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

CLERK:

The House of Representatives will convene immediately, members to the Chamber. The House of Representatives will convene immediately, members to the Chamber.

SPEAKER ARESIMOWICZ (30TH):

Will the House please come to order? (Gavel) Will members, staff and guests please rise, direct your attention to the dais where Imam Refai Arefin will lead us in prayer.

DEPUTY CHAPLAIN IMAM REFAI AREFIN:

Thank you, Mr. Speaker. Let us pray. Dear Sustainer of the universe, our merciful benefactor. In this season of growth, let us give thanks for the
bounty that we have received during this year. Just as the colors of the mountains and the fruits of the harvest vary in their shades and hues, so do we. We come from many walks of life, yet we share unity of purpose. The people of Connecticut may have different ideas of how to achieve that purpose, but their hopes and aspirations are the same. Allow us to protect the weakest members of our communities and to make choices that allow our communities to grow and prosper. May these small steps bear fruit now and far into the future. Amen.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much. Will Representative Napoli of the 73rd District please come to the dais and lead us in the Pledge of Allegiance.

REP. NAPOLI (73RD):

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

SPEAKER ARESIMOWICZ (30TH):

Thank you, my friend. Good morning, Mr. Clerk.
CLERK:

   Good morning, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

   Is there any business on the Clerk's desk?

CLERK:

   Yes. There's Favorable Reports House Bills to be tabled for the calendar and printing.

SPEAKER ARESIMOWICZ (30TH):

   The esteemed majority leader of the 1st District, Representative Ritter, you now have the floor, sir.

REP. RITTER (1ST):

   Thank you, Mr. Speaker. I move that we waive the reading of the House Favorable Reports and the Bills be tabled for the calendar and printing.

SPEAKER ARESIMOWICZ (30TH):

   Without objection, so ordered.

CLERK:

   Favorable Report Senate Bills to be tabled for the calendar.

SPEAKER ARESIMOWICZ (30TH):

   Representative Ritter.

REP. RITTER (1ST):
Thank you, Mr. Speaker. I move that we waive the reading of the Senate Favorable Reports and the bills and be tabled for the calendar. Thank you.

SPEAKER ARESIMOWICZ (30TH):
Without objection, so ordered.

CLERK:
The last item is the daily calendar.

SPEAKER ARESIMOWICZ (30TH):
Thank you very much, Mr. Clerk. Are there any announcements or introductions? Representative Scanlon of the 98th District. Sir, you have the floor.

REP. SCANLON (98TH):
Thank you, Mr. Speaker. I rise for the purpose of an introduction.

SPEAKER ARESIMOWICZ (30TH):
Please proceed, sir.

REP. SCANLON (98TH):
Mr. Speaker, we've got a little thing called Branford Day happening with two groups in this Chamber that we are really proud to introduce. I'm going to let Representative Comey introduce the second group,
but I'm here today, this morning to recognize the Branford Boys Ice Hockey Team who are sitting down in the well of the House. They won the Division 2 State Championship this year and they did so after winning the SEC Championship which is a big deal to win both those tournaments in one year. They won the SEC's in part by coming from back three goals down to beat Gilford, where I live, but since I also represent Branford, we're uniting here on this, and after they beat Gilford, they beat Watertown/Pomperaug which is one of the best programs for ice hockey in the state. They went to the state championship and beat Glastonbury, I'm not sure if Representative Barry is here or not, but they're excited to give you some stuff about that, but more importantly, I just want to recognize Coach DiNapoli who's here with some of his assistants and all these boys for all their incredible hard work this season to win both SEC's and a state championship. It's an incredible accomplishment and I hope that all of you will join me in giving them a firm round of applause. [Applause]
Thank you very much, sir. Congratulations gentleman. Representative Comey of the 102nd, you now have the floor.

REP. COMEY (102ND):

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

SPEAKER ARESIMOWICZ (30TH):

Please proceed.

REP. COMEY (102ND):

Wonderful. Well I'm here today to introduce, as Representative Scanlon said, we have Branford Day here for all our athletes. I'm here to introduce the Walsh Intermediate School Dance Team. They recently won the national championships that were held in Orlando, Florida. There are 24 girls that are part of the team. They are intermediate school, actually fifth grade through eighth grade and these young ladies perform incredible acts of, feats of strength and the routines are really fun. This is the fifth time that they've won the championships for Kick and the first time that they've won for Hip Hop and they also compete for Jazz. So I just want to thank the girls
for all their hard work and commitment to such an incredible sport and also recognize their coaches, Ms. Jaime Sebring, Julia Goodwin, and Jenna Juliano who put so much time and effort into making these girls shine. Thank you for being here. [Applause].

SPEAKER ARESIMOWICZ (30TH):

Let's give them a warm welcome. Congratulations! Representative Kevin Ryan of 139th, sir, you now have the floor.

REP. RYAN (139TH):

Thank you, Mr. Speaker. For the purpose of an introduction?

SPEAKER ARESIMOWICZ (30TH):

Please proceed.

REP. RYAN (139TH):

Good morning, sir. This morning we are really honored to be able to have with us a representative from the National Conference of State Legislatures. We have Haley Nicholson who's a policy director who met with folks over in the atrium this morning answering questions about NCSL and she'll be with us today. She's in the well of the House and I would ask
my colleagues to join with me in welcoming her today. Thanks. [Applause]

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, Representative.

Representative Carney of the 23rd District. Sir, you have the floor.

REP. CARNEY (23RD):

Thank you very much, Mr. Speaker and I guess it may be Branford Day, but it's also Old Saybrook Day today up here at the Capitol. Behind me, I have some incredible young athletes who have achieved incredible accomplishments over the last academic year in sports. With me is the Class S Boys State Soccer Champions who defeated, I wish Representative McLaughlin were here because they defeated the Morgan School out of Clinton. It was actually their first state championship since 1983, just such a wonderful accomplishment, made our community so proud that they were able to deliver such a great win for the town of Old Saybrook. They are represented here also by their head coach, Sam Barnes, who's been coaching the soccer team for a long time, a good friend of mine from the
town of Old Saybrook. Also, with me is an incredible young athlete, Shane Henderson who is a Class S State Champion in cross country and basketball and also scored the most points of any athlete in Old Saybrook men's basketball history and that includes Vinnie Baker. Vinnie went to Old Saybrook. Also with me is Cate Coppes who won the pole vault in the Class S State Championship and indoor track, and also a 4 x 800 State Championship Team, Jacob Schneider, Luke Hanratty, Cooper Luciani, and Shon Ryan, and also a tremendously talented young lady from Old Saybrook, Grace Hanratty and if the Hanratty last name, if you recognize that, you'd know that their father, Rich, is an LCO attorney up here at the Capital but not only did she win the State S State Championship in the girl's 800, she also represented this entire Chamber up at the New England Championship and won. I mean that's truly a tremendous feat by a young athlete from Old Saybrook and I also want to recognize the --

SPEAKER ARESIMOWICZ (30TH):

Hold on, Representative. That on its own deserves a round of applause. [Applause] I apologize
for the interruption, Representative.

REP. CARNEY (23RD):

No, you're right. It's just there's so many
great young athletes in Old Saybrook. I mean it's
truly tremendous being able to represent them up here.
I also have our great athletic director, Michael
Cunningham, the principal of Old Saybrook High School,
Sheila Riffle, and the track coach, Peter Capezzone
who was my track coach when I was a high school
student in Old Saybrook. So I would ask the Chamber
to welcome all of these great young athletes and their
coaches up here at the Capitol. Thank you very much,
Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Let's give them all a warm welcome. [Applause]
Representative Blumenthal of the 147th. Sir, you now
have the floor.

REP. BLUMENTHAL (147TH):

Thank you, Mr. Speaker. Good morning. For
purpose of introduction.

SPEAKER ARESIMOWICZ (30TH):

Please proceed, sir.
REP. BLUMENTHAL (147TH):

Thank you, Mr. Speaker. We have the honor today of being joined by several members of the Stamford Fire Department, James Doherty, Ted Stanek, and Kyle Howser are here with us so Representative David Michel, a former firefighter himself, and I and the rest of the Stamford delegation hope that you'll give them a very warm welcome. [Applause]

SPEAKER ARESIMOWICZ (30TH):

Thank you, gentleman, for coming to our Chamber but more importantly, thank you for what you do for the City of Stamford. We really appreciate it. Are there any other announcements or introductions?

DEPUTY SPEAKER CANDELARIA (95TH):

Will the Clerk please call Calendar No. 583?

CLERK:

On page 1, Calendar No. 583, House Joint Resolution No. 166, RESOLUTION CONFIRMING THE NOMINATION OF ERIN BENHAM OF WALLINGFORD TO BE REAPPOINTED TO THE STATE BOARD OF EDUCATION. Favorable Report of the Joint Standing Committee on
Executive and Legislative Nominations.

DEPUTY SPEAKER CANDELARIA (95TH):

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 CANDELARIA (95TH):

The question before the Chamber is on acceptance of the Joint Committee's Favorable Report and adoption of the resolution. Will you remark?

REP. VARGAS (6TH):

Thank you, Mr. Speaker. This is a Resolution confirming the nomination of Erin Benham of Wallingford to be reappointed to the State Board of Education. The position as a board member is a four-year, part-time volunteer position. This is a renomination so Ms. Benham has been working as a board member of the Board of Education and she was unanimously supported by our Committee. Her background includes a Bachelor's Degree in Home Economics, a minor in Psychology from St. Joseph's
College, a Master's Degree in Community Health from Southern Connecticut State University, and a sixth year degree in Educational Leadership also from Southern Connecticut State University. Erin Benham is being renominated as a board member and she's worked for the Meriden Public School Systems for 39 years. Out of those 39 years, 35 of them was as a classroom teacher and she's currently finishing her last term as President of the Meriden Federation of Teachers. Ms. Benham has served on the State Board of Ed since 2014. I urge a favorable report.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark further? Representative Perillo, you have the floor, sir.

REP. PERILLO (113TH):

Thank you, and good morning, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Good morning.

REP. PERILLO (113TH):

I stand in support of the nominee before us as well. The good Chairman of the Committee made some
excellent points. The nominee has tremendous
experience in the education world and brings a wealth
of knowledge and value to the work that's done. I
would urge adoption.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark
further? Care to remark further? If not, let me try
your minds. All those in favor, signify by saying
aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CANDELARIA (95TH):

The ayes have it. The Resolution is adopted.

[Gavel] All those against? Will the Clerk please call
calendar 584?

CLERK:

On page 1, House Calendar 584, House Joint
Resolution No. 167, RESOLUTION CONFIRMING THE
NOMINATION OF TARINI KRISHNA OF RIDGEFIELD TO BE
APPOINTED A NONVOTING STUDENT MEMBER OF THE STATE
BOARD OF EDUCATION. Favorable Report of the Joint
Standing Committee on Executive and Legislative
Nominations.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Vargas, you have the floor, sir.

REP. VARGAS (6TH):

Thank you very much, Mr. Speaker. I move acceptance of the Senate Committee's Favorable Report and adoption of the resolution.

DEPUTY SPEAKER CANDELARIA (95TH):

The question before the Chamber is on acceptance of the Joint Committee's Favorable Report and adoption of the resolution. Will you remark?

REP. VARGAS (6TH):

Thank you, Mr. Speaker. This resolution is confirming Tarini Krishna of Ridgefield to be a nonvoting student member of the State Board of Education. She was a particularly delightful young person to speak to at the Committee. She impressed the Committee with her intelligence and her knowledge, which are far beyond her years. She is a high school senior graduating in June. She will begin at Barnard College at Columbia in the fall. She has been part of the debate and mock trial team at her high school and
is considering a career in international law. She has been taking a challenging course load, participating in national competitions, and has a number of academic credits. I also might state that I was looking at her background and many of her courses are advanced placement courses with college credit so I joked about it during our Committee hearing, the fact that she will save her parents a pretty penny by all the advanced placement courses she's already taken in high school. She imminently qualified and as I said, a delightful young person to interview and to boot, she's also an accomplished dancer so I urge my colleagues to approve this resolution. Thank you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

    Thank you, sir. Would you care to remark further? Representative Perillo, you have the floor, sir.

