highways. It requires them to develop and expand the guidelines that they have for that kind of vegetation management and also really focuses on the post work, the replanting, the work they do after the fact so rather than them just leaving a pile of chips on the highway, that there's some actual structure to what they're going to be doing in terms of replanting with native species. To that end, Mr. Speaker, the clerk does have an amendment. It's LCO No. 8316. I would ask that the amendment be called and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER HENNESSEY (127TH):

Will the Clerk please call LCO No. 8316 which will be designated House Amendment Schedule A.?

CLERK:

LCO No. 8316, designated House Amendment Schedule A and offered by Representatives Demicco, D'Agostino, and Lemar.

DEPUTY SPEAKER HENNESSEY (127TH):

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

REP. D'AGOSTINO (91ST):

Thank you, Mr. Speaker. This is a strike all
but it really doesn’t change the substance of the
bill too much, but it does address an issue I just
touched upon which is after DOT does the work that
it does in accordance with the guidelines that it's
going to establish, what is it going to do after the
fact and we really want to make sure that we're not
leaving behind pools of water, piles of chips,
suffocating native species. We want to have a plan
in place that works to replant and rejuvenate the
area with native species where appropriate and where
cost effective to do so we don’t have overgrowth in
the area and we don’t have trees popping up again so
we don’t have to do this all over again.

This is a terrific bill. It passed the
Environment Committee unanimously. I'd like to
thank the Environment Committee Chairs and the
ranking member for letting me take it out. This was born of literally hundreds of calls that I know I've gotten and other members have gotten with respect to the clear cutting that DOT does on the highways. This bill just attempts, it doesn’t say they have to stop that, but it actually just puts some controls on it, some structure on it, approval by an arborist so that we're not just clear cutting healthy trees but really focusing on the dead, dying, and damaged trees, getting those out of the way and it's actually the hope that by doing this, it will be more cost effective. DOT spends upward of $2 million dollars a year on that clear cutting. With these controls that are in place and these structures that are in place, we think that there will be more cost controls on that as well and the bill also requires them to come back to the Committees of Cognizance to report the amounts they're spending so we have more of a control on that as well so I do move for adoption of the amendment.
The question before the Chamber is adoption of House Amendment Schedule A. Will you remark on the amendment? Representative Harding of the 107th, you have the floor, sir.

REP. HARDING (107TH):

Thank you, Mr. Speaker. Good evening, sir.

DEPUTY SPEAKER HENNESSEY (127TH):

Good evening.

REP. HARDING (107TH):

A couple of questions for the proponent if I may? Through you, Mr. Speaker.

DEPUTY SPEAKER HENNESSEY (127TH):

Please proceed, sir.

REP. HARDING (107TH):

Thank you, Mr. Speaker. Through you, Mr. Speaker, to the good proponent, could the good proponent please advise as to what aspect of the criteria is being changed from the amendment? Through you, Mr. Speaker.

DEPUTY SPEAKER HENNESSEY (127TH):
Representative D'Agostino.

REP. D'AGOSTINO (91ST):

Through you, Mr. Speaker. So the amendment and particularly line 9 with respect to replanting, we have now replanting with native species whenever practicable. This is an amendment that we felt makes sense and again, it's whenever practicable so it's not a requirement, but it would enable DOT when they're doing the replanting to avoid frankly what happens now is when you just leave the area completely you know untended, you have invasive species that come in and grow out of control and then require more work to get rid of. So planting native species whenever practicable and obviously to the extent that the cost allows is the, is the main change in the amendment and there's an effective from passage in Section 2, I think it's line 39, DOT had just requested that their reporting date be on August 1 of each year to the Committees of Cognizance with respect to the amounts that they spend so that was a request that DOT requested and
those were the two main changes between the amendment and the original bill. Through you.

DEPUTY SPEAKER HENNESSEY (127TH):

Representative Harding.

REP. HARDING (107TH):

Thank you, Mr. Speaker and through you, to the good proponent, since it is a strike all, I have just a few further questions on the bill if it's okay with you, Mr. Speaker?

DEPUTY SPEAKER HENNESSEY (127TH):

Please proceed.

REP. HARDING (107TH):

Thank you, Mr. Speaker. Through you, it's my understanding that DOT already does have guidelines and I think they testified to that. Is this, in your opinion, somewhat reflective of what DOT already conducts and more or less codifies the current guidelines? Through you, Mr. Speaker.

DEPUTY SPEAKER HENNESSEY (127TH):

Representative D'Agostino.

REP. D'AGOSTINO (91ST):
Through you, I guess I would say probably about 75 percent of the way there. This does add some additional bolts on, some additional pieces to what they currently do. For example, currently I don't believe they consult an arborist when they do a lot of the work and so that's a requirement in here now and again, it doesn't require the hiring of an arborist, it's just the consulting of ones that are on staff either with DOT or DEEP. Some of the requirements in here with respect to mowing and pesticide application are not in their current guidelines. This makes them more comport with the Federal Guidelines with respect to highway mowing and highway pesticide application so there's a few additional add-ons to that so I guess we're taking, with this bill we're taking it from say 75 percent to 100 percent. Through you.

DEPUTY SPEAKER HENNESSEY (127TH):

Representative Harding.

REP. HARDING (107TH):

Thank you, Mr. Speaker and through you, just
following up on that point, I know DOT did have some reservations initially. Could the good proponent tell the Chamber the discussions that the good proponent has had with DOT and whether or not their reservations have been resolved in regard to one, the fiscal cost and two, the management perspective of being able to do this in a timely fashion.

Through you.

DEPUTY SPEAKER HENNESSEY (127TH):

Representative D'Agostino.

REP. D'AGOSTINO (91ST):

Through you, Mr. Speaker. Yeah, so you know a couple of their concerns obviously, they did want to be hampered at all because they need to be able to clear roads particularly in emergencies and you'll see in here there's explicit language that does not in any way impede their ability to go out and clear in the case of emergencies, snow storms, fallen trees, storms, etc, so that was very important to them and it's important to us too. We want them to be able to go out whenever possible to clear an
emergency situation so that's preserved and we're not, we're also not reducing their budget here, which was obviously a concern as well, but we are asking for some more oversight with respect to it. I think, I know most members I've spoken to, when I tell them that DOT spends upwards of $2 million dollars on clear cutting a year are a bit blown away by that number and this just requires a reporting of that, of those numbers to the Committees of Cognizance so we can have more of a look at and let's see what effect this has over time and then if the Committee, certainly the Ranking Members Committee working with Chair want to take more of an aggressive look at the actual budgeting for this work, they can do that, but that does not happen here. We do not restrict their budget in this bill and that was a concern of theirs as well. Through you.

DEPUTY SPEAKER HENNESSEY (127TH):

Representative Harding.

REP. HARDING (107TH):
Thank you, Mr. Speaker and I want to thank the good proponent for his work on this. I also want to thank him for his comments and clarifications. I do support this initiative, both the amendment and the underlying bill. I think for the most part it does codify current guidelines, but makes some important steps in regard to oversight of the DOT vegetation management which is important to keep the beauty and the environment that we have here in the State, but also at the same time, I do like the fact that the first thing they need to consider in the guidelines is the safety of the traveling public so it also puts into consideration the importance of getting rid of some trees and an unfortunate instance, it may be necessary to protect those walking and traveling and driving along the roads. So I do support this bill, I support the amendment, and I urge my colleagues to do the same. Thank you, Mr. Speaker.

DEPUTY SPEAKER HENNESSEY (127TH):

Thank you, sir. Will you remark further? Will
you remark further on the amendment before us? If not, I will try your minds. All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER HENNESSEY (127TH):

All those opposed, nay. The ayes have it and the amendment is adopted. [Gavel] Will you remark further? Will you remark further on the bill as amended? If not, will staff and guests, Representative Morin, you have the floor.

REP. MORIN (28TH):

Thank you, Mr. Speaker. Mr. Speaker, I appreciate the efforts of the fine Representative of pushing forward on this. I just want to make sure that people are understanding that from my perspective, I'm not sure that DOT is fully going out and clear cutting trees because that's what they feel like doing. The responsibility of the department is to make sure as much as possible that the traveling public has safe roadways to traverse
and I think the intentions of this bill are good. I have some, I have some, some concerns based on my history of spending time with the department and talking to people that do this work about really the hazards of trees. It's not just trees falling on people's cars but when you have, when you're on an interstate highway or any state road, a tree canopy can preclude the roads from thawing making it basically an icy situation so it's not just we're worried about trees coming down on you. We're worried about the safety, of road temperature, of icing and I think that at least we should be thinking about that. We start managing, wanting to manage how the department does this job, next it'll be how much salt we can put on the roads, next it'll be should we should use a certain type of material to fill potholes because it might affect our front ends, I don't know. I'll be voting against this, but I do appreciate the intentions. Thank you.

DEPUTY SPEAKER HENNESSEY (127TH):

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

CLERK:

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

SPEAKER ROSARIO (128TH):

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

CLERK:

House Bill 5308 as amended by House A.

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Those absent and not voting 8

SPEAKER ROSARIO (128TH):

The Bill as amended is passed. [Gavel] Will the Clerk please call Calendar No. 479?

CLERK:


SPEAKER ROSARIO (128TH):

Representative Blumenthal, you have the floor, sir.

REP. BLUMENTHAL (147TH):

Thank you, Mr. Speaker. I move, I move for acceptance of the Joint Committee's Favorable Report and adoption of the resolution.

SPEAKER ROSARIO (128TH):

The question is acceptance of the Joint Committee's Favorable Report and adoption of the resolution. Representative Blumenthal, you have the
REP. BLUMENTHAL (147TH):

Thank you, Mr. Speaker. This is our annual resolution confirming certain decisions of the Claims Commissioner. This resolution confirms ten decisions by the Claims Commissioner either disposing of or dismissing the, excuse me, denying or dismissing a claim. The Judiciary Committee has agreed with the Claims Commissioner on each of these claims and I urge this Committee's adoption or excuse me, this Chamber's adoption of the resolution.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the resolution before us? Representative Cummings of the 74th, you have the floor, madam.

REP. CUMMINGS (74TH):

Thank you, Mr. Speaker. Mr. Speaker, the Claims Commissioner has articulated her decision on ten of the claims to either be dismissed or discharged and there's no fiscal impact. I urge my
colleagues to vote in support of this bill. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you so much. Would you care to remark further? Would you care to remark further on the resolution before us? If not, will the staff and guests please come to the well of the House? Will the members please take your seats? The machine will be open. [Ringing]

CLERK:

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

SPEAKER ROSARIO (128TH):

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

CLERK:
House Resolution 78.