REP. PERILLO (113TH):

    Thank you, Mr. Speaker, and again, good morning. I concur with the gentleman's statements. It's really great to see young people getting involved in the
process and adding value and it's very clear that this young lady is quite capable of doing that. She's very, very impressive and I would urge adoption of the resolution.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark further? If not, let me try your minds. All those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CANDELARIA (95TH):

All those opposed, nay. The ayes have it. The resolution is adopted. [Gavel] Will the Clerk please call Calendar No. 584? Oh, 585.

CLERK:

On page 2, Calendar No. 585, House Joint Resolution 168, RESOLUTION CONFIRMING THE NOMINATION OF ESTELA LOPEZ OF EAST HARTFORD TO BE REAPPOINTED TO THE STATE BOARD OF EDUCATION. Favorable Report of the Joint Standing Committee on Judiciary.

DEPUTY SPEAKER CANDELARIA (95TH):

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 CANDELARIA (95TH):

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. Estela Lopez has been, the resolution before us is confirming her to be reappointed to the State Board of Education which means she has been serving in the position already. Estela is from East Hartford and I'd like to say in full disclosure that Estela Lopez is a person that has been a friend of mine for many, many years. She has a Bachelor's Degree Cum Laude in Spanish Literature from Queens College, she has a Master's Degree in Spanish Literature from Columbia University in New York, and she also has a Ph.D. from the same university in Spanish Literature. She has quite a career including
being interim provost at Central Connecticut State University, interim Dean of Academic Affairs at Naugatuck Valley Community College, Senior Program Associate at Excelencia in Education, a Director of Latino Policy Institute, Vice-Chancellor for Academic Affairs at Central Connecticut University System, provost and Vice-President for Academic Affairs at Northeastern Illinois University. She's co-authored and authored numerous books on education in Spanish instructions and has received many awards and honors and on a personal note, more than her academic background, she's been an activist in the community always fighting for people so I'm more than proud to urge a favorable report on this resolution. Thank you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark further? Representative Perillo. You have the floor, sir.

REP. PERILLO (113TH):

Thank you again, Mr. Speaker and the Chair of the Committee is absolutely correct. This is a nominee
with extensive experience. Please don’t the hold fact that she is friends with the Chairman against her, she should still be approved and I would urge adoption of the resolution.

DEPUTY SPEAKER CANDELARIA (95TH):

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

REPRESENTATIVES:

    Aye.

DEPUTY SPEAKER CANDELARIA (95TH):

    All those opposed, nay. The ayes have it. The resolution is adopted. [Gavel] Would the Clerk please call Calendar No. 352?

CLERK:

REP. STEINBERG (136TH):

Good morning, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Good morning, sir.

REP. STEINBERG (136TH):

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

DEPUTY SPEAKER CANDELARIA (95TH):

The question is on acceptance of the Joint Committee's Favorable Report and passage of the bill.  

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. You know there are many important bills that we are considering in this session, but I would submit the bill before us today is one of the more important bills we will consider this year. This bill seeks to address what has become a national epidemic, the scourge of nicotine addiction and vaping among young people. You don’t have to take
my word for it. After a 78 percent increase nationally in youth E-cigarette use, the Surgeon General dubbed this a national epidemic.

Nationwide, electronic cigarette use among middle and high school students has now surpassed cigarette use. In Connecticut, the rate of use has more than doubled in a period from 2015 to 2017, going from 7 percent to over 14 percent and I would submit is probably even higher still if we would measure it today.

This is really about preventing nicotine addiction for future generations starting with the middle schoolers of today. Reducing access to E-cigarettes and vaping means reducing future addiction.

Mr. Speaker, a little noisy here if you would?

DEPUTY SPEAKER CANDELARIA (95TH):

The gentleman is summarizing the amendment. Can we please keep the noise down? If you want to have a conversation, just take it outside, please. [Gavel]

REP. STEINBERG (136TH):

The other significant aspect of this epidemic among young people is the impact on our schools. We
want to help schools that are currently struggling mightily to stem the crisis, being obliged to raid bathrooms to catch illegal vaping, installing detectors, and overall being distracted from their core mission which is to educate our young people. There has been a six-time increase in disciplinary actions up over 2000 in the State of Connecticut. This is a crisis that we can do something about and we're going to do something about it today.

Now, I should make something very clear. This bill --

DEPUTY SPEAKER CANDELARIA (95TH):

[Gavel] Will the Chamber please lower your voice or take your conversations outside? Thank you.

Hopefully, I will not interrupt the gentleman again.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I want to make very clear this bill does not seek to criminalize students. It puts the ownness on retailers and manufacturers to not sell these products to people under the age of 21. Now, some manufacturers and sellers have cynically advertised to young people in the way that they once
marketed cigarettes. We all remember Joe Camel. Well, unfortunately, we're looking at the new updated technological version of what Joe Camel represents. Other of these retailers and manufacturers have designed vaping products to appear innocuous and make it difficult to ascertain what's even being vaped. Is it possible that students, whether knowingly or unknowingly could be vaping heroin? Yes, that's actually true. Is it possible that they may be vaping contaminants that they don't even know anything about the dangers? Absolutely true.

Now this scourge affects every community. It cuts across every demographic. I was contacted by a constituent. Her son was an A student at the high school and was exposed to nicotine through vaping. His entire demeanor, his entire lifestyle dramatically changed in a period of months. He went from being a star student to being a troubled student to the degree of which, his parents were distraught and were unsure what they could do about it. Ultimately, and this is a sad story, this young person was actually, for his own protection, sent to a remote recovery center to
try to get back on the path to where he was before he was exposed to vaping.

I'm sure there are members of this legislature who know people, who have constituents who can tell stories very much along these lines. That's why we're here today. We're here to do something about it here in the State of Connecticut. Mr. Speaker, the Clerk has an amendment, LCO 8835. I would ask the Clerk to please call the amendment and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER CANDELARIA (95TH):

Will the Clerk please call LCO 8835 which will be designated Amendment Schedule A?

CLERK:

Amendment Schedule A, LCO No. 8835, offered by Representative Ritter, Senator Looney, et al.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg, you have the floor, sir.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. There are some changes in this amendment that should be noted. Perhaps most
significantly is a section that is perhaps one of the more controversial aspects of this bill. We are removing the ban on vaping flavors and I know this is something that matters a lot to people. It's been a little divisive and it's really one of the more important issues, not simply for young people, but even for adults.

What we've decided at this time, based upon a pledge from the federal government to do something significant about flavors in the near term, is to hold off doing it at the State level but I will submit that if the federal government does not take action in a timely period, namely by next year, I would not be surprised if the Public Health Committee is back to this legislature recommending a ban on flavors. But at this time, we are leaving that out of the equation.

There are also a number of other changes that relate to the fee structure we put in place. We've listened to members of this Assembly who have been concerned on behalf of businesses that perhaps some of the fees are a little bit too onerous so in response to that, we have made adjustments. We've reduced the
fees somewhat. It's still important that those fees are serious so we make sure that those who are in the business of selling vaping products are legitimate retailers and that the manufacturers involved are going to be acting responsibly, but we have listened to our colleagues here and reduced the fees somewhat and I believe that makes this a stronger bill. There are probably a couple of other minor technical changes, but that will do it for now so Mr. Speaker, I move adoption.

DEPUTY SPEAKER CANDELARIA (95TH):

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

REP. KLARIDES-DITRIA (105TH):

Thank you, Mr. Speaker. Sorry, I wasn’t prepared to go so quickly. How are you today?

DEPUTY SPEAKER CANDELARIA (95TH):

Good, how are you?

REP. KLARIDES-DITRIA (105TH):

Fine, thank you. I have a couple questions
through, for the proponent of the bill, amendment.

DEPUTY SPEAKER CANDELARIA (95TH):

Please proceed, madam.

REP. KLARIDES-DITRIA (105TH):

Maybe one question. Through you, Mr. Speaker, does the amendment now take out the flavors for anybody 21 and older?

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. To be absolutely clear, by removing the section on flavors, it no longer addresses the banned flavors for any party.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Klarides-Ditria.

REP. KLARIDES-DITRIA (105TH):

Thank you, Mr. Speaker. I'm going to reserve the rest of my questions for the underlying bill. Thank you.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, madam. Would you care to remark
further on the amendment? Representative Buckbee, you have the floor, sir.

REP. BUCKBEE (67TH):

Thank you, Mr. Speaker. To be frank, I was basically looking to speak more on the underlying bill itself but, I'll tell you, this is a, this is a beast of an amendment. This is a lot going on and I think it would’ve been more beneficial for all of us to have a little more time to look this over so I may have more questions on this as we get into the bill, as I have more of a chance to read it, but I've had four minutes to look at this amendment. I think that's something we as a Chamber need to be aware of as we have these large amendments and we might want to put that out a little bit sooner so I'll hold the rest of my questions for the underlying bill, but I think that’s certainly something we need to look at with these. Thank you very much.

REP. STEINBERG (136TH):

Mr. Speaker, might I comment just to the good Representative?

DEPUTY SPEAKER CANDELARIA (95TH):
Thank you, sir. Representative Steinberg.

REP. STEINBERG (136TH):

I hope reassuring, Representative, that the amendment vastly replicates the underlying bill and that the changes are relatively small compared to the 41 pages so I think you will find that it conforms very closely to the underlying bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Buckbee.

REP. BUCKBEE (67TH):

Thank you, Mr. Speaker and I thank the good proponent of the bill for those clarifications. It's again I think our responsibility to make sure that we read through as much of this as possible. Again, I just think something as large and impactful as this is, and this is a 40-page amendment. It's a little tough to get through it and I'll be reading through as we go but I think that's something it would be nice for us to know a little bit sooner as much as possible as far as something this big. But thank you, Mr. Speaker.
DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. The Chamber will stand at ease. Representative Abercrombie, for what purpose do you rise?

REP. ABERCROMBIE (83RD):

For the purpose of an introduction, sir?

DEPUTY SPEAKER CANDELARIA (95TH):

Please proceed, madam.

REP. ABERCROMBIE (83RD):

Thank you. Thank you to the Chamber for allowing me this time. Today we have a special guest in the House and when I say his name, a lot of you will recognize him. This is Dr. Michael Powers. For all of you that have been associated with autism, you know that this man has done more for this community than anybody else and we're here today to recognize him and his hard work. We're celebrating 25 years as the Executive Director of the Center for Children with Special Needs. We all know that he's part of the Yale Child Study Group. We know that he's written numerous books on this issue and personally, he is a member of our DD Working Group. Over the last couple of years,
we have been able to do so much because of his knowledge and his expertise and it gives me great honor today to present him with an official citation and a real thank you, not only on behalf of this General Assembly, but also on behalf of all the families in this state that you have helped and guided through the years so I hope that my colleagues would join me in giving him a warm welcome and also a thank you appreciation. [Applause]

DEPUTY SPEAKER CANDELARIA (95TH):

Congratulations, sir, on your citation. Thank you for the great work you do for our state. Thank you. Now the Chamber will come back to order. Representative Klarides-Ditria, you have the floor, madam for the second time.

REP. KLARIDES-DITRIA (105TH):

Thank you, Mr. Speaker. Through you to the proponent of the bill, the amendment.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Klarides-Ditria, you have the floor.

REP. KLARIDES-DITRIA (105TH):
Thank you. Through you, Mr. Speaker, to the proponent of the bill, so just for clarification, this amendment you would like to become a strike all in the underlying bill?

Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Yes, to be clear, the amendment appears to dramatically change it, but it is effectively a strike all that replaces virtually all the language and just makes the changes that I mentioned previously so I believe that answers your question.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Klarides-Ditria.

REP. KLARIDES-DITRIA (105TH):

Thank you. Through you, Mr. Speaker, why the increase in the annual fees for cigarettes and tobacco products for the dealers? I believe that they're going from $50 dollars to $200 dollars and I, $400
dollars I think to $800 dollars?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. That's a very important question. We spent a lot of time deliberating on what the appropriate level of fees would be. I would answer it's really two-fold. In the first place, we want to ensure that those who are involved in this business are reputable and are fully invested in behaving responsibly in dispensing these products, and there's also something of a revenue consideration which was important to us because we're going to use some of those funds to assure compliance and enforcement of the rules that we put in place.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Klarides-Ditria.

REP. KLARIDES-DITRIA (105TH):

Through you, Mr. Speaker. When was the last time these fees were increased?
Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. That's a good question. I know it's been a while, but I don't know the precise date.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Klarides-Ditria.

REP. KLRIDES-DITRIA (105TH):

Through you, Mr. Speaker. Maybe we can get some clarification on that before this debate is done.

Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. We'll try to do that. My guess is I think with cigarettes particularly, it may be more than 20 years but we'll get you some more information.

Through you, Mr. Speaker.
DEPUTY SPEAKER CANDELARIA (95TH):

Representative Klarides-Ditria, you have the floor.

REP. Klarides-Ditria (105TH):

Through you, Mr. Speaker. Will the electronic nicotine delivery system and vapor enforcement account be safe from raiding by the General Assembly?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. That's a very important philosophical question. Is anything really safe from the legislature? [laughter] It is certainly our intent and we have the commitment from our partners in the administrative branch that those funds will be secure and we will make every effort to remain vigilant to make sure we do not, we do not succumb to temptation and we put as many safeguards in as we can, but to answer categorically, I cannot guarantee that.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):
Representative Klarides-Ditria.

REP. KLARIDES-DITRIA (105TH):

Through you, Mr. Speaker. Why are we transferring enforcement authority from DRS to DCP to the Department of Mental Health and Addiction Services?

Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. That's another important question. We have three agencies involved with this and they take on different roles. Traditionally, DRS has been responsible for enforcement of the issues related to cigarettes and as some people here might know, that's related to the Tobacco Fund Administration. We've also typically asked DCP to fulfill their role with regard to enforcement which is one of their traditional roles. We have DMHAS involved in this case because they're the ones who are going to help us assure compliance. They're the ones who hire volunteers of an appropriate age who can go
into these establishments and verify that the retailers are behaving well so we have several agencies involved in different roles. I should emphasize that we are really putting the responsibility for enforcement, in other words taking action against wrongdoers upon DRS if that answers your question.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Klarides-Ditria, you have the floor.

REP. Klarides-Ditria (105TH):

Through you, Mr. Speaker. Do we think, um, the Department of Mental Health and Addiction Services will be able to handle the extra work?

Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. Steinberg (136TH):

Thank you, Mr. Speaker. We've had ongoing conversations with the department. They are prepared for the task at hand and if we assure the resources
are available, they are prepared to take this on.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Klarides-Ditria, you have the floor.

REP. KЛАRIDES-DITRIA (105TH):

Through you, Mr. Speaker. And my final question, raising the age from 18 to 21 and this takes effect in the school systems as well and on school property, how about coaching staff and tobacco products this far, specifically if a coach is dipping?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Unless the coach would be under the age of 21, which I don't think would be all that likely, we do not in this bill address dipping. It is a tobacco product and this, the regulated sale of that product is clear, but to your point, this is related to activities for those under the age of 21 on school grounds and it would, all
tobacco products would be applied in that instance. I'm not sure I've answered the good Representative's question with regard to coaches, but on school property, the restriction on those under the age of 21 would be effective. Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Klarides-Ditria.

REP. KLARIDES-DITRIA (105TH):

Thank you. Through you, Mr. Speaker. Yes, the good gentleman did answer my question and it would be for coaches that are under 21 and we do have a good amount of coaches that aren’t 21.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, madam. Would you care to remark further on the amendment? Representative Ackert, you have the floor, sir.

REP. ACKERT (8TH):

Thank you, Mr. Speaker, and I am quickly going through this. I did not sit on the Committee of Cognizance for this and I am actually a supporter of the legislation but one of the areas that has always
brought my concerns is penalties and fines and so through you, if the good gentleman would indulge me and do a synopsis of the penalties if by chance?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. If the good Representative could repeat his question? There was a little bit of turbulence in the air.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker and to the good gentleman, again, just trying to review. I'll rephrase my original comment that I am supportive of raising the age of smoking, but I've always had reservations on the penalty portions of it and you know a young person at 18 years old at you know a local Extra Mart or one of those, you know not having the best day, does not realize that somebody may be under the age of 30,
that's where I just noticed a date of 30 years old in this, I'm sure that could possibly be fined their month's salary at one shot I did see that and I did notice the increases. So is there a chance of a short review if possible, to the good gentleman of the changes in the penalties for offenses by a dealer.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I appreciate the Representative's question. It's important for me to have the opportunity to reinforce the importance of noting that we are not seeking to criminalize young people. We recognize that with the exception of misrepresenting their age, this is not about criminalizing them. It is about changing their behavior so they avoid addiction.

Now with regard to the retailers and manufacturers, yes, the ownness is on them and the fine structure was deliberately discussed in order to provide them with opportunity to rectify their ways
before the fines escalate and in some cases, the fines, they get a second or third violation before they reach their maximum levels, but I think it's also indicative of our seriousness about reprimanding retailers who are simply defying our regulation to keep these out of the hands of 20 or under-year-olds. So to answer the good Representative's question, if I understand it correctly, this has been given a lot of thought. We talked to a lot of different stakeholders in this regard and we stand by the fine structure as proposed.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. So just a quick question on a fine. A company hires an individual. They come and they, and they sell a product to a person not of age. That individual that is selling it, the clerk at the counter is fined, I believe it's $300 dollars now, it's increased from $200 dollars to $300 dollars and then the business that that person works for is also
penalized. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Again, I'm not quite sure I understood the question. With regard to the businesses, the good Representative is correct about the $300-dollar fine for those who sell to under 21, but he could please repeat the question with regard to the retailers themselves, please?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Ackert, would you mind repeating your question?

REP. ACKERT (8TH):

Thank you. And I do apologize to the good gentleman. I'm more on the philosophical and health issues of raising the age to 21 more than the penalty component so I'm just trying to grasp the penalty component. If, I'll give a scenario. My local convenience store, young person sells to the wrong age
individual. What is the fine to the store and/or person selling it?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. The fine for the first infraction would be $300 dollars.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. And that is it. Just to the person selling at that time. There are no other fines?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. The fine is imposed on the retailer. That's the distinction we make in the legislation. That's who we would expect to pay the
fine.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. So the individual that works for the company is not actually fined. Is that what is, did I just hear?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. To be clear, yes, it would be the person who created the infraction who's responsible for paying the fine.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Ackert.

REP. ACKERT (8TH):

Sorry, Mr. Speaker. I could not hear the good gentleman. Please.

DEPUTY SPEAKER CANDELARIA (95TH):
[Gavel]. Representative Steinberg, would you care to repeat your response, please?

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I would care to. Yes, it would be the individual responsible for the infraction who would be liable for paying the $300-dollar fine.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. So when we mention the dealer portion of it, some of this, I'm just trying, the fines for the company that had the infraction in their business, that's a separate, how is that played? I'm looking at I believe within the first five years, a fine of $500 dollars and I'm sorry I can't find that location quick enough cause I have so many notes on it. I guess it's in B 192 to 205, I think actually 198, on or before five years after the first date of violation so I guess the violation would be if that retailer had, consistently had people selling the
product to people that they weren’t supposed to sell to. There is a review of that person's license type of thing?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. This is part of the enforcement action that we charge the Department of Revenue Services for imposing. They have a hearing process and I just want to be clear as to the good Representative's question, we're talking about the dealer in this instance and not necessarily the individual who may have created the initial infraction so to your point, and I understand the level of confusion here. There is probably something like 30 different references to fines throughout this document because we're dealing with cigarettes, e-cigarettes, vaping, retailers, manufacturers, and the like so I appreciate the good Representative's line references because the specifics are very important. So to the good Representative's point, in the instance of a
hearing where DRS determines a violation, there is both a fine and the potential for a suspension for that first infraction, and then it goes on from there.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you. And I'm one of those people that needs a graph at times so at this date, you get this fine, at this person, you get that fine sort of say so, and I think for the moment, the fine increases, has there been a commitment by the overseeing department now to actually, we say we're gonna raise fines and we're gonna do more enforcement. Has there been a commitment to the Committee of Cognizance about that enforcement?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Another good point for clarification. First of all, DMHAS has been in the
past obliged to take on the compliance function, it's something they're familiar with and the agencies, all three agencies we're involving in compliance and enforcement, have been our partners in determining what we felt were appropriate fees and penalties so yes, indeed they are party to this conversation and prepared to enforce it.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker and I did notice the good lady asked a question earlier about the fee of $50 dollars to $200 dollars. Is that an annual registration?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Yes, that is an annual fee.

Through you, Mr. Speaker.
Representative Ackert.

And I don't think it's in the document, but how many dealers do we have that pay that fee? Through you, Mr. Speaker. I'm sure it's a pretty good fiscal gain.

Through you, Mr. Speaker.

Representative Steinberg.

Thank you, Mr. Speaker. I do not know the precise number. I tend to agree with the good Representative. There are a good number of such establishments and the changes to the fees will generate additional revenue which, as I had mentioned previously, a portion of which will be dedicated to assure that we have the resources for effective compliance and enforcement.

Through you, Mr. Speaker.

Representative Ackert.
REP. ACKERT (8TH):

Thank you, Mr. Speaker, and I believe that shoe would also offset the loss of revenue that we receive by raising the age of 18 to 21, I would imagine.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. A very good comment on behalf of the Representative. Indeed, yes, that will go a good ways towards replacing the revenue we will have lost from raising the age from 18 to 21, and let me just take this opportunity to state, I really do appreciate these questions. If you look at the co-sponsors this bill, this is a truly bipartisan bill and it's really important that we get some of these clarifications into the record, though I will also add, for purposes of clarity, when we have a vote on this amendment, I'm going to ask for a roll call vote.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Ackert.
REP. ACKERT (8TH):

Thank you, Mr. Speaker. Thank you, Mr. Speaker and I will hold my, I may have some more as I quickly go through the dialogue, I mean through this document, but in case I don’t have an opportunity to speak --

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Ackert, can you pause for one second please? The question before the Chamber is on a roll call vote. All those in favor of a roll call vote, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CANDELARIA (95TH):

Those opposed nay? The ayes have it. When we have it, the vote will be taken by roll.

Representative Ackert, you have the floor, sir.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. I may have lost my train of thought at this point. We'll continue to go through the document and ask further questions as we go through, but I did want to make sure that my questions are in no way in opposition of this piece of
legislation. I can tell you that when you go to a school, the peer pressure that you see at a high school is where most people start smoking. I believe the number is 93 percent of individuals that are smoking have started under the age of 21 and my sister who is a nurse who deals with mental health and addiction can tell you the negative effects that smoking has on the people that she works with is catastrophic and it mainly deals with the drugs that she has to administer to help them. They have to increase them drastically to offset the nicotine intake that the body has if you're a smoker and dealing with addiction and mental services so I look forward to this legislation passing and us moving forward. It's unusual that I would say that cause I'm the one who also voted to oppose the legislation for people at 18 to ride with a helmet so I guess I'm mixed with some of the areas that I discuss things but I am in favor of this and we can keep young people healthier and not have an addictive life and smoking, I'm in favor of it. Thank you, Mr. Speaker and I'll hold questions for after the amendment is passed.
Thank you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark further on the amendment? Representative Betts, you have the floor, sir.

REP. BETTS (78TH):

Good morning. Thank you very much, Mr. Speaker. A couple of questions to the proponent if I may? Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Good morning to you. You may proceed, sir.

REP. BETTS (78TH):

Thank you. To the good Chairman, we've all experienced over the last number of years a lot of good funds being set up for specific purposes and yet the money for which it was set up has been taken out either by administration or the General Assembly and I heard your comments earlier on about a good faith effort is going to make sure that this money stays in the fund.