Total Number of Voting 143
Necessary for Passage 72
Those Voting Yea 143
Those Voting Nay 0
Those absent and not voting 8

SPEAKER ROSARIO (128TH):

The resolution is adopted. [Gavel] Will the Clerk please call Calendar item 488?

CLERK:


SPEAKER ROSARIO (128TH):

Representative Stafstrom, you have the floor, sir.

REP. STAFSTROM (129TH):

Thank you, Mr. Speaker. I move for acceptance of the Joint Committee's Favorable Report and passage of the bill.
SPEAKER ROSARIO (128TH):

The question before the Chamber is on acceptance of the Joint Committee's Favorable Report and passage of the bill. Representative Stafstrom, you have the floor, sir.

REP. STAFSTROM (129TH):

Thank you, Mr. Speaker. Mr. Speaker, under existing law, our municipalities and officials when acting in their official capacity are immune from liability for personal or property damages resulting from certain actions or omissions. There is, however, an exception to this protection afforded to our municipalities where the municipality had notice of a violation or hazard or the municipality's failure to inspect or negligent inspection constitutes a reckless disregard for health and safety under all relevant circumstances. The under all relevant circumstances language in our statute has caused confusion for our courts resulting in a split decision of the Supreme Court back in 2017. The bill before us seeks to provide some additional
predictability and protection for our municipalities in that all relevant circumstances language of the immunity they are afforded and provides direction to our court system which was requested by the Supreme Court in that 2017 decision. Mr. Speaker, with that, I urge support of the bill.

SPEAKER ROSARIO (128TH):

   Thank you, Representative. Will you remark further on the bill? Representative Rebimbas of the 70th, you have the floor, madam.

REP. REBIMBAS (70TH):

   Thank you, Mr. Speaker. Mr. Speaker, I rise in support of the proposal before us. Certainly the good chairman did a very good job in detailing the proposal that's before us. Just one clarifying question, through you, to the good chairman.

SPEAKER ROSARIO (128TH):

   You may proceed, madam.

REP. REBIMBAS (70TH):

   Thank you, Mr. Speaker. To the good chairman, would you categorize or characterize this proposal
as a pro-municipal proposal? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you, yes, Mr. Speaker, I would. This in fact was a proposal that came to the Judiciary Committee from the Connecticut Conference of Municipalities. They have worked on this language, have worked with the stakeholders on this language, and it is a compromised piece of legislation that's supported by CCM. Through you.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker and I want to thank the good chairman for his response. I think that technical difficulty is because that microphone's not typically used for these type of proposals. [laughs] Thank you, Mr. Speaker. I rise in support
of the proposal before us. [laughter]

REP. STAFSTROM (129TH):

Point of order.

SPEAKER ROSARIO (128TH):

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

[Ringing]

CLERK:

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

SPEAKER ROSARIO (128TH):

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

House Bill No. 7185.

Total Number of Voting 143
Necessary for Passage 72
Those Voting Yea 143
Those Voting Nay 0
Those absent and not voting 8

SPEAKER ROSARIO (128TH):

The Bill passes. [Gavel] Will the Clerk please call Calendar No. 394?

CLERK:


SPEAKER ROSARIO (128TH):

Representative Demicco, you have the floor, sir.

REP. DEMICCO (21ST):

Thank you very much, Mr. Speaker. Mr. Speaker, I move for acceptance of the Joint Committee's
Favorable Report and passage of the bill.

SPEAKER ROSARIO (128TH):

The question before the Chamber is on acceptance of the Joint Committee's Favorable Report and the passage of the bill. Representative Demicco, you have the floor.

REP. DEMICCO (21ST):

Thank you, Mr. Speaker. Mr. Speaker, this bill aims to strengthen the already existing environmental justice law which has been in effect in Connecticut for about 10 years. It does so, it strengthens the bill in a couple of ways. It requires rather than allows applicants to use for specific methods to notify the public about the informal public meeting about a proposed facility, and it also requires that in communities that already have at least five affecting facilities, permanent affecting facilities, in those communities, it requires a community environmental benefit agreement be reached between the municipality and the proposed facility. So those
are the two major changes and as I said, I urge passage.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the bill? Representative Harding of the 107th, you have the floor, sir.

REP. HARDING (107TH):

Thank you, Mr. Speaker. Good evening, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Good evening.

REP. HARDING (107TH):

A few questions, through you, Mr. Speaker if I may?

SPEAKER ROSARIO (128TH):

You may proceed.

REP. HARDING (107TH):

Thank you, Mr. Speaker. The first question, through you, Mr. Speaker, is in regard to the community benefit agreement which is placed in this bill. Now I understand that under current law that
applicants may enter into an agreement with the municipalities. My understanding is that that is now changing under this bill and that if a community has more than five certain facilities, affected facilities under the definition of this bill, that it's now required. Is that true and if so, if the good proponent could expand on what needs, what needs to be done with that provision? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Representative Demicco.

REP. DEMICCO (21ST):

Yes, Mr. Speaker. Yes, the gentleman is correct. As he stated, as I earlier stated, if a municipality has five or more of these affecting facilities, then a subsequent proposal to permit another such facility in the municipality would require a community environmental benefit agreement between the proponent of the facility and the municipality. Through you, Mr. Speaker.
Thank you. Representative Harding.

Thank you, Mr. Speaker and through you, if I can expand on that to the good proponent of the bill. The one question that I have about that is that it looks that this, as I said, applies to communities that have five or more of these affected facilities, but let's, does this only apply though, the entire bill in its entirety including this provision to only communities that are considered environmental justice communities or does this also include communities that may not be considered environmental justice communities, but may have five or more of these facilities? Through you, Mr. Speaker.

Thank you, Mr. Speaker. My understanding is that this bill only applies as the gentleman stated,
only applies to environmental justice communities. Through you.

SPEAKER ROSARIO (128TH):

    Thank you. Representative Harding.

REP. HARDING (107TH):

    Thank you, Mr. Speaker. So more specifically, if I may then, expanding on that point, so the provision that mandates an agreement to be made between the municipality and the applicant is only for communities that are environmental justice communities that also have five or more of these communities. Is that true? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

    Representative Demicco.

REP. DEMICCO (21ST):

    Through you, Mr. Speaker. That is my understanding, yes.

SPEAKER ROSARIO (128TH):

    Representative Harding.

REP. HARDING (107TH):
Thank you, Mr. Speaker. And through you, Mr. Speaker, expanding on the community agreement, my question is, what occurs if the municipality and the applicant can't come to an agreement? Let's say the municipality has certain requests that the applicant may or may not want to meet and the two entities can't come to an agreement. Does that automatically nullify the application then and is it denied absent an agreement? If the good proponent could expand on that. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you, Mr. Speaker. My understanding is that based on the provisions of this bill that this agreement shall be entered into between the municipality and the proposer of the facility and I believe the gentleman is correct, that if no such agreement can be reached, then the facility cannot be cited. Through you.

SPEAKER ROSARIO (128TH):
Thank you. Representative Harding.

REP. HARDING (107TH):

Thank you, Mr. Speaker, and just commenting on the bill, I think there are some positive aspects of this bill. One of them is a slight change in regard to notification which now instead of permitting an applicant to notify residents, it now mandates certain requirements such as posting signs. The one question, if I may through you, Mr. Speaker, is what is considered to be a reasonably visible sign? Is it a billboard? Is it signs in a community? You know where exactly do these signs need to be placed? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Demicco.

REP. DEMICCO (21ST):

Yes, thank you, Mr. Speaker. Well I'm looking at line 73 which is existing language already in statute that refers to posting a reasonably visible sign, printed in English and then in line 75, posting a reasonably visible sign printed in all
languages spoken by at least 20 percent of the population that reside within a half mile radius of the proposed or existing facility so that's already been in statute for about ten years so nothing here is changing in regard to, in regard to that specific issue. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Harding.

REP. HARDING (107TH):

Thank you, Mr. Speaker, and I appreciate the clarification from the proponent in regard to that measure. Adding to that, I think there are some, I think it's a reasonable step in regard to the notification process so I do support that initiative. I also think it's good that the community agreements that we were discussing before would now consider some of the health effects of living in and around one of these facilities which isn’t previously one of the measures that would’ve been considered. Previously it was just environmental measures and traffic measures and
noise measures. This now adds in considering measures in regard to the health of the individuals surrounding the community and for that reason, I'll be supporting the measure, but I do believe that the aspect or provision of the bill that mandates that a municipality and an applicant come to an agreement in instances where there's five or more of these facilities really could prevent a significant barrier between these affected facilities deciding to invest in these communities. And for that reason, I do believe there is some objection from some of my colleagues in that regard. Overall, I think it's a reasonable step to addressing some significant health issues that are positive to be addressed so I'll be supporting it, but I do, I do have some concerns and I know some of my colleagues have some concerns regarding measures that prevent investment in regard to some of these facilities and in regard to some of these communities. So I look forward to the further debate of this. I want to thank the proponent for bringing the bill out and
Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the bill? Representative Reyes from the center of the universe, Waterbury, Connecticut, you have the floor, sir.

REP. REYES (75TH):

Thank you, Mr. Speaker. Mr. Speaker, I rise in full support of House Bill 5395 which is an environmental justice bill for the State of Connecticut. The State of Connecticut, the city of Waterbury has gone through quite an experiment if you will with the environmental justice bill and the good ranking member of the Environment Committee has pointed out some of the great points that we're actually going to be adding on here. But I want to talk about marginalized communities that have five or more existing right now.

The bill will not go backwards and this is one of the issues that I still have, but the area that I'm representing has well over a dozen of these
polluters already on site and there's nothing I can do about it or nothing the city of Waterbury, the municipality. So our constituents suffer from congestion, traffic congestion, air pollution, some of the worst air quality because we're in a valley in between Naugatuck and Thomaston there so to me, I think that this is a good first step for us to consider improving the air quality and the conditions in the south end of the city of Waterbury and when I think about air quality, I think about the entire city of Waterbury because air quality and pollution doesn’t know any boundaries about zip codes or any districts. You know it goes which way the wind blows so the good chair of the Environmental Committee, I want to applaud the Environmental Committee's leadership on this particular bill and I just wanted to make a comment. What I believe is happening here with the environmental justice bill is a work in progress and the delegation from Waterbury is going to continue to work on this bill and hopefully pick up more
supporters as we go forward, but this affects any large municipality, communities that are already marginalized with more than five polluters and again, I rise in strong support of this bill and I thank the good leaders of Environmental for this bill. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

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

[Ringing]

CLERK:

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

SPEAKER ROSARIO (128TH):

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

CLERK:

House Bill No. 5395.