I wonder if the good Chairman would be open or receptive to an amendment of penalizing the state or
the legislature if they attempted to take money out from this fund, which everybody supports, so that we do not have the temptation or the ability to take the money outside of that fund because clearly, why establish a fund if it's gonna be accessed by other sources? So I'm wondering if the good Chairman would be receptive and open to that type of amendment?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. This is important because I need to offer a clarification. I want to apologize to the Representative and everyone else. I need to clarify that the fund that the good Representative refers to doesn’t really exist at this point. This will be part of the budget so that the issues we have with funding as per the budget would apply in this area as well. To get to sort of the fundamental aspect of the good Representative's question, I would be very supportive of doing whatever we can to assure that these funds are available for
their intended purpose. I have the commitment from the administration that they are committed as well. It's really incumbent on every member of this body to make sure you remain vigilant that these funds are not used for other purposes, but to clarify it, this would now be a part of the budget, but with revenues and expenses and we're not necessarily in a position to talk about explicitly the budget today. I hope that answers the Representative's question.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Betts.

REP. BETTS (78TH):

It does and I welcome that and I'd be very happy to work with the chairman and the appropriate parties while the budget is being developed. The reason why I mention is obviously we've had tens of millions of dollars coming from the tobacco settlement, and we all know that that money has not been used 100 percent the way it was supposed to be, and I think we need to put that language in the budget when we adopt the budget to make sure what is something as important as this is
really followed and no one's gonna have the option of being able to have access to it.

The last question I had has to do with the raising of the fee from $250 dollars to $1000 dollars. Through you, Mr. Speaker, how was that arrived and is that amount, do we know through fiscal analysis or the administration, what insurance do we know that that amount is sufficient to cover the cost necessary for enforcing or administering this program?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. A very good question. As I said, the parties involved, and we've had any number of stakeholders involved with these deliberations, have spent a lot of time talking about the penalties and I would submit, there is no perfect number to assure both compliance and enforceability. You know $1000 dollars has a pretty significant ring to it so you would hope that would be effective as a deterrent from bad behavior but we have made some
assumptions and based on those assumptions, we project
to generate revenue sufficient to meet the needs for
compliance and enforcement.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Betts.

REP. BETTS (78TH):

Thank you and I thank the good Chairman for that
answer. Through you, Mr. Speaker, are additional
personnel going to be needed to be hired to fulfill
this function and will they be state employees and is
it currently in the budget, well not currently cause
the costs are supposed to be covering this, do we know
if we're gonna be hiring additional employees and if
so, how many, and I assume it's gonna be in DMHAS? Am
I correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. There will probably be
hiring's in more than one agency. I would project
that we're talking about four employees in DMHAS to deal with the compliance aspect. I don’t have a precise number on DRS and the enforcement, but looking like maybe two additional FTE's for that purpose so that's the basis by which the projections were drawn.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Betts.

REP. BETTS (78TH):

Okay. I thank the good Chairman for that. I have no further comments on the amendment and I'll speak to the bill a little bit later but thank you very much.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you very much, sir. Would you care to remark further on the amendment? Representative Ferraro, you have the floor, sir.

REP. FERRARO (117TH):

Thank you so much and I rise in strong support of the amendment. I am pleased to see as many people supporting this amendment as are listed on it. It truly shows the consciousness of the General Assembly
and its desire to keep our youth healthy and safe. As many know in this Chamber, I've spent my life working with children and working on teaching them how to make healthy choices in their lives and this is long overdue. I have some questions and comments for the proponent of the bill, but I'm going to save that for the underlying bill. I just want to express my support for the amendment. I say let's get the amendment passed as quickly as possible and let's talk about the bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

    Thank you, sir. Would you care to remark further? Representative Blumenthal, you have the floor, sir.

REP. BLUMENTHAL (147TH):

    Thank you, Mr. Speaker. I have to admit I rise in support of this amendment with a small bit of disappointment that we're not going after the flavors. I'm glad to hear the proponent indicate that if the federal government does not look to that matter in the future, that we will readdress the issue, but I think the bigger picture here needs to be recognized which
is that this is just the latest iteration of a public health battle that has gone on for roughly a century in terms of our battle against the effects of tobacco and nicotine products and I just have to give so much credit to the proponents of this bill for not waiting to recognize this latest iteration for what it is and to take the strong measures that this bill to prevent teen use and underage addiction to these products so I rise in strong support of the amendment and the underlying bill and thank you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark further on the amendment before us? Would you care to remark further on the amendment before us? If not, staff and guests please come to the well of the House and 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 CANDELARIA (95TH):
Have all members voted? Have all members voted?
Please check the board to ensure that your vote has
been properly cast? Have all members voted? Please
check the board to ensure that your vote has been
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 Amendment Schedule A.

Total Number of Voting  139
Necessary for Adoption  70
Those Voting Yea    121
Those Voting Nay   18
Those absent and not voting  12

DEPUTY SPEAKER CANDELARIA (95TH):

The amendment is adopted. [Gavel] Will you
remark further on the bill as amended? Representative
Pettit, you have the floor, sir.

REP. PETTIT (22ND):

Thank you, Mr. Speaker. Through you, to the
chairman, can I ask the chairman how this bill will
regulate internet sales of tobacco products?
Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

I want to thank the Representative for bringing this up cause we haven't discussed it up to this point. One of the most important things we've talked about in fashioning this bill was to also deal with the prospect of young people obtaining these products online and we know that this is a significant issue and again, we work closely with stakeholders to assure that we can interdict such sales. One of the important aspects of this was to assure that when a product is shipped to an address or a residence, that somebody over the age of 21 would sign for the product to assure that some young person is not trying to end run the system by obtaining it online and thus violating the restriction. Again, this only refers to the electronic nicotine delivery part of this, but that was very important for us to do so. The existing regulations with regard to tobacco would remain different but in the case of electronic delivery
systems, you must have the signature of somebody over the age of 21, if that answers the good Representative's question.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you, Mr. Speaker. Through you, are there already mechanisms or programs in place online that we can borrow from industry or from other states to make sure this is instituted properly or do we have to develop our own program to ensure this type of ordering online is done in a proper fashion?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. An important question. Yes, this was based upon consideration of what other states are doing and is consistent with what you could argue is best practices to monitor this activity.

Through you, Mr. Speaker.
DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you, Mr. Speaker. Through you, are there penalties already in Connecticut statute for someone who perhaps uses a false ID to accept shipment of this product or is it expressly noted in this bill? I'm not sure that I saw it expressly noted within this bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. That's a good question. I know that the only penalties that we would impose upon a young person are in misrepresenting their age through a false identity. I'm not exactly sure if that implies explicitly in the case of online sales as well, but I would imagine they would be liable based upon that law.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):
Representative Pettit.

REP. PETTIT (22ND):

Thank you, Mr. Speaker. Getting right down to the basics, through you, Mr. Speaker, I'm assuming as I read the definition legally, this includes all forms of cigarettes, cigars, small cigars, loose tobacco that can be using for rolling and chewing tobacco?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I believe the amended version of this bill really refers to all related to tobacco products and there is quite a long list of those to innumerate within that context, so I believe the good Representative is correct.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you. Through you, Mr. Speaker, a question on vending machines. We certainly all realize we
don’t see the cigarette vending machines we used to. As I read it, vending machines can only be placed in areas that are only accessible to those over 21 through a separate entry or someone that precludes people under 21 from accessing them. Is my understanding of that language correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I thank the Representative for highlighting this specific section of the bill. It is very important that cigarette vending machines are segregated from those under the age of 21 and the modifications to this bill honor that important distinction to keep them from accessing cigarettes through vending machines.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you, Mr. Speaker. I would wonder if the
good Chairman would -- we've had some changes and different versions of the bill in terms of enforcement where we've made changes from DCP to DMHAS and DRS. If the good Chairman could outline for me in broad strokes DMHAS' responsibility versus DRS versus DCP, if any?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. This is an area that certainly bears a measure of repetition so I appreciate the question. To be perfectly clear, DRS has had ongoing responsibility for enforcement of cigarettes. DMHAS has been responsible for compliance and I need to make this distinction very clear. There is a distinction between compliance and enforcement. DMHAS' role is to assure that the establishments are behaving by the rules, but in virtually every case, DRS is going to be responsible for the enforcement activity. Some of their responsibilities that would be handled by way of enforcement by DCP are now going
to be DRS's, so it's DRS that's going to have the hearing and take the action of enforcement. So again, just to be clear, there is a distinction between compliance which is DMHAS' responsibility and enforcement which is effectively DRS' responsibility.

I hope that answers the Representative's question.

Thank you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you, Mr. Speaker. And this may have been asked in a similar form on the amendment and I apologize. DMHAS currently has adequate staff and resources to go forward with the compliance efforts that they'll need to do with all the different establishments and vending machines throughout the state?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Again, important. DMHAS
will need to add resources in order to fulfill the compliance role that we ask of them. I believe that the total of FDE's between DMHAS and DRS may total four and perhaps two of those would be explicitly for DMHAS but I believe the number is four overall to make sure we have adequate people in place to ensure both compliance and enforcement.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you. Thank you, Mr. Speaker. Again, an area of confusion, I wonder if the chairman would review for us. In a previous iteration of the bill we had talked about licensing fees and the annual registration fee for E-cigarette dealers with a certain percentage being deposited into an electronic nicotine delivery system and vapor system enforcement account. Does that account still exist in the latest iteration of the bill?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):
Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I thank the Representative for highlighting this. To answer, in the latest amended version of this bill, the separate fund no longer exists. This will now be part of the budget both on the revenues and the spending side.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you, Mr. Speaker. Through you, so I assume then there will be an accounting of this money that those involved in enforcement and/or education will have access to. Is that the intent, for this money to be used for ongoing enforcement and/or education issues or is there another intention for the money?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. We will have to be
explicit in the budget to assure that the funds are allocated according to our intention. Our focus has been primarily on the adequate funding for compliance and enforcement so we have the commitment of the Governor's office and the administration and it's really up to us to assure that the legislature does its part in making those funding sources explicitly available for the purposes that we enumerate.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you. through you, Mr. Speaker, some more big picture issues. We've all attempted to do our best to make changes to make Connecticut more business friendly and though I'm in favor of this bill, obviously there is some impact upon business in terms of retailers. Can the Chairman comment on what retailers may lose when they're unable to sell to people that are 18, 19, less than 21 years old in terms of the overall business impact?

Through you, Mr. Speaker.
DEPUTY SPEAKER CANDELARIA (95TH):

    Representative Steinberg.

REP. STEINBERG (136TH):

    Thank you, Mr. Speaker. A very good question. Yes, indeed, we do expect that there will be some impact on retailers because they won't be able to sell to people under the age of 21 who might currently buy it. We feel very strongly that the public health imperative really outweighs some loss of retail revenue, though it is certainly not our intent to damage the profitability of these establishments.

    I think this is an industry that’s going through some transition and many of the establishments that sell these products have become diversified in recognition, that there be some changes going on. We will continue to monitor the impact on small businesses because many of the products they sell will remain legal and I should point out that there is still the hope, whether or not that's been borne out, that such E-cigarette and vaping products will be a potential pathway for adults who have nicotine addiction through cigarettes to find a path off of
them or at least in significant reduction in nicotine intake. I really hope that's the case. That's the reason that these products were initially created and hopefully will remain a source of revenue for establishments if they bear out as being a tool to reduce nicotine addiction.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you, Mr. Speaker and I would agree and make a comment before proceeding to further questions, and I think both the Chairman and I were provided with information from the Institute of Medicine that suggested that a reduction in prevalence of smoking among those 13 to 21 would be a reduction of about 12 percent which would be about one-quarter to one-half of 1 percent of total sales nationwide with the thought being that most of those under 21 were not going to take their money and send it to the state or invest in their individual retirement accounts, but were probably going to turn around and spend it on
something else that they wanted at that time so I think it probably makes sense to do it from an economic point of view.

I would ask the good Chairman, through you, Mr. Speaker, to comment on again the fees and whether he - - I realize we have the fees for enforcement and compliance and perhaps education and whether or not he feels based on the feedback the Committee received in terms of testimony and emails, etc, whether he feels the fees are onerous or excessive or he feels they are appropriate given the current state of affairs.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. This is one of the most challenging aspects of this bill. There is a natural tension between making these fees sufficiently high to assure that the entities that are involved in this business are credible and responsible without being an undue burden. As I mentioned initially, we've actually, based upon comments from members of this
body, reduced those fees somewhat so as to try to be responsive, not to be too onerous. I believe that based upon our really serious deliberations, we've reached a reasonable level that both ensures good behavior on the part of these retailers such that they won't be tempted to sell to under 21, we'll have reputable retailers taking care of this, yet not being overly onerous in terms of their business profitability.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you, Mr. Speaker. Through you, another broad philosophical question in terms of us restricting people under 21 especially in light of the recent bill that passed the House concerning motorcycle helmets. From prior OLR report, our Connecticut statutes that define the term minor eight different times and in different statutes is defined as 16, 17, 18, and 21. Obviously we've had a lot of debate on this issue and perhaps something we should
attempt to codify in a consistent manner. I welcome the good Chairman's comments in terms of if people 18, 19, and 20 are considered adults under other aspects of the law, why wouldn't we consider them adults here in terms of their civil rights and ability to obtain a legal product.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Excellent question, one we've considered in the past as well. To the good Representative's point, the definition of minor does vary depending upon the context. This is a public health context. That's what really matters to us here. Now, since you opened the door on this, Representative, I could argue maybe the age oughta be 25. We know that the developing brain is still vulnerable until that age. We're not asking for that. We've chosen 21 deliberately with a lot of consideration. It does conform with a number of other restrictions that we put on young people and that, in
this context we think is the age of responsibility.

I won't argue that there's a perfect number or an argument that's gonna work in every instance, but I only will stress the importance of this as a public health imperative and therefore, we felt 21 was appropriate. It is consistent with what other states are considering as well and I think that there's a strong argument in favor of this, thought I recognize that there are other limitations we put on young people which use other ages. In this case, I think it's appropriate.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you, Mr. Speaker. Certainly, the comment I think many of us hear from constituents and on social medial is if I'm old enough to go to war and die for the country, I should be old enough to buy cigarettes. Unfortunately, according to the Center for Disease Control, tobacco use by military vets at 30 percent is double the national average of 15 percent, and the
Department of Defense estimates 175,000 current active duty service members will die from smoking. I wonder if the good Chairman would comment on whether or not the military has weighed in on our specific statute in terms of comments to the Public Health Committee.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker and I'm very glad the Representative brought up this point because it has been a subject of conversation over the years. Obviously, this bill does not have purview over those who work for the Department of Defense who defend our country. It's hard for us to even attempt to equate the risks that those who serve in the military take on our behalf to the risks of addiction or potentially cancer from these products. I would hope that the military authorities would seriously consider taking action along the lines that we are because they are also entrusted with the public health of the military servicemen and to the good Representative's point, I
think that the scientific data is so compelling, that why wouldn’t they be considering it along those lines, but again, that’s just my desire. That’s what I would hope would occur. It does not apply nor have we had direct conversations to my knowledge with regard to the military because again, that’s not in our purview.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you, Mr. Speaker. I appreciate the chairman's comments and would also note that the U.S. Army Surgeon General has noted that soldiers who smoke are less combat ready and take longer to heal from injuries and it's a goal of the military, the Department of Defense to become tobacco free.

Moving onward to the electronic systems, through you, Mr. Speaker, does this bill prohibit any type of vaping of liquids by kids in junior high or high school because I hear about it every month at our youth meetings in my district and they wanna vape pineapple flavored or cherry flavored or banana
flavored liquids. Is this outlawed by this current legislation?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. This is a particularly important question that the Representative has brought up. Speaking for myself, I find these liquid products really scary. Now, there are the products that are ostensibly produced by reputable manufacturers, but the fact of the matter is, there is sort of a grey market exchange of product if you will that are in liquid form in which the person acquiring it, there's no way they know what's in that product. They don't know the levels of nicotine could be much higher than is typically sold. They don't know what else might be in it in terms of other drugs or potential harmful contaminants. We have heard of instances of people being able to vape liquid marijuana and even more scary, liquid heroin so it's so important with the proliferation of these vaping products, many of which
look innocuous or actually kind of tempting to use because they don’t look like a medical device or a cigarette. Once they're in the hands of young people, it's particularly concerning to all of us. They may get a hold of a liquid product which is not safe, does not come from a reputable manufacturer, and could be incredibly harmful. So the inclusion of liquids as a definition here and as a prohibition for those under 21, frankly maybe should be for even older people, is critically important. This is one of the things we need to make sure is absolutely ironclad in this bill to protect young people.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you, Mr. Speaker. I thank the chairman for those comments and for the benefit of the others in the House who probably don’t spend their time reading publications from the John Hopkins University, there was an interesting study earlier this year that looked at the heating elements in vaping equipment and showed
that lungs are exposed to super-heated variety of heavy metals that could lead to a condition called popcorn lung so I am hopeful that the federal government will continue to look at this equipment to try to make them as safe as possible if they continue to be used nationally in terms of flavored forms for people trying to get off of standard cigarettes.

Through you, Mr. Speaker, to the chairman, this does not grandfather in those, someone who may have started smoking at 17 and now is 19 and is smoking two packs a day. Can he comment on the plans for someone who's 18, 19, 20 and addicted to tobacco products and if the bill speaks to any of their options for dealing with that addition?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. This is probably one of the toughest issues we've confronted in having these really long-term ongoing conversations. What happens to those already addicted who would be under the age
of 21. I don’t have a perfect answer for you on that. You know, initially these vaping products were intended to reduce addiction to cigarettes and now they're actually the potential means by which addiction occurs. I think the most important thing I can say is the individual and their family should be having direct conversations with their medical provider and putting together a plan for getting off those products. That's the path we offer at this point in the game. As I said, it's not a perfect solution, but we feel very strongly we need to ban it for those under the age of 21 and I guess there will be some transitional issues for those young people.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you, Mr. Speaker. I appreciate that answer and would make the comment that I hope that some of the additional funds from compliance and registration as well as the tobacco settlement funds that we have abused for many years can be used perhaps to help with
the addiction of people that, if this bill passes through and is signed by the Governor, will be forced off of cigarettes in an attempt to deal with the addiction on their own accord.

Through you, Mr. Speaker, I'm wondering about promotional samples. We've certainly all been at events especially concerns and festivals where there's a variety of promotional products handed out in terms of tobacco and now perhaps vaping. Does this bill address the issue of promotional samples at different venues?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Another good question. This bill is explicit in banning both sales and distribution. So yes, samples can be an insidious way for some people to be exposed to this so certainly, well we want to really put in everybody's minds, you shouldn't be giving these products to people under the age of 21 so can we assure that you know that illicit
sales, distribution will not occur? Not absolutely but that is our objective, to make sure this doesn’t happen.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you, Mr. Speaker. Through you, I’m wondering if the good Chairman feels that there are other sections that should be added or amended to this legislation if he could have his, have his wish? Obviously it's winded through the process and has changed in a variety of ways. Does he feel that it will achieve the goals that we are hoping to achieve in its current form?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. An unusual question. I am encouraged by the incredible hard work by so many people inside and outside government to come together
on a bill which is by definition something of a compromise. I think there are many members of this assembly and members of the public who would like to see something different, either stronger or less so, and I have not ruled out the prospect that once we see the actual ramifications of this bill becoming law, that we may need to come back together again to consider further improvements, enhancements, refinements, so there may be things that I or others would like to see happen. I remain open to that, but this is a really good, important bill. It's not 41 pages long by accident. We've tried to be deliberate to address every aspect of the potential misuse and mis-sale of this product and I think it's a really strong bill. So to answer the Representative's question, I'm very hopeful that this will be effective at least as a first step in accomplishing the end of reducing addiction among young people and the risks inherent in many of these E-cigarette and vaping products, but I will not promise that this is the end of this conversation. It is more than just a simple incremental first step. It is a major step forward.
Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you for that. Thank you, Mr. Speaker. Through you, perhaps the chairman felt that that was, to use the baseball vernacular, a change up, perhaps here comes the curve ball low and outside. I wonder if I could get the chairman's comments in terms of the philosophical approach, we are attempting to protect those under 21 from a public health point of view. We did so the other day with a bill that passed through here on helmets, yet in a related venue we're discussing and if this is allowable, Mr. Speaker, we're attempting to also talk about legalizing substances such as marijuana and don't seem to have the same concern. I wonder if the good Chairman could comment on that, it that's a reasonable question, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):
Thank you, Mr. Speaker. I guess I could say that is a reasonable question because it's something we've been discussing in this legislature for a period of years, and it's also relevant in the sense that, as I mentioned previously, it's conceivable that one could go beyond the simple legal CBD that is available in liquid form now and be smoking high levels of THC marijuana through these products so by banning such products, we are taking a stand about use of marijuana in young people other than perhaps medical purposes and we have an excellent statewide program for medical marijuana, but I won't comment further on the potential connections with our broader debate about legalizing marijuana in the State of Connecticut.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

I appreciate that, Mr. Speaker. That may have been an infield hit. [laughter] I think I skipped over at the beginning and I apologize and I realize everyone has access to the redone OFA note. In broad
strokes, I wonder if the chairman would comment on the impact to the state budget. I asked a question initially about the impact on businesses and was going to go to the impact on the state and failed to do so. I wonder if the good Chairman could comment on the impact to the state in terms of loss and gain through revenue.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. In that the good Representative did not characterize this as another curve ball low and away, I assume I can't just take the pitch. [laughter] It sounds like a little bit more of a slider that might have the corner so I will answer it. You know obviously, we spent a lot of time talking about impact on retailers. As the good Representative noted, the projections of the impact on loss of revenue in 18 to 21 hopefully will be not consequential to the viability of these businesses. It is not our intent to put anybody other than perhaps
a bad actor, a retailer that does not behave responsibly, it's not our intent to put anybody out of business. We encourage small business and as I said, any number of these retailers now offer a variety of products and we hope they have a sound business model which will allow them to adjust to the slight dislocation in not being able to sell these products. We've been incredibly deliberate in our conversations about fees. We've been deliberate in our conversations about penalties, but the penalties have to have some teeth. It's not just about generating revenue. We want to curtail bad behavior and that's why there is an escalating penalty schedule for repeated infractions and there's the potential of DRS enforcement action that could lead to suspension of a license. We take this very seriously. If we don’t put teeth into this legislation, we can't expect it to have the intended effect so to answer the Representative's question, I think we have taken a measured approach to fees and penalties and have given due consideration to the impact on retailers and in fact, have adjusted the fees in recognition of this.
Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you, sir. Thank you, Mr. Speaker. I wonder if, through you, Mr. Speaker, whether the chairman would comment on the impact of federal legislation, if he feels that any of the current pending legislation will deleteriously impact this bill should it be passed through our Chamber.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit, uh, Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. You know I had high hopes when Surgeon General Gottlieb who happens to hail from my town was in charge and made some pretty significant promises with his intent to address this. He is no longer in charge there. I am hopeful that the people in charge there will follow through on this promise because that's the way the world is going
right now. We've heard recently that Walmart is going to be restricting sales to under 21, reducing the number of flavors they make available. Retailers are getting this too. They want to be responsible so I don't think we're ahead of the curve here. It would help a lot if the feds would address these issues responsibly on behalf of the health of everybody in our country, particularly young people. So, as I said earlier, if we do not see progress, if we do not see the projects for tangible action by the federal government, you bet we'll be talking about this in the Public Health Committee next year.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Pettit.

REP. PETTIT (22ND):

Thank you, Mr. Speaker. That's all I have for now and I would just like to extend my thanks to the chairman for his hard and continued work on this effort. It's been before Public Health for a number of years and he's had to work with a variety of controversies and a hoard of egos from a variety of
establishments in terms of coming to a compromise and I applaud his good work on this bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark further on the bill as amended? Representative Klarides-Ditria, you have the floor, madam.

REP. KLARIDES-DITRIA (105TH):

Thank you, Mr. Speaker for the third time. Through you, Mr. Speaker, to the proponent of the bill, does the new scheduling licensing fees fall in line with any other states, meaning that now our fees would be going up so much higher?

Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. An interesting question. I can't say that, you know, it's tough enough to stay straight with the schedule we have in our bill. Certainly we, in our, in doing our homework, we looked at what other states are doing. I can't say
categorically that it necessarily correlates to the structure of other states. I would imagine that there's quite a variety in approaches to this. We think this is appropriate for the State of Connecticut.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Klarides-Ditria, you have the floor, madam.

REP. KLARIDES-DITRIA (105TH):

Through you, Mr. Speaker, I know there's some wording talking about vending machines and I guess my question comes down to are there any vending machines selling cigarettes anymore in the State of Connecticut?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Mr. Speaker, yes, I do believe they still continue to exist in the State of Connecticut.

Through you, Mr. Speaker.
DEPUTY SPEAKER CANDELARIA (95TH):

Representative Klarides-Ditria.

REP. KLARIDES-DITRIA (105TH):

Thank you. Through you, Mr. Speaker, in the situation of unannounced compliance checks from the Commissioner of Revenue Services or their designee, does DRS have the staff available for this?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. To be absolutely clear, it would be DMHAS that would be responsible for the compliance checks, not the Department of Revenue Services which would be responsible for enforcement should the compliance checks indicate a violation and yes, both DMHAS and DRS will be obtaining additional resources for their respective compliance and enforcement actions.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Klarides-Ditria.
REP. KLARIDES-DITRIA (105TH):

Hello, Mr. Speaker. Through you, if this bill, to the proponent, if this bill goes up, if we bring the age from 18 to 21, will the current 18, 19, and 20-year olds be grandfathered in?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Mr. Speaker, no, those people would not be grandfathered in.

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Klarides-Ditria.

REP. KLARIDES-DITRIA (105TH):

Through you, Mr. Speaker. Does this bill ban alcohol vaping?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. In our definition of
liquid products, I believe it is all encompassing so you know, really to the Representative's point, not knowing precisely what's in some of these liquid products, conceivably, there could be alcohol and things that are not even labeled as such so that's why it's so important to ban these liquids products to those under 21.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Klarides-Ditria.

REP. KLARIDES-DITRIA (105TH):

Thank you, Mr. Speaker. And my final comments, our goal is to stop children from starting to smoke and dealing with the negative effects and lifelong effects of smoking so if this task is accomplished for any children or any new smokers, then I full support this bill and I encourage my fellow legislators to do the same. Thank you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, madam. Representative Sredzinski.

REP. SREDZINSKI (112TH):

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

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed.

REP. SREDZINSKI (112TH):

One of the overlying questions I have is, as many of have experienced in our districts, high schools even middle schools have the problem of these vaping products in schools. We've seen issues in the bathroom, we've seen enforcement try to step up. Is there anything in this bill that directly affects that problem?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. An important question, an important point to emphasize. We explicitly mention banning it from school grounds in this case. We have tremendous sympathy for administrators, principals, staff who are absolutely caught up in this epidemic, this crisis. It has created real tension for them in how best to try to curb the activity given
how easy it is to conceal vaping activity with some of these products these days. Their last thing they want to be spending their limited time with is dealing with checking restrooms, checking monitors, having to deal with disciplinary actions. They would much rather focus their activities on directly teaching our children so by explicitly mentioning schools and banning such activities there, we hope that this will put more than a simple dent, that this will effectively eradicate much of the problem that our schools are experiencing here in the State of Connecticut.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker and while I agree with everything the chairman said, is there anything in the bill that directly includes penalties or more strict enforcement of students in high schools using vaping products in bathrooms?

Through you, Mr. Speaker.
DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. No, we do not address that explicitly. We believe that the other restrictions we put in place should hopefully have that impact.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. I can appreciate that and I thank the good Chairman for his answers. Earlier during the amendment when it was debated, the question was asked from the Representative from the 105th district if the proponent was aware of when the fines were last, sorry, correction, not the fines, but when the fees were increased. Through you, have we had that information received to us?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.
REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I believe that the last time we addressed cigarettes was back in the 1990's so that's been a long time. We're approaching probably 25 to 30 years since that has last been changed and I believe it's 2015 for the electronic cigarette delivery systems. Obviously that's more recent because the phenomenon itself is much more recent but even that's been what, three and a half, four years at this point.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. If I recall in the early release of the Governor's budget, there was a 70 percent fee or surcharge on vaping products to be paid for by retailers. Is that in this bill?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):
Thank you, Mr. Speaker. Indeed, the Governor went out of his way in his initial budget to try to address this problem through what they thought was a good starting point. That was the starting point for some of our conversations. This bill not does not explicitly reflect that and again, it's important for me to emphasize, the final form of that will be assured in the budget itself, but we have an understanding with all the parties involved and as mapped out in this bill, we expect it to be the final form we see in the budget on both the revenue and spending side.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. And speaking of the dealer license fees, do we have, is the proponent aware of any surrounding states that have similar fees?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):
Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Yes, indeed, many other states have a schedule of fees and perhaps penalties. They are not alike cause not all our states approach things in the same ways. We've taken into consideration what other states have done and tried to craft something that we think is the best solution for the State of Connecticut, recognizing there is you know no perfect way of doing this, but I want to assure the good Representative, the amount of time and effort and homework that was done before we arrived at our fees and penalties and our openness to the conversation in reducing some of those fees. So this has been the subject of a lot of conversation over the past number of months and we're pretty, we feel pretty good about where our schedule is.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker and I thank the good
gentleman for his answer. I do, I am appreciative of the work that went into this. As we all know, the legislative process works slowly sometimes and requires a lot of different players to be at the table and there's always something that is either requested to be changed or a modification in some way or an exemption, so I do appreciate that.

As most of did, not serving on the Public Health Committee, this was my first exposure to this bill and the amendment that we received this morning. I went through the 40-page document and was able to just jot down a few questions. One of them starts in line 166 and this is under the vending machine, and this would not limit a town for imposing stricter regulations, this would not restrict a town from imposing stricture limits on vending machines. Is this new language or is this existing language?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I'm not certain, but I
believe it's existing language.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. I appreciate that and as a followup, is the proponent, does the proponent believe that there are electronic cigarettes or vaping vending machines that exist in the State of Connecticut?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Mr. Speaker, my understanding is those are not allowed in the State of Connecticut and there should be no such vending machines, vending vaping products.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. I was not aware of any,
but again, it's always possible that these things exist, just not at the places I frequent. Moving on to lines 332, there is a discussion on the giving or delivery of a sample which says sample is done in accordance with federal laws and regulations.

Through you, Mr. Speaker, what are the federal laws and regulations that have to do with giving samples of tobacco products?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I can say with great confidence, I don't know.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. I have not heard or have not seen any samples being given out. Of course, you know obviously in the travels of my day I travel through gas stations and retail stores, but I've never seen any free samples of cigarettes, nor have I seen
free samples of vaping products. Then again, admittedly, I'm not someone who frequents store that would probably offer those types of things so is the proponent aware of an ongoing operation of free samples of either cigarettes, tobacco products, or vaping products?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. To answer the good Representative's explicitly, no, I'm not aware of any sort of operation or activities, though I would submit we should be concerned about anyone who would benefit in creating in an addiction in someone. It's a tremendous temptation to find a way to expose people, particularly young people, to something that would be profitable if an addiction was created so I think that there's cause to be vigilant in this regard. Again, I'm not aware of any specific operation, legal or illegally to do so, but it's something we might be concerned about.
Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker and I can appreciate that. Moving on to line 398, there’s a portion of the statute that discusses the fact that anyone with the possession or intent to sell an electronic nicotine delivery system or vapor product needs to be employed by or directly affiliated with a business entity that maintains a dealer registration. Through you, Mr. Speaker, is this intended to provide a black market for electronic cigarettes?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. My response would be certainly not. I think the goal again is to assure reputable entities are involved with sales or distribution.

Through you, Mr. Speaker.
Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. Maybe I can clarify or explain a little bit. So my understanding is now you need to go to a retail facility whether it’s a grocery store, a pharmacy, a gas station retail or a vaping store and purchase these products. I would imagine that there is probably some market for younger people. If someone were to go to one of these establishments and buy perfectly legally electronic cigarettes or electronic cigarette products and then turn them around and let's say mark it up 10 percent and sell them to kids. That obviously would be something that should be illegal, it's something that should be penalized and the reason for my question is I would imagine that it's currently illegal now and my follow up was going to be why are we addressing the statutes but the good Chairman has addressed my concerns.

Just a few more questions. Through you, Mr. Speaker, in lines 505, it says that no person in the State may manufacture an electronic nicotine delivery
system unless they've obtained a manufacturer registration form. Is this something that we have in our State, a manufacturer of electronic cigarettes?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. To answer the representative's question, I don't know if there are in the State of Connecticut, but I think the intention of this section is to ensure along the lines of the representative's previous comments that again, that when we talk about a manufacturer, it is a reputable, responsible, professional manufacturer and not somebody doing some things in there, in their garage or basement. The goal would be that any such product manufactured has some integrity to it and our intention is to keep anybody else out of the business of manufacturing such products.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Sredzinski.
REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. In line 624, that subsection B discusses some, what I believe to be exemptions and there's a lot of language that's been deleted and a lot of language that's been added. If the good Chairman could just clarify the intention behind this subsection and am I accurate understanding that this is to exempt businesses where persons under the age of 21 shouldn’t be in the first place?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. If I understand the representative's comments, that section 3 sub B is not so much exemptions. The changes that the good Representative sees are really, I believe nomenclature changes. It's important to make the distinction between under 21 and minors because, as we mentioned earlier on, there are a number of different contextual definitions of minor depending upon the circumstance. We want to be perfectly explicit, anybody under the
age of 21, and there's also a change from retail establishment to business entity. I'm not a lawyer. Apparently, that's a better answer for how we should use it in this context. I believe that's the intent of the revisions to this section.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. And that was one of the concerns I had with this bill was that if that was an exemption. I could understand why there may be a thought that if there's an establishment where there shouldn't be anyone under the age of 21, let's say a liquor store, obviously a minor should not be in a liquor store unless accompanied with a parent so in theory, there wouldn't be anybody in there under the age of 21. Therefore, there wouldn't be any restrictions on checking ID's, but as we all know, the reality of the situation is that you know, people under the age of 21 do find their way into liquor stores whether it's because of lax security or because
of fake ID's, what have you so I was just going to clarify that and I'm glad the good Chairman was able to clarify that.

The last question I have begins on section, well it's line 645 and it discusses how the Commissioner of Mental Health and Addiction Services shall conduct the unannounced compliance visits. It was discussed already. My question to the proponent of the bill was, has, what, did the Committee consider using the Department of Consumer Protection?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. We believe very strongly that DMHAS is the appropriate agency to engage in these compliance activities. This is something they do traditionally. This is an area for which they have expertise and we're highly confident that DMHAS is the appropriate agency in this case. DCP on occasion is involved in a number of enforcement actions, but when it comes to this aspect of compliance, we believe that
DMHAS is the appropriate entity to deal with compliance.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. And later on in the bill, it goes on to address the escalation so that when DMHAS does their investigations, they do their unannounced visits, that DCP will then be notified because of licensure. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. To be clear, if there is an instance of lack of compliance identified by DMHAS, the appropriate enforcement authority to be informed would be DRS, as the bill enumerates. As I've explained earlier, DRS has experience with enforcement actions going back a long way with cigarettes and we've added the E-cigarette vaping responsibilities
for enforcement to them as well and we've explained the precise process of how they would deal with such violations in the bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. Through you, what is the state agency that issues the dealer licenses?

Through you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. In the case of the E-cigarette and vaping equipment, that would be DCP. In the case of cigarette products, that remains DRS.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. And I thank the chairman for his clarifications. I know that this is a problem
that existed in the State of Connecticut and frankly, nationwide if not globally. I think it's important that we keep our young people off of nicotine as long as possible, away from the harmful effects of smoking, whether it be traditional combustible tobacco or chewable tobacco or electronic cigarettes in some way. There are still some details that I'm working out. I will listen to the rest of the debate, but I want to thank the good Chairman for his time. Thank you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Representative Zullo.