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SPEAKER ROSARIO (128TH):

The Bill passes. [Gavel] Will the Clerk please call Calendar No. 58?

CLERK:


SPEAKER ROSARIO (128TH):

Representative Doucette, you have the floor, sir.

REP. DOUCETTE (13TH):
Good evening, Mr. Speaker. I move for acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER ROSARIO (128TH):

The question before the Chamber is on acceptance of the Joint Committee's Favorable Report and the passage of the bill. Representative Doucette, you have the floor, sir.

REP. DOUCETTE (13TH):

Thank you, Mr. Speaker. This bill amends current law by increasing the amount from $3 dollars to $5 dollars that an issuer of a gift card would be required to reimburse the holder of that gift card for, for its unclaimed cash value upon purchase. Existing law unchanged by the bill requires that the purchaser provide the proof of purchase or a gift receipt in order to receive the remaining balance. Connecticut is one of 12 states currently that provide this and raising this to $5 dollars brings us in line with neighboring states, Massachusetts, New Jersey, and Maine that currently provide that as
the threshold for the refund. I move adoption.

Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the bill? Representative Delnicki of the 14th, you have the floor, sir.

REP. DELNICKI (14TH):

Good evening, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Good evening.

REP. DELNICKI (14TH):

You know this is an interesting bill. There's no two ways about this because it's got a long history. It literally goes back to 2003 which I'm not going to discuss, but I think it's fair to talk about 2005, 2016, and present. 2005 was the first time some really meaningful legislation was derived to help people out with gift cards and that was where the expiration date and the service charges were eliminated so if I had my Home Depot card and I didn't utilize it for three years, it would still be
mine. I'd still be able to use it.

Now, that bill sailed through the legislature, Committee Bill 123 oddly enough and there was substantial support for it and quite frankly, it was groundbreaking in the State of Connecticut. Now, as a result of that, in 2016, we had virtually an identical bill which is before us tonight and in that bill, it called for $10 dollars. Now there was substantial debate on the floor and I'd like to make reference to some of that debate where people spoke for and against the concept and the floor, I won't refer to any specific legislators, I'll just give you the gist of what the discussion was, and it sounds like there's a lot of discussion going on other than mine, Mr. Speaker. Could we have a little decorum in here, please?

SPEAKER ROSARIO (128TH):

[Gavel] The good Representative is having trouble hearing. Will you please take your conversations outside of the Chamber? You may proceed.
REP. DELNICKI (14TH):

Thank you, Mr. Speaker. In 2016, there was a strike all amendment that basically gave us the $3-dollar refund that we have here today and I want to mention that it was hailed at that time as a good amendment. It brings us back to where we were prior to 2003 and 2005. It was commented on being good public policy and a good bill and everyone was asked to support it by the proponent of the amendment. Other legislators made comment to the affect that they stood in strong agreement with the amendment of $3 dollars at that point in time. It was hailed as it's a very good consumer protection. It affords people an opportunity to balance the needs of the small business person with the needs of the consumer and it's interesting that there were references made during that discussion pertaining to the $10-dollar return balance and how all the parties came together.

Now this is key when you think about this. There was a compromise where all the parties came
together to come up with that compromise and that became the law of the land that we have here today. Other comments, and this comment I wholeheartedly agree with, pertained to companies like Home Depot, the fact that they could easily afford to give any kind of a refund because they're not a small business and that's key to remember here. The small business person who we seem to find more and more ways to task and to basically make it more and more difficult for them to do business in the State of Connecticut, and that's important because right now small businesses are generating probably the lion's share of the jobs that we have. And it's interesting when you think about that because we had for the past three quarters negative job growth and that was reported by the Hartford Current and you're asking yourself well what do you mean by negative job growth? The fact that we lost jobs and unfortunately, Connecticut continues to lose jobs. The small business person, whether it be an NBE, WBE, SLBE or somebody under that under the SBA is in
operation is right now the engine of our economy. The bill guys, well when we can attract them to Connecticut, that’s great.

And I think when this action was taken in 2016, looking at the historical perspective that was in the actual text of the floor debate, that was a key and critical point, the fact that the small business people had to have their concerns balanced with the fact that consumers had a card with no expiration date, that they could in theory redeem for a certain amount of money with the appropriate documentation and the appropriate proof and that was a good thing. That was truly a balance between the small businesses, a balance between the consumers and quite frankly, we all know that the big guys, they could afford, you know literally Home Depot could afford to refund the entire balance on a gift card and to them, it wouldn’t make any difference.

And the other interesting point that came up and it pertained to that concept of the big chain stores was a reference to the Best Buys reporting
$46 million dollars in income, $53 million dollars and $19 million dollars in actual unredeemed gift cards at that time between 2013, 2014, and 2015. And in the Chamber, there was substantial support for this and the debate and the dialogue in the Chamber reflected that. There were concerns at that time pertaining to some penalties for not giving receipts, but I think all small businesses, all big businesses, the chain stores all know that they have to give receipts with a gift card. Interestingly enough, I bought a gift card for somebody over at the Mill River Group the other day and that was one of the key points was the fact that they gave me that receipt. So that issue that was brought up back in 2016 is definitely a moot point today.

Other folks made commentary pertaining to the fact that they had been in business for a number of years, the kind of a hardship that it would present to them on the $10 dollars, but how the negotiated $3-dollar refund was something that they could live, something that they could continue to do business,
something that would not be punitive, something that would not make it more difficult and that was echoed by a number of folks.

In talking with businesses in my community, the small guys, not Lowe's, not Target because quite frankly, we know those folks, they're substantial, they have a large resource of capital, they can afford to refund gift cards, but the restaurants, the small restaurants in my community, and they were living with the $3-dollar gift card. They had no problem with that. Initially it was a challenge to them but they got to the point where they could accept it.

One thing I did hear from them, each and every one of them was don’t tell me the legislature is considering changing that value, raising that number up, making it something above from where we're at today because they look at the gift card as a convenience for holiday shoppers. Somebody comes into the local hardware store, the local restaurant, Dairy Queen cause the Dairy Queen in my community is
a franchise so it's a small business person that actually operates it, they look at it as an opportunity to bring people into their store, to purchase goods and hopefully build a rapport and get a customer to come back. They understand the $3 dollars and to many of them, they don’t understand the history behind it, but nonetheless, they live with it, but they look at $5 dollars and they see that as a challenge, not just because of the $5 dollars but when they ask me about the history of how we got to this and I talked about the fact that originally in 2016, it was $10 dollars.

A $10-dollar refund was what was called for in the original bill back in 2016 and here we are, what 2-1/2 years from when that was passed and we're revisiting it again and again, I go back to the concept of talking to some esteemed colleagues of mine here in the House that were around in 2016, I came in 2017, they talk about the fact that this was an agreement by all parties. Everyone got together, everyone came up with a compromise, and now the
rules are getting changed. And the interesting part was if an esteemed colleague of mine that has been here a number of years hadn’t told me about that, I wouldn’t know. I would not know that in 2016, there was that agreement, there was that deal, there was a mutually beneficial compromise that worked, that they pretty much felt was a done deal, felt was a situation that would stay in place, a situation that would be a deal made not to be broken and I think that's what one of my colleagues said to me. This was a deal made not to be broken. This was a deal that would work for everyone. This was a compromise. No one got 100 percent of what they wanted and this is something that would stand the test of time cause bear in mind, before 2016, the last time we had visited the gift card was 2005. So literally you had over ten years of time between the actions taken to improve or modify or change or amend the legislation as it pertains to gift cards. That's why a number of my colleagues were very surprised to see the fact that this was on the
banking go list.

Now, from the Banking Committee, it was a split decision. It passed out of Committee and quite frankly, the entire issue of the fact that 2016 it was dealt with and that there was a grand bargain made, a compromise, an agreement that everybody could live with and that this change would then be taking that agreement and casting it asunder. Well that's interesting to take into account because here we are again looking to change it from $3 to $5 dollars.

Now, on the surface it does not seem like a huge change. On the surface it does not seem like a lot of money. On the surface it's like, you know it's only $2 dollars, but the point being are we going to have a return in say a year, two years to look to make the change again and get closer to the $10-dollar deal that was requested, the bill that was requesting the $10 dollars. Is that what we're going to do here? A function of incrementalism going forward? A function of okay, we get it passed
today, the Senate passes it, it gets signed into law so now we're sitting at $5 dollars. Next year, bill gets put in or the year after and now we look to move to $7.50 and then a year or two after that it's $10 dollars and conceivably after that it become $12.50 and one can only guess where it's going to go to. That's the point here.

Typically, agreements are done in a fashion like this one was done back in 2016 to be mutually beneficial to everyone. Everyone walked away as a winner. Small business people, they preserved the value of the gift card. The consumer now had the ability if they had a couple of bucks on the card left over, they could turn that into cash and the small business person was comfortable with that. Not initially, but they gained a comfort level and again, I go back to the big players. I go back to Home Depot, I go back to Lowe's, I go back to Walmart, I go to those folks and quite frankly, they could afford to do whatever because they’ve got deep pockets. They're not trying to make a payroll.
They're not going day by day to keep the lights on in their shop. To them, those big players, it's not a big deal to them and that's really where I'm coming from.

We think nothing of one more thing for small business to have to do. I mean the guy down the street that employs your friend or your neighbor and now we put another burden on them, making it tough for them to do business and it reaches a tipping point. You know it's the old adage of you know how many, how many stones can you put on a camel's back before the camel fails? Okay, same thing with a horse. You know every time you add something on top of there, and I'll also use the analogy of the foundation of a home. The more weight you put on it, the better chance it's going to fail and that's critical here and again, I go back to the concept of the big guys can afford it. The little guys, they’ve got a real struggle here. They really do. I mean the local hardware store, the local restaurant and it's an interesting situation with
restaurants and with hardware stores.

It seems that the small family business is like the small family farm. It's an endangered species. Not only do they run into the fact that they have to compete with the big chains which have huge budgets and deep pockets and can afford to do whatever they have to do, but now they have to deal with one more issue that's going to affect them, one more problem to deal with, one more point of training for their people that work there and one more concern almost to the point where the small business person takes a look at this and he says, you know, I really don’t know if I want to stay in business any longer cause what's coming down the road next. And again, albeit we're talking about $2 dollars but it's a principle I'm hearing in my community which is right next door to Manchester, from folks there that cringe at what's the next thing? What's the next problem I'm going to have to deal with? What is the next challenge I'm going to have to do business and many of these folks, they depend on that gift card sale...
around Christmastime so that they have people coming into their store after Christmas cause that's a tough time of the year, January can be very difficult for a small business. So January and February they've got folks coming in with the gift cards and they're looking to redeem them and they're looking to buy product so if we have a situation where the refund now gets a higher dollar value, that puts a challenge to these small business people, a challenge that quite frankly, they look at and they're concerned.

Through you, Mr. Speaker, a question to the proponent of the bill?

SPEAKER ROSARIO (128TH):

You may proceed, sir.

REP. DELNICKI (14TH):

Thank you, Mr. Speaker. What are the tax impacts to the issuer of the gift cards if they refund money to the holder of the gift card? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):
Representative Doucette.

REP. DOUCETTE (13TH):

Through you, Mr. Speaker. I do not believe there are any significant tax impacts. The issuer of the gift card is receiving value. So, for instance, if you purchase a gift card for $20 dollars and $5 dollars is being refunded, certainly I think that $5-dollar refund can be reflected on the issuer's overall tax liability and that reducing the issuer's overall tax liability. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Delnicki.

REP. DELNICKI (14TH):

Thank you to the good Representative for the answer there. Through you, Mr. Speaker, a followup on that same vein and that same line of questioning. If a person buys a gift card in 2018 and does not utilize that gift card until 2021, and then applies or requests a refund on that card, what would the tax implications be when you're transcending a
couple of fiscal years? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Doucette.

REP. DOUCETTE (13TH):

Through you, Mr. Speaker. I'm not a tax accountant, but I believe that refund could be reflected in 2021 taxes and theoretically, if filed in 2018, there would be some tax liability on the $2-dollar difference over what currently exists under existing statute. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Delnicki.

REP. DELNICKI (14TH):

And again, I thank the good proponent of the bill. I realize he's not a tax accountant, nor am I, but these, I'm reflecting concerns and questions I have received from small business people in the community that are trying to get an understanding of what's going on. Through you, Mr. Speaker, another question for the proponent?

SPEAKER ROSARIO (128TH):
Please prepare yourself, Representative Doucette. You may proceed.

REP. DELNICKI (14TH):

So if a person were to buy a gift card Christmastime last year, December 24, 2018, and the bill goes into effect this year, would that person who bought that gift card in 2018 have the ability to request again, this is if the piece of legislation were to pass and were to become a public act, and we went from $3 to $5 dollars, would that person receive $3 dollars or $5 dollars up to refund? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Doucette.

REP. DOUCETTE (13TH):

Through you, Mr. Speaker. If it is after the effective date of October 1, 2019, they would be able to receive $5 dollars or $4.99 in fact as a refund. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Delnicki.
REP. DELNICKI (14TH):

Thank you to the proponent and a followup question pertaining to that whole issue. If it were in 2018, that would be a retroactive law and I was always of the, I was always informed typically in any type of a contract cause buying that gift card, in essence you're making a contract between the vendor, between the small business person and the end user, that's a contractual agreement, you're paying money so that you have the ability to purchase goods, so would you be abdicating that contract that you made in 2018 if you were to look for the $5-dollar refund in 2019, October 2? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Doucette.

REP. DOUCETTE (13TH):

Through you, Mr. Speaker, no, I do not believe that is accurate. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Representative
Delnicki.

REP. DELNICKI (14TH):

So then we have the ability to, through you, Mr. Speaker, a followup question, so then we have the ability to execute a contract and retroactively change the terms of that contract? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Doucette.

REP. DOUCETTE (13TH):

Through you, Mr. Speaker. No, I do not believe that is accurate. The purchaser has purchased a gift card. The gift card still has value. I believe it is not accurate to portray it as a contract in the way that the good gentleman is describing. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Delnicki.

REP. DELNICKI (14TH):

I thank the proponent for the answer. I respectively question the answer based on business
law knowledge pertaining to contracts but I'm not going to challenge him on that. One thing I do have and again, this amendment I would like to offer.

Mr. Speaker, the Clerk has an amendment. It's LCO 7648. I would like you to please call it and I be allowed to summarize.

SPEAKER ROSARIO (128TH):

Will the Clerk please call LCO 7648, which is designated House Amendment Schedule A?

CLERK:

House Amendment Schedule A, LCO No. 7648, offered by Representative Delnicki.

SPEAKER ROSARIO (128TH):

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

REP. DELNICKI (14TH):

Through you, Mr. Speaker, and I only plan to offer one amendment and I look at this as a
compromise. I spoke of the fact that the big guys, Home Depot, Lowe's, Target, Walmart, they can all afford to have the gift card limit changed. It's not problem for them, none whatsoever. Yet, the small business people could conceivably have a problem and the amendment puts the small business administration definition of a small business as folks that would be except from having to pay the $5-dollar refund. Everyone else would have that as part of the deal that they would have going forward, paying the $5-dollar refund and I ask when the vote is taken, it's taken by roll.

SPEAKER ROSARIO (128TH):

So ordered. Will you remark further on the amendment? Will you remark further on the amendment? Representative Doucette.

REP. DOUCETTE (13TH):

Mr. Speaker, I thank the proponent for this amendment. While the intention is perhaps good, the amendment is not well taken. The bill as proposed does not add any burden or cost to any issuer, be it
a small business or a large business and for that reason, I urge my colleagues to reject this amendment. Thank you.

SPEAKER ROSARIO (128TH):

If anybody's going to remark on the amendment because of the board, may you please stand and recognize yourself? Will you remark further? If not, I will try your minds. All those in favor --

REP. DELNICKI (14TH):

Point of order. I asked for a roll call.

SPEAKER ROSARIO (128TH):

Staff and guests to the well of the House? The machine will be open. [Ringing]

CLERK:

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

SPEAKER ROSARIO (128TH):

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

CLERK:

House A.

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<td>Those Voting Nay</td>
<td>96</td>
</tr>
<tr>
<td>Those absent and not voting</td>
<td>7</td>
</tr>
</tbody>
</table>

SPEAKER ROSARIO (128TH):

The Amendment fails. [Gavel] Will you remark further on the bill? Representative Rutigliano of the 123rd, you have the floor, sir.

REP. RUTIGLIANO (123RD):

Thank you, Thank you, Mr. Speaker. Mr. Speaker, I'll be brief. I was part of the negotiations a few years ago that brought this bill forward. We helped work out a deal. It was a compromise between the advocates of the bill and the business community, a fair compromise by the way, and it really wasn’t about business, it wasn’t about
the $3 dollars. Representative Rivero, who served with me on the General Law Committee had major concerns about giving cash back on gift cards because we were in the middle of an opioid crisis. He knew as a grandfather that people were giving their grandchildren gift cards for gas and groceries and hoping they would use them for those purposes and not getting money back that they could use for nefarious purposes so there was more to this than just money coming back to a customer from a business.

There were other concerns and all those concerns were addressed. We sat at the table. We negotiated in good faith. We put in protections for donations because so many restaurants and businesses donate. They didn’t want to give cash back on gift cards that they had donated so we required a receipt. We thought $3 dollars was fair because you know what? If you have $1.50 or $2.50 left on a gift card, maybe it's not enough left to go back to a restaurant or a store and actually find something
to purchase for that amount so I felt we did a good job in 2016. I was proud to be part of it. I thought we solved the problem.

I think raising it to $5 dollars, although maybe not the biggest deal in the world, sort of goes against what we all did in 2016, sort of goes against what Representative Rivero and other members of the General Law Committee at the time, where this bill had started before it went to Banks, had issues with so I was proud of that work and I think it should stay the way it is. I think a deal's a deal. I think it's working. I bet you the proponent of the bill cannot point to this loud outcry of consumers that say wait, I need $5 dollars because you know what? Representative Delnicki is right. Next year it'll be $10 dollars and then what do we do about the grandparent that gives a gas card or a stop-and-shop card. I just wanted to make the point that there were other reasons we settled on the number we did and for that, Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):
Thank you, Representative. Will you remark further on the bill? Representative Candelora of the 86th. You have the floor, sir.

REP. CANDELORA (186TH):

Thank you, Mr. Speaker. Mr. Speaker, I'd also like to associate my remarks with Representative Rutigliano. You know not only did we really discuss this bill ad nauseum and at length, this was a bill that went before the General Law Committee which deals with consumer protection, which deals with these issues and why this bill was raised in Banks really puzzled me because it really isn’t the Committee of Cognizance on this issue.

I think when we see bills being proposed here, we should be staying in our lane because I think the General Law Committee has a better understanding of these issues and could have probably worked through what we're trying to accomplish here and trying to figure out. With that, I do have one question for the proponent of the bill, through you?

SPEAKER ROSARIO (128TH):
You may proceed, sir.

REP. CANDELORA (186TH):

Thank you, Mr. Speaker. So, Mr. Speaker, there are some stores in particular, I think of a Star Bucks or a Dunkin Donuts that do sell packages of their gift cards and they sell them in $5-dollar increments. Under this provision, if I purchase a gift card for $5 dollars for say Star Bucks, do I need to go and purchase something at Star Bucks before I seek to redeem it? Through you?

SPEAKER ROSARIO (128TH):

Representative Doucette.

REP. DOUCETTE (13TH):

Thank you. Through you, Mr. Speaker. Yes, I do believe a purchase would be made. In fact, while we're talking about $5 dollars being the threshold, the refund would actually be $4.99 so some purchase would have to be made with that gift card. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Candelora.
REP. CANDELORA (186TH):

Thank you, Mr. Speaker. So the function essentially of the way this legislation is written, a person would at least have to utilize the gift card at least once from the retailer before they seek a redemption of the balance on that gift card? Through you.

SPEAKER ROSARIO (128TH):

Representative Doucette.

REP. DOUCETTE (13TH):

Through you, Mr. Speaker, yes.

SPEAKER ROSARIO (128TH):

Representative Candelora.