REP. ZULLO (99TH):

Thank you, Mr. Speaker. First, I just want to say that I understand this bill is a bipartisan effort and I applaud that effort. It's refreshing given how polarized some of the issues up here can be, to see both sides of the aisle working together to address something that I think a lot of people collectively feel very strongly about. With that said, I have just a few questions for the proponent of the bill if I may?
Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed.

REP. ZULLO (99TH):

To the proponent and firstly, I'll preface those questions by saying I'm coming on in middle relief to the good doctor. My stuff is not going to be quite as challenging nearly as the good doctor so you can rest assured. Through you, Mr. Speaker, in the original bill, I read it to require random yearly compliance checks. Is the mandate for those random yearly checks still in the amendment or does the amendment simply anticipate that there will be compliance checks in the discretion of the authority performing those?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I thank the Representative for that question. It is important. It is required. This is not a you might want to look at compliance. We are charging DMHAS, as we have in
the past, with assuring compliance of these retailers so that is their responsibility.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Zullo.

REP. ZULLO (99TH):

And then just in follow up to that, but then the actual legislation, the amendment doesn’t actually contain a mandate that the compliance checks be yearly?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I believe that there's existing compliance law out there on which we are basing this. I can't say explicitly about the language with regard to the annual but to put it simply, DMHAS knows its business with regard to compliance.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):
Representative Zullo.

REP. ZULLO (99TH):

And then in followup to that, because I read the original bill to create and contain that mandate and the amendment not to actually have that mandate, is there any data on the or revised fiscal analysis as to impact our fees to the State?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. The good Representative was correct in his interpretation. We do have a reviewed OFA fiscal analysis. I'm not sure it precisely answers the question that he's addressed, if he'd like to readdress it to me, but we do have a current OFA analysis based upon the amended bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Zullo.

REP. ZULLO (99TH):

I thank the proponent for that clarification. I
will definitely check out that OFA analysis, I just
don’t have it in front of me. I didn’t know if it was
performed. To the proponent, through you, Mr.
Speaker, I want to draw your attention to lines 810
through 817. It addresses penalties to people under
21 who misrepresent their age to purchase cigarettes
or tobacco products, and my question, through you, Mr.
Speaker, is do these penalties apply if someone
misrepresents their age to purchase say an electronic
vaping product or a nicotine delivery system?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. To be clear, and again
this is a very important question, the only criminal
liability we put upon people under the age of 21 is
the misrepresentation of their age to purchase this
product, but referring directly to the
Representative's question, this section relates to
cigarettes and not vaping products, if that answers
your question.
Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Zullo.

REP. ZULLO (99TH):

So then in follow up to that, is there a similar section in the bill as amended that contains similar penalties for minors who misrepresent their age to purchase electronic vaping or nicotine delivery systems?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

I beg the Speaker's permission to seek out that information?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Please go right ahead.

REP. STEINBERG (136TH):

Mr. Speaker?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):
Thank you. In reviewing the section, the Representative alluded to, there is explicit mention of any tobacco production so in this instance, I think that you would interpret to be as inclusive of such products.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Zullo.

REP. ZULLO (99TH):

Thank you, Mr. Speaker and thank you to the proponent for that clarification. I didn’t necessarily read it to say that but for the purpose of establishing legislative intent, I think that clarification is important so I thank the proponent for that. With that being said, I don’t actually have any further questions for the proponent so he can certainly take a seat and rest if he desires.

I just do have a few comments. I understand that this bill, actually, I should preface that by saying during Committee in Finance, I actually voted against this bill. I did so as a flag and because I had some substantial concerns about the revenue components, the
finance components of it. I'm glad to see it's been amended as presented today to address some of those concerns. I also understand that this bill addresses what many around the country see as a very large and growing health concern. I do want to make it know to everybody that I also see this legislation as a continued infringement on people's rights as adults in the State of Connecticut and I understand that there's some conversation and debate already in the House today regarding the term adult and the variations of what we consider a minor to be for purposes of the variety of statutes we have here in the State of Connecticut, but I want to make sure that everybody is aware of the very root of what defines an adult in Connecticut and it's right in section 1-1d of the general statutes. It says that a minor shall be deemed to refer to a person under the age of 18 years, and any person 18 years of age or older shall be considered an adult for all purposes whatsoever.

Now think about that. For all purposes whatsoever. Now, I understand again in Connecticut, that we have variations on what is considered a minor
and we have those variations for a lot of different reasons and I understand that the good proponent has mentioned that this is a public health concern and so it might be worthwhile to consider a variation on what we consider an adult, but I want to draw everybody's attention to specifically, because I know it was alluded to, but specifically, the things that we allow people to do in Connecticut under the age of 18 or at 18. It's already been mentioned that we allow people to vote, actually I don't know if that's been mentioned, but you can vote. You can elect the very people in this legislature who are deciding this very issue at the age of 18, but then we're going to be telling people if we pass this bill that you can elect us, but then you have no say or recourse whatsoever if you disagree with the very opinion with the bill we're enacting today. Obviously we know that people can fight and go to war. You can obtain a driver's license or a motorcycle license at 16, begin driving at any time between 16 and 18 with various types of supervision. You can register a motor vehicle, but with parental consent. You can donate blood without
parental consent at 17. Interestingly, if you are a minor and you have a minor child, you can give consent to the medical care of that child. You can make medical decisions impacting the life of another human being if you are a minor and yet, if we pass this bill, you will not be allowed to make a decision about whether or not to utilize a tobacco product or a vaping product. You can engage in various types of leisure activities at the ages of 12 and 16 including operating boats, etc. Interestingly, at 16 you can work so you can actually get a job and actually at 18, you can get a job in various hazardous industries, but at 16 you can get a job in most industries to earn money to go and purchase all varieties of products, but now we're going to be telling you that at 18, when you're working very hard, you're not going to be able to purchase tobacco or vaping products.

The age of 16 is the end of basic juvenile court jurisdiction and in the juvenile courts, they provide juris for individuals who are 17 or 18, or are 16 or 17, but 18 thereafter generally becomes the cutoff and as well all know, the age of sexual consent depends on
the relations of the partners.

So think about all of that. Now, we also recognize the age of 21 for some very important cutoffs and I'm willing to acknowledge them. Obviously, for the purchase of alcohol, to hold a commercial driver's license and amazingly, to be able to become a police officer, possess a handgun so I recognize those, but I want to make sure that everybody is just aware that there are a variety and a number of incredible things you can do in the State of Connecticut. And again, drawing attention to that one, as a minor giving consent to medical treatment for a minor child. Those are incredible decisions that we allow and now we're saying that somebody in that position, who possesses the mental faculties and potential maturity to make those decisions, does not possess the same mental faculties and maturity to make a decision about utilizing a tobacco or electronic vaping product.

You know, I stood up today with mixed feelings about this legislation and I still have mixed feelings because I do feel very strongly about the need to
address what many people consider to be a growing health concern across the country. I also have a tremendous amount of respect for people's personal freedoms and because of that, I intend to listen very closely to the rest of this debate because to be honest, I still have not come to a final conclusion. I want to thank the Speaker for the time to speak and the proponent for the answers to my various questions. Thank you very much, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Thank you, sir. Representative Yaccarino. Just a minute, sir. Could I have that aisle cleared? Thank you. Representative Yaccarino.

REP. YACCARINO (87TH):

Thank you, Mr. Speaker. Good to see you up there.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Good to be seen.

REP. YACCARINO (87TH):

I always, I never supported this in the past for many reasons, personal freedoms. When I was in the Navy Reserve, boot camp, we were able to smoke. It
was a called a Coke and smoke break. You could have a cigarette, you could have a soda and that was after drilling all day, going to education classes, drilling all day, marching all day and then having dinner and then having cigarettes and I never smoked cigarettes prior to boot camp. And in boot camp, I started smoking cigarettes for that ten-minute break every day because it was something to do and you know I felt part of every, you know my company. But eventually I quit smoking and I realized I didn’t like it, but I don't think I ever would’ve started if it wasn’t for that time in boot camp. And so I've been checking with the U.S. Military Department, the Department of Defense. They don’t have the age 21 yet, but they're pushing for 21. They’ve been pushing it strongly to push the age for readiness, for preparedness. You know if you're in any kind of combat, you want to be in shape so they look at the health effect, the positive health effect, the negative part if you do smoke or you're not in shape and the dollars you know to be frank.

So I do stand, I understand the argument from the
past speaker, it is personal liberty issue, but also it's a health issue and so I do support this. I do have a couple questions though for the good Chair of Public Health? Through you?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Proceed.

REP. YACCARINO (87TH):

Through you, Mr. Speaker, I know in Finance, I had concerns for the retailers. There were two fees, large increases, and I was in and out during the debate. Would you mind giving me the original fee and then the current fee under this amendment? For the retailers.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. The changes for the retailers were from $50 dollars annually to $200 dollars, and for the manufacturers $400 dollars to $800 dollars. Originally we had talked about $1000 dollars, but we listened to folks and reduced that to
$800 dollars, trying to be responsive.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Yaccarino.

REP. YACCARINO (87TH):

I appreciate that. I was hoping it would be like $180 dollars to $200 dollars so that's in the same range and $700 dollars to $800 dollars and I appreciate that because through no fault of the retailers, no fault of theirs, they're gonna lose some business for three years potentially and the fees are going up, but I think it's a good compromise. And in those dollar amounts between the tax and those fees, can you estimate how much will go towards education for non-smoking?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. No, we don’t precisely address that explicitly in this bill. We have commitments from a lot of parties that this is
something that matters to all of us. This is part of a broader ongoing effort to educate not just young people, but everybody about the dangers of smoking, of nicotine, all the risk inherent in vaping products so to answer the good Representative's question, no, we are not explicit on that point but I'm confident we're going to make that a priority going forward.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Yaccarino.

REP. YACCARINO (87TH):

Thank you, Mr. Speaker. I appreciate that answer. I think with this, as much as I can't cigarettes, I can't stand vaping and I know that's addressed in this bill. I think we should have a real robust education campaign against vaping and the harms in smoking, but at the end of the day, people are going to, at a certain age, are going to do what they're gonna do so I think that's all I have for questions but I do support it. I never supported this in the past. I looked at what the military is trying to do and the reason, rationale and I really looked
back at my own story when I was 18 years old that it was the thing to do in boot camp because I forget how many people were in our company, but I was the only people that was not smoking actually and I would have a cigarette and I'd have a Mountain Dew and I don’t do either of them now but [laughter] but the odd thing is, you're training all day and then you're smoking and drinking Mountain Dew in the evening so with that, [laughter] you burn it off quick but with that I'll end my comments and listen to the debate. Thank you.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

    I recall boot camp with perhaps not as much fondness. [laughs] Representative Ferraro.

REP. FERRARO (117TH):

    Good afternoon, Mr. Speaker. Through you, I have just a couple of questions for the proponent of the bill and a couple of comments.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

    Please proceed.

REP. FERRARO (117TH):

    Thank you, Mr. Speaker. Obviously this bill, as I said earlier, I feel is a long time coming. I know
that it's been a lot of work for a lot of people and I know the time that goes into crafting such a bill like this and trying to cover all the bases to make sure that it's a comprehensive bill and for that, I want to thank the proponent of the bill and all those who assisted him in doing it for their efforts.

I wanted to just say that increasing the minimum age for tobacco products to age 21 in my opinion is an important strategy to reduce the smoking of tobacco and other tobacco products and their use among the youth and it is a very important part of the strategy for saving lives. Through you, Mr. Speaker, my questions are no technical from the bill. I thought the good doctor and representative did an excellent job of doing that, as did my colleagues previous to me. My comments are more to the genesis of the bill and why the bill is important. One of the things I would, through you, to the proponent of the bill, is it true that tobacco has killed over 480,000 people or more through the course of a year, and that's more than automobiles, crashes, gun violence and opioid deaths?
Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I really want to commend the representative for taking a moment to put this in context. The scourge of tobacco and nicotine addiction is significant in our country and as the good representative mentioned, astoundingly it actually exceeds the impact rate of death for many things that we assume to be the major killers in our country so yes, precisely, the numbers are staggering. The opportunity for stemming the tide of deaths or huge medical bills related to addiction must be addressed.