REP. CANDELORA (186TH):

Thank you, Mr. Speaker. I appreciate those answers cause I think it's important to put that on the record. While I don’t like the fact that we're increasing the amount, we're not going to have a situation where cards are just going to be purchased and then turned around and redeemed. I think Representative Rutigliano makes a very important
point is that people do utilize gift cards especially in the situation where you have individuals that might have certain drug addictions. They want to make sure that those cards are being utilized for goods and services as opposed to being redeemed for cash and essentially what we are going here is we are raising these amounts and effectively creating that type of situation. And I'm also sympathetic to the businesses. One of the things that we discussed ad nauseum with the underlying bill when it was first proposed is not the fact that a business minds having to return money to an individual, but trying to ascertain and prevent against theft is a difficult thing to do and so as we continue to rise on the numbers and allow individuals to be giving cash back to people, it does pose a risk to our retailers and I just have to say, you know we dealt with a bill last week dealing with marketing Connecticut and also the bill with the minimum wage. All of these type of bills add cost to what business, how businesses are able to
operate and so I think this is one of those exact bills that retailers in the State of Connecticut are already going to be impacted by absorbing the cost of minimum wage. We may have a bottle bill coming down where they're going to be impacted on having to deal with redeemables and now we're going to add gift cards where they're going to be redeeming up to $5 dollars per gift card which is impactful and they're going to have to worry about the fraud. So I'm disappointed this bill wasn't in General Law. I'm disappointed that we're so quickly moving up this number and I guess for some levity, my wife might be happy that the number is higher because that's all I do purchase for my wife is gift cards and she probably would want to return half of them I get her because she doesn't like the stores I purchase at, but I think that we really shouldn't be moving on this bill. We should be giving our retailers a break. They need to come up for air and hopefully this will die in the Senate. Thank you, Mr. Speaker.
SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the bill? Representative McLachlan of the 35th, you have the floor, sir.

REP. MACLACHLAN (35TH):

Thank you, Mr. Speaker. Just a few comments on the bill.

SPEAKER ROSARIO (128TH):

You may proceed, sir.

REP. MACLACHLAN (35TH):

Thank you, sir. You know I appreciate this debate. It's given me an opportunity to dig into a little bit of the, the history of gift cards and some of the work that we've done in the past. Important to note that Connecticut has actually been a leader thinking about how to increase consumer value with the way that we define and the parameters that we've set for gift cards, the first of which, the most important of which being the state statute that preserves the value of a gift card in perpetuity. Regardless of the passage of time, the
value of the balance of the gift card will remain intact and that's important to remember.

A number of industries have weighed in on changing, on the proposed changes from this underlying bill. The banking industry has weighed in on the issue of fraud. If someone goes to an automated kiosk and the information is stolen due to a date breach and then they can basically take the balance and spend the cash or spend the gift card on goods and services and then pocket cash. The banks have also weighed in on some of the logistical hurdles their commercial clients, small businesses in particular, are going to face. The restaurants have weighed in. When people buy gift cards for someone to you know their favorite restaurant, the intention is to give that person you know a good experience at that restaurant, to buy food and drink and you know this will essentially allow you know customers to receive you know a cash profit on a gift card that was meant for purchasing food and beverages. I think we should currently let
businesses decide how to manage the excessive balances of the gift cards that they offer and should really hold off on legislating further.

Representative Candelora has already spoken to some of the impacts that retailers will experience, but I think it's important to notice, important to mention you know how important retail is to the State of Connecticut and to our economy. Hundreds of thousands of jobs, billions of dollars in contribution, I mean they contribute around 14, 15 percent of the State's GDP so we're talking about one of the pillars of our economy and you know I'd be remiss if I didn’t encourage this body to really think about the impact this will have on small businesses you know at a time where you know our job growth is still lacking and lagging behind national averages. I would encourage my colleagues to vote against this measure. Thank you.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the bill? Representative Yaccarino, you
have the floor, sir.

REP. YACCARINO (87TH):

   Good evening, Mr. Speaker, it's great to see you up there.

SPEAKER ROSARIO (128TH):

   Thank you, good to see you.

REP. YACCARINO (87TH):

   You're doing a very good job.

SPEAKER ROSARIO (128TH):

   Thank you.

REP. YACCARINO (87TH):

   Just a question to the proponent of banks and then a couple of comments. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

   You may proceed, sir.

REP. YACCARINO (87TH):

   Is this a pressing issue in our state? We have so many important things we should be debating and discussing as far as real job creation, homeless people, people of need. Is this really a pressing
issue? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Doucette, you have the floor.

REP. DOUCETTE (13TH):

Through you, Mr. Speaker. I won't comment on that. There was testimony at the public hearing. I do believe the intent of this bill is to make a modest change to bring us in line with several of our surrounding states that have this similar policy. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Yaccarino.

REP. YACCARINO (87TH):

Thank you for that answer. I helped negotiate this in 2016. I've owned a retail business for 27 years for full disclosure and I give out a lot of gift certificates, we sell a lot of gift certificates and in this bill, I appreciate that if you donate the gift certificate, you can't redeem that for cash. I believe that's in the language and you have to a receipt, but the fact, I'll go back to
what I said earlier. There's so many important things that we should be debating and putting forth policy for job creation and moving our state forward and we're debating a bill that we negotiated in good faith three years ago, from $3 to $5 dollars that when you have a business it's a logistic nightmare because if you get 20 or 30 of these a week, it adds up and then you have to change your tax structure. It's just a pain in the butt to be perfectly honest with you and I always offer people, even if it's $8 or $9 dollars, if you want your money, 99, nobody takes the money back. They want to come back and spend the money. So my point again is, with all due respect, there's so many more important things that we should be discussing. Jobs in Bridgeport, jobs in New Haven, jobs in Hartford and North Haven, everywhere. Homeless people. This is foolish. I'm sorry, I feel, all due respect, this is foolishness. Thank you.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Would you like to
remark further on the bill? Representative Carney of the 23rd, you have the floor, sir.

REP. CARNEY (23RD):

Thank you very much, Mr. Speaker. Just one question to the proponent of the bill, through you.

SPEAKER ROSARIO (128TH):

You may proceed.

REP. CARNEY (23RD):

So I just have a question. With this bill, if I were to purchase a gift card at a franchise location owned by one person, would I be able to use that gift card and get that $5 dollars back at a franchise owned by a different person? So for example, a Dunkin Donuts owned by person A, I buy the gift card there or give it to somebody, that person then goes to Dunkin Donuts owned by person B and redeems that gift card there. Through you.

SPEAKER ROSARIO (128TH):

Representative Doucette.

REP. DOUCETTE (13TH):

Thank you, Mr. Speaker, I believe the answer is
yes. Through you.

SPEAKER ROSARIO (128TH):

Representative Carney.

REP. CARNEY (23RD):

Okay. So I appreciate the answer from the good vice-chairman of the Banking Committee and that's one of the reasons why I stand in opposition of this bill. Many of us go to Dunkin Donuts. Many of us go to Subway or many of the other franchises that are owned and operated by individual owners, not necessarily the company. They invest in a restaurant using that company's goods, using that company's products so I think it's a little unfair if I go to a Dunkin Donuts let's say in the town of Fairfield and purchase a gift card for somebody, and then that person goes to a Dunkin Donuts let's say in you know the town of Old Saybrook for example and redeems that gift card there and requests that you know $4.97 whatever it be from that particular store because what you're essentially doing is giving that money to the Dunkin Donut store owner in Fairfield
and then taking money away from a different Dunkin Donut store owner and I just think that is on its face, I know it's not a lot of money, but I think on its face that's patently unfair to be able to do that. I think that that maybe leaving it up to the restaurant owner or something like that may be a better compromise. I mean I look at the folks who oppose it. It's everyone in the industry that does but this reason I think is one that needs to be mentioned because as I said, it really is unfair to that franchise owner that's put their blood, sweat and tears into opening a franchise that now, they don’t even know where the gift card came from, but if that person wants that money, $5 dollars or less, it's gonna come out of their pocket so I urge my colleagues to oppose this. Thank you very much, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the bill? Representative D'Amelio of the 71st, you have the floor, sir.
REP. D'AMELIO (71ST):

Thank you, Mr. Speaker. A question through you to the proponent of the bill?

SPEAKER ROSARIO (128TH):

You may proceed, sir.

REP. D'AMELIO (71ST):

Is there a fine attached to this piece of legislation if a retailer refuses to give the cash back on a gift card? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Doucette.

REP. DOUCETTE (13TH):

Through you, Mr. Speaker. I am not aware that there is a fine. Certainly if there is, that provision is not changing in this legislation. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative D'Amelio.

REP. D'AMELIO (71ST):

Thank you, Mr. Speaker cause I was looking through the bill and I didn’t see of any. Mr.
Speaker, you know I rise in opposition to this bill. As my colleague, Representative Rutigliano, mentioned earlier, there was a good faith effort made back in 2016 in this General Assembly that we were going to limit the cash back to $3 dollars. You know many of us opposed it back then but it was a good faith negotiation that went on and we were all in agreement. Now to bring it back here two years later and ask for $5 dollars just tells me in another year we're going to be asking for $10 dollars and then $15 dollars and then $20 dollars.

You know this state is the most anti-business climate that we have. To even debate a bill of this sort on the floor of the House to me is ridiculous. You know I've been in business a long time and let me tell you I jump through hoops to make my customers happy. I would never refuse a refund on a gift card for a customer because I'd like to give them more on that gift card for them to come back. That's how you keep retaining business and bringing them back so the point is not the $5 dollars here.
You know there's a whole host of issues that go with this.

As it was eloquently said before, you know people are looking for cash. You know I can't tell you how many times I'm at a gas station pumping gas and people are asking me for cash because they're looking to put a couple dollars in their gas tank. This just opens up a whole set of problems that we don't really need. Gift cards are not a problem in this state. No one complains about them. We even have no expiration dates. I mean a gift card, you could have a gift card for ten years and find it and go in and utilize at whatever retailer or restaurant so to have this before us is really sad because I thought a deal was cut in 2006 [sic] but it just goes to show you the environment that's here in Hartford. Next year I guarantee it'll be some more and the year after so I urge my colleagues to stop this nonsense now and reject this. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):
Thank you, Representative. Will you remark further on the bill? Representative Buckbee of the 67th, you have the floor, sir.

REP. BUCKBEE (67TH):

Good evening, Mr. Speaker, how are you?

SPEAKER ROSARIO (128TH):

Good evening. How are you doing?

REP. BUCKBEE (67TH):

I'm wonderful, thank you. Great job up there today. You’ve been up there quite a while.

SPEAKER ROSARIO (128TH):

Thank you.

REP. BUCKBEE (67TH):

I just have a comment on the bill that I don't think has been touched on much and while I agree with my colleagues and the concerns for business, I also sit on the homeless shelter for my community and as others who do, plenty of our communities like ours who give out specifically $5-dollar Dunkin Donut cards. A lot of these people that we're trying to help out and give them a cup of coffee,
there's a lot of people who are addicts that we have a lot of concern with and we're trying to help them get back on the right foot. If they can turn and take that $5 dollars that we just gave them for food, for a cup of coffee, for whatever it is and turn that it into something that's not gonna help, that's a concern for me. It's a really big concern that we have these people that we're trying to help and do our best for as they try and deal with their recovery or not with their recovery, right? These are people who have an addiction and we're trying to help them with a warm place to stay and here's a gift card in the morning so they can get their day started right. I'd hate to think we're empowering them to go cash that in, save up for a couple days or maybe with what they have there. It's a concern for me that it takes away the safety of us giving a gift card in the first place. So I think there's a safety factor of this that might be overlooked in the simplicity of the concept that isn’t being thought through completely. And I know sometimes
it's something we just forget and sometimes it's a common sense thought that needs to be remembered in Hartford and let's be honest, we're not known for that right now across the state. So just a common sense thing, I would highly recommend that we oppose this bill. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on this bill? Representative Miller of the 145th, you have the floor, madam.

REP. MILLER (145TH):

Thank you, Mr. Speaker. Through you, Mr. Speaker, I have a couple of questions for the proponent of the bill.

SPEAKER ROSARIO (128TH):

You may proceed, madam.

REP. MILLER (145TH):

Through you, Mr. Speaker, if someone gave me a gift certificate or gift card for $500 dollars and I had $4 dollars left on it, would I be entitled to receive those monies? Through you, Mr. Speaker.
SPEAKER ROSARIO (128TH):

Representative Doucette.

REP. DOUCETTE (13TH):

Through you, Mr. Speaker, under this legislation, yes, you would.

SPEAKER ROSARIO (128TH):

Representative Miller.

REP. MILLER (145TH):

Through you, Mr. Speaker. So that means the retailer received $496 dollars? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Doucette.

REP. DOUCETTE (13TH):

Through you, Mr. Speaker. Yes, that would be correct.

SPEAKER ROSARIO (128TH):

Representative Miller.

REP. MILLER (145TH):

Thank you. Through you, Mr. Speaker. If I purchase a gift card from Dunkin Donuts in Stanford
and I went to Hartford to buy my donuts or my coffee, to buy something from there, would Stanford be affected by this?

SPEAKER ROSARIO (128TH):

Representative Doucette.

REP. DOUCETTE (13TH):

   Through you, Mr. Speaker. No, I do not believe so and in fact, there is an exception under existing statute for gift cards that are redeemable at multiple unaffiliated merchants for goods or services. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

   Representative Miller.

REP. MILLER (145TH):

   Through you, Mr. Speaker. Thank you for that answer. Through you, Mr. Speaker, does the proponent of the bill know what Massachusetts' maximum is for cash, gift cards redeemed for cash? Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

   Representative Doucette.
REP. DOUCETTE (13TH):

Through you, Mr. Speaker. As mentioned earlier, Massachusetts is at the $5-dollar threshold for $4.99 refund. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Representative Miller.

REP. MILLER (145TH):

Through you, Mr. Speaker. I would like to thank the fine gentleman for the answers. I stand in support of this bill. It is a consumer-friendly bill. I am in fact the proponent of the bill. I've heard comments that the bill, the $3 dollars was negotiated in good faith. I can stand here honestly and say that I was not included in those negotiations. I did not know of an agreement. I remember talking to individuals when we negotiated $1 dollar and that never happened but I was never included in negotiations. They may have happened, but I was never included in those negotiations.

Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):
Thank you, Representative. Will you remark further on this bill? Representative Wilson of the 66th, you have the floor.

REP. WILSON (66TH):

Thank you, Mr. Speaker and just a couple of comments. In looking at the public hearing information, I only see one testimony that is in favor. All the others are in opposition. I'd also like to bring to the floor's attention the fact that the opposition was one individual. The others in favor were many of the associations whose members, whose business owner members of our state were in opposition so I believe those testimonies were speaking for many voices and if we're trying to encourage business here in the State of Connecticut, we need to listen to those voices. I stand in opposition to this bill. I don't think it is a business friendly bill. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on this bill? Representative Cheeseman,
House of Representatives

May 14, 2019

You have the floor, madam.

Rep. Cheeseman (37th):

Thank you very much, Mr. Speaker. I have a few questions for the proponent of the bill?

Speaker Rosario (128th):

You may proceed, madam.

Rep. Cheeseman (37th):

Through you, Mr. Speaker. Can you tell me what the average value of the gift card purchased today is? Through you, Mr. Speaker.

Speaker Rosario (128th):

Representative Doucette.

Rep. Doucette (13th):

Through you, Mr. Speaker. I do not have that information. I don't believe there was any testimony to that effect. I could be wrong but I do not have that information. Through you, Mr. Speaker.

Speaker Rosario (128th):

You may proceed, madam.

Rep. Cheeseman (37th):
Thank you and I have the advantage because I've been able to quickly look this up. The average value of a gift card nowadays is $45 dollars. That is a far cry from the $500 dollars hypothetically cited earlier. I'm going to make my comments now. I thank the good proponent for his answer to that question. As we go forward with this, let's consider those restaurants, organizations and other groups that donate gift cards on a regular basis for charitable endeavors. They do so in the hope that the winner, the silent auction bidder, whoever, will go to their business and utilize it and ideally, spend more money than is on the gift card. I know at my children's museum, I must get eight or ten requests for donations of gift cards a week. It is not anticipated that the purchaser or winner of the gift card will then come back, make a small purchase and request cash in return. I think this would have a negative effect on the willingness of our restaurants, our hotels or other places to donate. I happen to know, looking at gift card research,
employers very often donate gift cards or award gift cards to their employees as a reward for good work, as an incentive. Again, I don't believe the intention is then for the employee to take, spend $20 of the dollars and then return for an additional $5 dollars.

Massachusetts has been cited with a $5-dollar limit. Massachusetts has regained 300 percent of the jobs it lost in the recession so if we're going to cite Massachusetts, let's aim to be like it in regaining the jobs lost, not continue with policies that may in fact hurt them. And our neighboring state, Rhode Island, has a limit of $2.50, below our $3-dollar limit so as we go forward with this, I think the $3-dollar limit is fine. I think the $5-dollar limit is the slippery slope as many representatives have said. Perhaps we're gonna come back and say it's a $10-dollar limit so again, with my experience donating gift cards, looking at what's going on in our economy, I stand in opposition to this bill and I would encourage my colleagues to
oppose it. Thank you very much, Mr. Speaker.

SPEAKER ROSARIO (128TH):

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

[Ringing]

CLERK:

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

SPEAKER ROSARIO (128TH):

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

CLERK:

House Bill 7077.
Total Number of Voting: 144
Necessary for Passage: 73
Those Voting Yea: 84
Those Voting Nay: 60
Those absent and not voting: 7

SPEAKER ROSARIO (128TH):

The Bill passes. [Gavel] Will the Clerk please call Calendar No. 490?

CLERK:

On page 49, House Calendar 490, Substitute House Bill No. 7236, AN ACT CONCERNING PROPERTY THAT IS EXEMPT FROM A JUDGEMENT CREDITOR. Favorable Report of the Joint Standing Committee on Judiciary.

SPEAKER ROSARIO (128TH):

Representative Conley, you have the floor, madam.

REP. CONLEY (40TH):

Mr. Speaker, I move for acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER ROSARIO (128TH):

The question before the Chamber is on
acceptance of the Joint Committee's Favorable Report and the passage of the bill. Representative Conley, you have the floor.

REP. CONLEY (40TH):

Thank you, Mr. Speaker. This is a bill that increased the Homestead Exemption from $75,000 dollars to $150,000 dollars to keep up with inflation and our neighboring states. It also increases the exemption of vehicles to keep up with the cost of vehicles so this would protect consumers' homes from medical debt and unsecured debt at a much larger rate to try to help consumers. Thank you.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on this bill? Representative Rebimbas of the 70th, you have the floor, madam.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker, I rise in support of the proposal before us. Just a quick question to the proponent of the bill, please.
You may proceed.

Thank you, Mr. Speaker. If the good lady could simply let me if she knows how this may compare with some of our neighboring states or nationally. Thank you.

Representative Conley.

Thank you, Mr. Speaker. Our neighboring states of Massachusetts and Rhode Island have a $500,000-dollar exemption, Homestead Exemption. Our neighboring state of New York, they do their things a little differently. They do their Homestead Exemptions by county so the counties around the cities have a higher Homestead Exemption up to $150,000 dollars. The counties that are more rural have a lower exemption. Every New York county is above $70,000 dollars.
Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker and I would like to thank the Representative for her responses and I also want to take this opportunity obviously to thank the ranking member, Senate as well as the co-chairs both House and Senate for accommodating the lesser amount that was requested in this regard as well so I do rise in support.

SPEAKER ROSARIO (128TH):

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

[Ringing]

CLERK:

The House of Representatives is voting by roll. Members to the Chamber. The House of Representatives is voting by roll. Members to the Chamber.
SPEAKER ROSARIO (128TH):

Have all the members voted? Have all the members voted? Will the members please check the board to determine -- Have all the members voted? Have all the members voted? If all members have voted, the machine will be locked and the Clerk will take a tally. The Clerk will please announce the tally?

CLERK:

House Bill 7236.

Total Number of Voting 146

Necessary for Passage 73

Those Voting Yea 135

Those Voting Nay 9

Those absent and not voting 7

SPEAKER ROSARIO (128TH):

The bill passes. [Gavel] Will members stay close to the Chamber? Voting will happen rapidly. Are there any announcements or introductions? Representative McLachlan of the 35th, you have the floor, sir.

REP. MCLACHLAN (35TH):

Thank you, Mr. Speaker. It has come to my
attention that on Friday, one of our own had a birthday and we weren’t able to celebrate as we weren’t in session, but I want to wish Representative Devin Carney of the 23rd district a Happy Birthday.

Happy Birthday, Devin. [Applause]

SPEAKER ROSARIO (128TH):

Happy Birthday to you, Representative. Are there any announcements or introductions?

Representative Lemar of the 96th, you have the floor, sir.

REP. LEMAR (96TH):

Good evening, Mr. Speaker. For purpose of announcement.

SPEAKER ROSARIO (128TH):

You may proceed.

REP. LEMAR (96TH):

Mr. Speaker, the Transportation Committee will meet tomorrow, 15 minutes before the call of the first Chamber. Thank you. Oh, outside the hall of the House.

SPEAKER ROSARIO (128TH):

Will the Clerk please call Calendar Item No. 527?
On page 55, House Calendar 527, Substitute House Bill No. 7344, AN ACT CONCERNING THE IMPOSITION OF PENALTIES FOR REPEATED VIOLATIONS OF MUNICIPAL REGULATIONS OR ORDINANCES. Favorable Report of the Joint Standing Committee on Judiciary.

SPEAKER ROSARIO (128TH):

Representative Blumenthal, you have the floor, sir.

REP. BLUMENTHAL (147TH):

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

SPEAKER ROSARIO (128TH):

The question is acceptance of the Joint Committee's Favorable Report and passage of the bill. Representative Blumenthal, you have the floor.

REP. BLUMENTHAL (147TH):

Thank you, Mr. Speaker. This bill aims to address a problem that is far too prevalent in many
of our municipalities, not the least of all, my home community of Stamford which is scofflaws and willful violators of municipal codes who repeatedly do so and are currently undeterred by the penalties that can be judged against them. This bill aims to address that problem by two methods. The first is by clarifying that a person who initially complies but then does not and continues to violate the code they’ve been judged to have violated can be judged to be willfully violation or repeatedly or continually violation that code provision, and it also aims to increase the civil penalty, the maximum civil penalty available for such violations as it currently in inadequate deterrent. With that in mind, the Clerk has an amendment, LCO No. 8239. I would ask that the Clerk please call the amendment and that I be granted leave of the Chamber to summarize.

SPEAKER ROSARIO (128TH):

Will the Clerk please call LCO 8239 which will be designated House Amendment Schedule A.
HOUSE OF REPRESENTATIVES

MAY 14, 2019

CLERK:

House Amendment Schedule A, LCO No. 8239 offered by Representative Stafstrom and Representative Blumenthal.

SPEAKER ROSARIO (128TH):

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

REP. BLUMENTHAL (147TH):

Thank you, Mr. Speaker. In the original bill, we increased the civil penalty to a maximum of $7500 dollars in order to avoid ambiguity in terms of jurisdiction to make sure that the Superior Court has jurisdiction. However, due to a bipartisan compromise, we have reduced that amount to $5500 dollars as a maximum civil penalty which is the current value of the civil penalty as created in 1987. Incorporating inflation, it is now $5500 dollars. I would urge adoption of the amendment.
SPEAKER ROSARIO (128TH):

The question before the Chamber is adoption of House Amendment Schedule A. Will you remark on the amendment? Representative Rebimbas of the 70th, you have the floor, madam.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker, I rise in support of the amendment before us and I'll reserve my comments for the bill as amended if this certainly were to succeed in passing, but I want to take this opportunity to thank the good vice-chairman for taking our suggestion and working in a bipartisan manner. We thought that the $2500-dollar jump to $7500 dollars was a little high. Again, I can understand that maybe for cities, those types of projects would merit a higher fine of course, but for many of the smaller towns where the projects are much smaller, $7500 dollars was a bit high so we compromised with the $5500 dollars as the maximum amount so I'll reserve my comments for the underlying bill, but I do rise in support of the
amendment and appreciate the bipartisanship in accepting our proposal.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further? Will you remark further on the amendment before us? If not, I will try your minds. All those in favor, signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ROSARIO (128TH):

All those opposed, nay. The ayes have it and the amendment is adopted. [Gavel] Will you remark further on the bill as amended? Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Just through you, some clarifying questions for the good vice-chairman.

SPEAKER ROSARIO (128TH):

You may proceed.

REP. REBIMBAS (70TH):

Thank you. To the good vice-chairman, is there
anything in this proposal that requires or mandates the municipality must apply these fines? Through you.

SPEAKER ROSARIO (128TH):

Representative Blumenthal.

REP. BLUMENTHAL (147TH):

Through you, Mr. Speaker. The answer is no. This is a maximum fine that would actually be applied by the Superior Court after it's been judged that an order has been violated.

SPEAKER ROSARIO (128TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker and I would like to take the opportunity to thank the vice-chairman for bringing this to our attention and again, I rise in support of the proposal before us and again, I think that allows municipalities to appropriately attempt to levy any fines through the Superior Court that it was necessary and again, I think the different projects throughout the state requires the ability
to have some flexibility regarding the amount so I rise in support of this proposal.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the bill as amended? Representative Smith of the 108th, you have the floor, sir.

REP. SMITH (108TH):

Thank you, Mr. Speaker. Just a few questions. Through you, please.

SPEAKER ROSARIO (128TH):

You may proceed.

REP. SMITH (108TH):

The gentleman from Stamford indicated that there had to be a willful violation. I was looking through the bill. I did not see that language so my question through you is, does the violation have to be willful or just a violation in general? Through you.

SPEAKER ROSARIO (128TH):

Representative Blumenthal.

REP. BLUMENTHAL (147TH):
Through you, Mr. Speaker. The civil penalty can only be assessed after it has been determined that somebody has been served with an order and has failed to comply with that order so the process has already gone through, the official process of judging that the violation has taken place, the person has notice and they have either failed to cease the behavior or they have, within ten days, or they have actively violated it again. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

   Representative Smith.

REP. SMITH (108TH):

   I thank the gentleman for his answer. So I understand that to be no, it doesn’t have to be willful, it just has to be a violation. I just want to correct, just make sure I'm correct in that. Through you.

SPEAKER ROSARIO (128TH):

   Representative Blumenthal.

REP. BLUMENTHAL (147TH):
Thank you, Mr. Speaker. Through you, I would I
guess I would clarify my response by saying I think
the fact that someone has been served with an order
and has refused to comply with that order within the
time limits laid out in this statute would itself be
a finding of willfulness. Through you.

SPEAKER ROSARIO (128TH):

Thank you. Representative Smith.

REP. SMITH (108TH):

Thank you, Mr. Speaker and I can think of
situations where somebody may not be able to comply.
Let's assume he started a project that was in
violation of the ordinance and then he became ill or
injured and was unable to correct it and the ten
days have gone by. That's not really willful in my
mind. It's just the inability to actually comply
with the regulation because of some other outside
force so I want to make sure that we are talking
about the same thing here.

So I'm not looking to prolong this in any way,
but it seems to me there are situations where people
who may in good faith be willing to comply, maybe they were not aware of the violation at the time they were served, they did not have time to correct it within the ten-day period through any number of a hundred reasons we each could come up now, and now they're looking at a $5500-dollar fine. I appreciate the good vice-chairman's and the chairman's response to our request to lower the fine from $7500 dollars to $5500 dollars. I think that's a step in the right direction, but I still think it's an excessive fine from $2500 dollars to $5500 dollars without a finding of a willful violation.

I think if the bill read that there had to be a willful violation in order for the fine to be imposed, I would be all in favor of it because there are situations where contractors go out and they do things and they know they're doing it and they violate it and they don't care and in those situations, they should be fined. I would support it 100 percent but absent a willful violation, a willful finding, which I don't see in this
particular bill, I cannot support it for those people who may have inadvertently violated the law and were unable to correct it for whatever reason. So thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the bill as amended? Representative Dubitsky of the 47th, you have the floor, sir.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. A few questions for the proponent if I may.

SPEAKER ROSARIO (128TH):

You may proceed.

REP. DUBITSKY (47TH):

Thank you. In lines 29 through 34 of the bill as amended, there's, um, it talks about what constitutes a violation and it imposes of fine of $100 dollars in one section and $250 dollars in another section for each day such violation continues. I understand that section B in lines 43 through 45 is being amended. Is that also a
violation each day or is it one single violation for not complying? Through you.

SPEAKER ROSARIO (128TH):

   Representative Blumenthal.

REP. BLUMENTHAL (147TH):

   Through you, Mr. Speaker. Section B represents the maximum civil penalty that can be assessed so I believe that one incorporates the other. Through you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

   Representative Dubitsky.

REP. DUBITSKY (47TH):

   Thank you, Mr. Speaker. So one incorporates the other meaning that it would be a $250-dollar per day up to a maximum of $5500 dollars? Through you.

SPEAKER ROSARIO (128TH):

   Representative Blumenthal.

REP. BLUMENTHAL (147TH):

   That is my understanding, Mr. Speaker.

SPEAKER ROSARIO (128TH):

   Representative Dubitsky.
REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Now, I just wanted to comment a little bit expounding on what Representative Smith said about the inability to comply. I note that this violation in lines 38 through 48, I'm sorry through 49, are for a cease and desist order with respect to a violation involving the grading of land, removal of earth, or soil erosion and sediment control. So I can certainly envision a situation where somebody removes an awful lot of earth, is issued a cease and desist order, and one can only imagine how they could possibly be able to comply with such order immediately. You’ve got tens of thousands of yards of material that have been removed from the site. I can't imagine how one would comply with an order to remediate that immediately so I just, I understand the purpose of this. I just think that amendment puts an ownness on people who may well be trying to comply and are simply unable to and there doesn’t seem to be a provision for that so Thank you, Mr.
Thank you, Representative. Will you remark further on the bill as amended? Representative -- All right. Will you remark further on the bill as amended? Will you remark further on the bill as amended? If not, will staff and guests please come to the -- If not, will staff and guests please come to the well of the House? Will the members please take your seats? The machine will be open.

[Ringing]

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

Have all the members voted? Have all the members voted? Will the members please check the board to determine -- Have all the members voted? Have all the members voted? If all members have voted, the machine will be locked and the Clerk will take a tally. The
Clerk will please announce the tally?

CLERK:

House Bill 7344 as amended by Schedule A.

Total Number of Voting 143
Necessary for Passage 72
Those Voting Yea 94
Those Voting Nay 49
Those absent and not voting 8

SPEAKER ROSARIO (128TH):

The bill as amended is passed. [Gavel]

Representative Ritter of the 1st, you have the floor, sir.

REP. RITTER (1ST):

Thank you, Mr. Speaker. Before we, we have a few left before we conclude business tonight, but tomorrow there is a change to the start of session. We are starting at 1:00 o'clock tomorrow afternoon, 1:00 o'clock unless you have Committees that have otherwise been indicated. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Are there any announcements or introductions? Representative Davis,
you have the floor, sir.

REP. DAVIS (57TH):

Thank you, Mr. Speaker. Just a friendly reminder to the Republican members of the Finance Review and Bonding Committee that we will be caucusing at 9:30 o'clock tomorrow morning in the finance conference room on the third floor of the LOB. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

Thank you, sir. Will the Clerk please call Calendar Item No. 244?

CLERK:

On page 23, Calendar 244, Substitute House Bill No. 5455, AN ACT CONCERNING QUALITIFED FOREST FIRE FIGHTERS. Favorable Report of the Joint Standing Committee on Public Safety and Security.

SPEAKER ROSARIO (128TH):

Representative Verrengia, you have the floor, sir.

REP. VERRENGIA (20TH):

Good evening, Mr. Speaker. I move for acceptance of the Joint Committee's Favorable Report
and passage of the bill.

SPEAKER ROSARIO (128TH):

The question is acceptance of the Joint Committee's Favorable Report and passage of the bill. Representative Verrengia, you have the floor, sir.

REP. VERRENGIA (20TH):

Mr. Speaker, under this bill if the state forest fire warden determines that additional personnel are required to extinguish a forest fire in the state, he or she may order in temporary emergency workers that meet certain requirements. This bill was voted out of Committee unanimously and did not receive any public opposition. I urge passage.

SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on this bill? Representative Sredzinski of the 112th, you have the floor, sir.

REP. SREDZINSKI (112TH):

Good evening, Mr. Speaker and thank you. Few
bills come before this Chamber that are good as in concept as this bill. There is no cost to the state. There is no cost to municipalities. There is improvement in public safety to the State of Connecticut. It makes better use of our talent and our resources in the State of Connecticut. I want to thank the good chairman for his explanation. He did an excellent job. I want to thank him for getting the bill through. I want to thank the Representative from the 67th District for introducing this idea, this concept and for bringing up supporters to testify in support of it. Good bill, oughta pass.

SPEAKER ROSARIO (128TH):

    Thank you, Representative. Will you remark further on this bill? Representative Buckbee of the 67th, you have the floor, sir.

REP. BUCKBEE (67TH):

    Thank you, Mr. Speaker. I'll be very brief. I'd first like to thank the Chairman of the Committee and our ranking member for their hard work
in getting this through Committee. This concept was brought to me by one of constituents who is a smoke jumper and a good friend of mine, Sergio Laguarre. Sergio brought this concept to us that we should be doing this and utilizing our Connecticut forest firefighters. Thank you, Sergio. Great bill, oughta pass. Thank you, Mr. Speaker.

SPEAKER ROSARIO (128TH):

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

[Ringing]

CLERK:

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

SPEAKER ROSARIO (128TH):

Have all the members voted? Have all the members voted? Will the members please check the board to
determine -- Have all the members voted? Have all the members voted? If all members have voted, the machine will be locked and the Clerk will take a tally. The Clerk will please announce the tally?

CLERK:

House Bill 5455.

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SPEAKER ROSARIO (128TH):

The bill passes. [Gavel]

SPEAKER ARESIMOWICZ:

Will the Clerk please call House Calendar 480?

CLERK:


SPEAKER ARESIMOWICZ:

Representative Stafstrom of the 129th. Sir,
Thank you, Mr. Speaker. Mr. Speaker, I move for acceptance of the Joint Committee's Favorable Report and passage of the bill.

REP. REBIMBAS (78TH):

Thank you, Mr. Speaker. This is a good bill. I rise in support. This is regarding Fentanyl.
Please everyone support it.

SPEAKER ARESIMOWICZ:

    Thank you very much, madam. Will you remark? Representative Klarides of the 114th. Madam, you have the floor.

REP. KLARIDES (114TH):

    Thank you, Mr. Speaker. I want to thank everyone for their work on this bill. A few years ago there was a truck that was pulled over by the state police that had 55 pounds of Fentanyl in it. Just to put that in perspective, that is about 15 million legal doses in 55 pounds. Fentanyl, as most of you have probably heard, is 100 times stronger than morphine and 50 times stronger than heroin. The U.S. Center for Disease Control in the past six months has announced that it is the deadliest drug that we have in society right now. All this bill does is make the penalties for Fentanyl the same as heroin.

    I had a woman in my office today whose son just died of a Fentanyl overdose. I'm sure we all have...
stories like that. It's only fair that the penalties are the same. We see these tragedies every day. We have to do anything we can to try and stop them. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ:

Thank you very much, madam. Staff and guests to the well of the House, members take your seats? The machine will be open. [Ringing]

CLERK:

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

SPEAKER ARESIMOWICZ:

Have all the members voted? Have all the members voted? If all members have voted, please check the board to ensure your vote has been properly cast. If all the members have voted, the machine will be locked and the Clerk will take a tally. The Clerk will announce the tally?

CLERK:

House Bill 5524.
Total Number of Voting 143
Necessary for Passage 72
Those Voting Yea 143
Those Voting Nay 0
Those absent and not voting 8

SPEAKER ARESIMOWICZ:

The bill passes. [Gavel] Will the Clerk please call Calendar No. 347?

CLERK:

On page 33, House Calendar 347, Substitute House Bill No. 6754, AN ACT CONCERNING REIMBURSEMENT FOR THE PURCHASE OF BODY-WORN ELECTRONIC RECORDING EQUIPMENT. Favorable Report of the Joint Standing Committee on Planning and Development.

SPEAKER ARESIMOWICZ:

Representative McCarthy Vahey of the 133rd. You have the floor, madam.

REP. MCCARTHY VAHEY (133RD):

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

SPEAKER ARESIMOWICZ:
The question is acceptance of the Joint Committee's Favorable Report and passage of the bill. Will you remark, madam?

REP. MCCARTHY VAHEY (133RD):

Thank you, Mr. Speaker. Mr. Speaker, this bill allows municipalities to purchase body worn equipment during the Fiscal Year 17 or 18 paid in the first two months of Fiscal Year 19, eligible for 100 percent reimbursement within available funds and I urge support.

SPEAKER ARESIMOWICZ:

Thank you very much, madam. Representative Zawistowski of the 61st. Madam, you have the floor.

REP. ZAWISTOWSKI (61ST):

Good evening, Mr. Speaker. Good bill, oughta pass.

SPEAKER ARESIMOWICZ:

Thank you very much, madam. Will you remark further? If not, staff and guests to the well of the House, members take your seats? The machine will be open. [Ringing]

CLERK:
The House of Representatives is voting by roll. Members to the Chamber. The House of Representatives is voting by roll. Members to the Chamber.

SPEAKER ARESIMOWICZ:

Have all the members voted? Have all the members voted? If all members have voted, please check the board to ensure your vote has been properly cast. If all the members have voted, the machine will be locked and the Clerk will take a tally. The Clerk will please announce the tally?

CLERK:

House Bill 6574.

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SPEAKER ARESIMOWICZ:

The bill passes. [Gavel] Will the Clerk please call House Calendar 255?

CLERK:
On page 24, House Calendar 255, Substitute House Bill No. 6588, AN ACT CONCERNING THE ISSUANCE OF PARKING CITATIONS BY INDEPENDENT INSTITUTIONS OF HIGHER EDUCATION AND PRIVATE SECONDARY SCHOOLS. Favorable Report of the Joint Standing Committee on Transportation.

SPEAKER ARESIMOWICZ:

Representative Lemar of the 96th, sir, you have the floor.

REP. LEMAR (96TH):

I move for acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER ARESIMOWICZ:

The question is acceptance of the Joint Committee's Favorable Report and passage of the bill. Will you remark?

REP. LEMAR (96TH):

The bill looks to improve assurance of independent higher institutions and private high schools from issuing parking citations on their campus. I move adoption.

SPEAKER ARESIMOWICZ:
Thank you very much, sir. Representative Devlin of the 134th. Madam, you have the floor.

REP. DEVLIN (134TH):

It's a good bill, oughta pass. Thank you.

SPEAKER ARESIMOWICZ:

Staff and guests to the well of the House, members take your seats? The machine will be open. [Ringing]

CLERK:

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

SPEAKER ARESIMOWICZ:

Have all the members voted? If all members have voted, please check the board to ensure your vote has been properly cast. If all the members have voted, the machine will be locked and the Clerk will take a tally. The Clerk will announce the tally?

CLERK:

House Bill 6588.

Total Number of Voting 143
Necessary for Passage 72
Those Voting Yea 143
Those Voting Nay 0
Those absent and not voting 8

SPEAKER ARESIMOWICZ:

The bill passes. [Gavel] Any announcements or introductions? Representative Reyes of the 75th district, sir, you have the floor.

REP. REYES (75TH):

Mr. Speaker, for purpose of journal notation, out sick today, Representative Rose, Baker and Orange, business outside the Chamber, Perone, Johnson, Walker and Sanchez, business in district Phipps, Vargas and Luxenberg, and medical, Garibay. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ:

The journal is so noted. Representative D'Agostino of the 91st. Sir, for what purpose do you rise?

REP. D'AGOSTINO (91ST):

Just a meeting announcement, Mr. Speaker.

SPEAKER ARESIMOWICZ:
Please proceed.

REP. D'AGOSTINO (91ST):

The General Law Committee will not meet tomorrow. We're going to try to reschedule for Thursday.

SPEAKER ARESIMOWICZ:

Thank you very much, sir. Representative Piscopo of the 76th district. Sir, you now have the floor.

REP. PISCOPO (76TH):

Thank you, Mr. Speaker. For a journal notation?

SPEAKER ARESIMOWICZ:

Please proceed.

REP. PISCOPO (76TH):

Thank you, Mr. Speaker. Will the journal please note that Representative Betts missed votes; he is out of state on business. Representatives Camillo, Labriola, and Fishbein, business in the district. Representative Kokoruda, medical appointment. Will the transcript please note that Representative Bolinsky missed votes; he was out of the Chamber on legislative business. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ:

Journal and transcripts will so note, sir. Any
other announcements or introductions? Representative Currey.

REP. CURREY (11TH):

Thank you, Mr. Speaker. There being no further business on the Clerk's desk, I move that we adjourn subject to the call of the Chair.

SPEAKER ARESIMOWICZ:

Without objection, adjournment subject to the call of the Chair. So ordered. We are adjourned.

[Gavel]

(On motion of Representative Currey of the 11th District, the House adjourned at 8:52 o'clock p.m., to meet again at the Call of the Chair.)
CERTIFICATE

I hereby certify that the foregoing 364 pages is a complete and accurate transcription of a digital sound recording of the House Proceedings on May 14, 2019.

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

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