As I said, this bill isn’t gonna be a cure all, but it is a critical stride forward in addressing this problem, a problem that really does need to be addressed on a national level. Again, I do appreciate the representative's question because it does shine a spotlight on just how serious this public health problem is.
Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ferraro.

REP. FERRARO (117TH):

Thank you, Mr. Speaker and I do thank the good gentleman across the aisle for his answer. Although the 480,000 people that are referenced and are killed through tobacco-related health issues, although all of them are not children, the very fact that I believe another fact that comes out in reading the statistics behind the genesis of the bill, 95 percent of all addicted smokers start before the age of 21. Through you, Mr. Speaker, is that a correct statistic?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I believe that's correct and importantly indicates that by banning such activities under the age of 21, hopefully we're stemming the prospect of somebody being exposed early on and leading to that lifelong addiction the representative describes.
Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ferraro.

REP. FERRARO (117TH):

Thank you, Mr. Speaker. And I thank the gentleman for that answer and through you, Mr. Speaker, in that same regard and taking it a step further, another astounding statistic that I read was there are 350 youths becoming regular smokers per day. Is that also a correct statistic?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. That's an astounding statistic. I fear it's even becoming worse, but that is correct.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ferraro.

REP. FERRARO (117TH):

Thank you very much, Mr. Speaker, and moving on
from there, it's also known that our youthful smokers, some of them are the average age as beginning at 13.7 years of age.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker, 13.7? Not 13.6? I believe the representative is correct.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ferraro.

REP. FERRARO (117TH):

I thank you, if that was a correction, I thank the gentleman across the aisle. I wouldn’t want to be off by one-tenth but the reason why I brought that up is these youths are getting the tobacco products probably through older high school age tobacco users and if this bill passes and the age is raised to 21, it would then prevent high school age students from being able not only to procure tobacco products for themselves, but also to be able to buy them for
younger smokers.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I'm not sure I heard a question there, but I would agree that this is an important aspect of the bill, is to stamp it out not simply at the high school, but at the middle school level and to hopefully return the middle schools and high schools to the teaching environments, learning environments which they are intended and not to have the kind of distractions these products bring into those important places in our society. So yes, I would agree that this will hopefully have a beneficial impact on those from 13 right through graduation from high school.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ferraro.

REP. FERRARO (117TH):

Thank you, Mr. Speaker and again, I thank the
gentleman for his comments and I'd just like to move briefly into the economic impact of the sale of marijuana from private industry. One of the statistics that I read, I read that approximately 2 percent of tobacco products come from underage, under 21 smoking. Does the proponent of the bill believe this to be an accurate figure?

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

    Representative, could you rephrase that so it is not soliciting an opinion?

REP. FERRARO (117TH):

    Okay, thank you. After reading the statistic that 2 percent of the tobacco sales are under age 21, I would like the proponent of the bill to, is this an accurate statistic?

    Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

    Representative Steinberg.

REP. STEINBERG (136TH):

    Thank you, Mr. Speaker. I don't know.

    Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):
Representative Ferraro.

REP. FERRARO (117TH):

Okay. The reason why I bring it up is the 2 percent that I read and I believe that it was under 1 percent that the good doctor spoke about earlier, when we look at the loss of revenue for a product in the marketplace, we also have to look at the social cost that the product is putting on our society and so nicotine addiction and diseases and ailments brought about through excessive smoking are costing our society through our medical services, I believe quite a bit more than that and with that being said, I think that it's a good tradeoff in that we be giving up 2 percent revenue source to be able to cut back in some cases I've read 10 to 12 percent decline in smoking among high school students and as much as 35 to 40 percent in other studies. Smoking rates, as we know, have declined in our recent years, but the E-cigarette smoking that has taken place over recent years has offset that decline and has sort of hurt the efforts we've made to decrease the use of tobacco amount our citizens and I believe just last year alone, the E-
cigarette rate had gone up 77 percent in just one year among youths so with that being said, I do have a problem with the liquid products and to the good, to the proponent of the bill, has the proponent of the bill seen advertisement for a product called Juul?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I have both seen and heard a significant number of radio ads for Juul products which seem to have increased in recent months.

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ferraro.

REP. FERRARO (117TH):

And I have to admit, when I first heard the product, the advertisement, it was an advertisement that talked about how many people are switching from smoking cigarettes to Juul and how they would bring people on and they would say I've made the switch, and
I've switched to Juul and you should do it too and they go through this entire advertisement as to why it's a good idea. And then when you get to the end of the advertisement, there's a disclaimer that says, and this product contains nicotine as well, so it almost seems to me that the purpose of switching from cigarettes to Juul is to avoid addiction to nicotine, but on the same token, the product they're switching to contains nicotine as well.

So through you, Mr. Speaker, is this bill addressing advertisements such as that which I feel is a little deceptive?

Through you, Mr. Speaker.

DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I think that the representative brings up a very important point. My interpretation in the proliferation of the ads for Juul and similar products are a reflection of their desire to make clear that they are targeting adults and not those under the age of 21, but I also take the
representative's point that it is interesting that the product used to reduce addiction to nicotine contains nicotine, but it's hardly unprecedented.

Some of the most effective means we have by reducing addiction to opioids and the like sometimes involve products that fall in the opioid classes. It's in and of itself using such a product to attain smoking cessation may not be sufficient, that other sort of behavioral modifications or improvements may also be warranted so to your point, there's no assurance by going into a reduced nicotine circumstance through an E-cigarette or a vaping product, which is for what they maybe were originally intended, will result in final smoking cessation and elimination of nicotine addiction. I believe they are advertising with that intent so I'm eager to see longitudinal data as to the positive or negative impacts of vaping and E-cigarette products to validate some of the assumptions being made in this advertising. But to answer the representative's question, no, that is not addressed in this bill.

Thank you, Mr. Speaker.
DEPUTY SPEAKER PRO TEMPORE GODFREY (110TH):

Representative Ferraro.

REP. FERRARO (117TH):

Thank you, Mr. Speaker. And I thank the good gentleman for his answer. Also, I find this type of legislation to be conflicting in some ways because you know we have a libertarian type of streak in us that says you know let bygones be bygones, let people do what they want to do, everybody has a right to, if they want to put that in their body, that's their decision, etc, but on the other hand, as responsible parents, we often look at our children and we try to make decisions or help them make decisions that are in the best interest of their health and in this case, as an elected official, you know we're responsible for the public health of our citizens and when we look at children under 21, it's been a known fact that studies have been done that human brain is not completely developed until age 25 and that youth addiction to nicotine and being exposed to nicotine products and tobacco products increases the possibility of the types of diseases of mental depression and anxiety and
things like that, and so I think the conflict between whether or not we should intervene and you know tell a youth who's 18 years old, who's been in the or is registered to go into the service that he can't smoke a cigarette or use a tobacco product is conflicting but to balance it on the other end with you know I hate to say it but looking out for their own good so to speak and trying to find ways in which we can help them make healthy decisions until they're older and can make that decisions for themselves. Sometimes it's a tough balance because I would probably be the first one to say that you know if somebody were to try to bring a law in front of us that said you can't drink that soda because it has sugar in it and we're going to ban the use of that product for that or we're gonna tax that product, I would probably be against that and so many of the things that come before us, I take a stand on one side of the issue and then something like this comes up where I'm looking at the people that are ingesting this and putting these impurities in their bodies and causing potential health hazards down the road as they get older and
possible addiction and possibly leading to addiction to even more deleterious products, I feel sometimes a balance has to be made and for that reason, I'm going to support this legislation. I'm going to urge my colleagues to do the same and I want to thank the gentleman who brought this bill forward and all the folks that put the effort into the bill and all the work that they've done in bringing it forward to us in the form that it's in. Thank you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark further? Representative Davis, you have the floor, sir.

REP. DAVIS (57TH):

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

DEPUTY SPEAKER CANDELARIA (95TH):

Please proceed, sir.

REP. DAVIS (57TH):

Thank you, Mr. Speaker and I've tried my best to listen to the debate cause I think it's a very interesting one on this issue and one that even my own
personal views have changed I think over the years from being an ardent supporter of the libertarian side as described by Representative Ferraro of you know these young people, they have the ability to make these decisions, even though they're younger, they are still adults, to now today, potentially supporting the bill here today. And through you, Mr. Speaker, does this bill prevent the actual possession of the tobacco products of someone under 21 or is it purely prohibiting their purchase of those products?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I thank the representative for that question. It is important to emphasize; this is not an attempt to criminalize the young person. In fact, it's only a civil penalty in the misrepresentation of their age. This is targeted at the retailer because that's where we think it's appropriate to stem the tide of these products so to answer the representative's question, this is not
about possession; this is about sale and distribution.

Through you, sir, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Davis.

REP. DAVIS (57TH):

Thank you, Mr. Speaker and I come from an area of the state that is a short distance from a state line and I'll be honest with you, I'm not sure if Massachusetts has done a statewide ban, although I do know that some of their towns and cities have on below 21, but I think of the other areas of the states where it's easily assessable to overstate line for going to work or shopping or something like that and so if a young person were to purchase a tobacco product, who's 19 years old, purchase that tobacco product in say Massachusetts and bring it back into Connecticut, would they be breaking any kind of laws about possession of that product here in the State?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):
Thank you, Mr. Speaker. No, they would not be violating a law as stipulated in this bill. I would hope Massachusetts would adopt a law similar to ours. Frankly, I would hope that the nation, our federal government will take action so that we don’t have to worry about distinctions of crossing a border in this regard, but again, no, that would not be a violation.

Through you, sir.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Davis.

REP. DAVIS (57TH):

Thank you, Mr. Speaker and I know in some sections of the bill, it outlines some of the different types of products and products that could be used and I did hear a previous answer to indicate that all products with tobacco in them would be included in the prohibition of the sale of these products. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):
Thank you, Mr. Speaker. I apologize, I was not sufficient focused on the question. If the good representative would repeat it?

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Davis, do you mind repeating the question, please?

REP. DAVIS (57TH):

Thank you, Mr. Speaker. Throughout the bill there's different examples of which products are banned and not banned, specifically in the electronic cigarettes area but I know in the tobacco product area, it says cigarettes or tobacco products and I believe his previous answer was all tobacco products, any product that has tobacco in it would be limited to sales 21 and older. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Yes, that is correct.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):
Representative Davis.

REP. DAVIS (57TH):

Thank you, Mr. Speaker and how about situations like I think of an activity that is popular with young people today like smoking hookah and in many instances, there are some hookah, I think shisha that has tobacco in it, but there's many other versions of hookah that have no tobacco in it or herbal. Would this prohibit those individuals from participating in that activity at a hookah lounge here in the State of Connecticut?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. We are explicit in enumerating cigarettes, E-cigarettes, electronic delivery products. It does not cover hookahs.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Davis.

REP. DAVIS (57TH):
Thank you, Mr. Speaker and I think it also would not include any kind of herbal cigarettes that may not contain an actual tobacco product. I do believe like clover cigarettes do have a varying amount of tobacco, but there are actual herbal cigarettes available on the market as well. Is that correct and those would not be prohibited under this bill?

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. We are talking tobacco products so I would imagine if even it had a relatively small percentage of tobacco, that would fall under that category. Again, it sort of calls out some of the risky aspects of some of the products that are out there because oftentimes the people smoking them don’t know what’s in them, but if it has tobacco products, it would be covered.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Davis.

REP. DAVIS (57TH):
Thank you, Mr. Speaker and I know that the amendment that was adopted previously in this debate addressed many of the concerns that a number of us had with the original bill had with the increases in fines both for the increase in fines and also for the increase in actual registration fees for someone to sell these. Through you, Mr. Speaker, I'm curious and I don’t know if I heard during debate the actual rationale for these increases in fines and increases in license fees. Is there a specific use of that money? Is there a specific reason why we're doing this?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Again, an important question worthy of reiteration. Obviously we want to have some of the enforcement penalties sufficient to curb that behavior, but we must acknowledge that some of the purpose for these fines, particularly in penalties, are to generate sufficient revenues to
provide explicitly for compliance and enforcement activity and I'd like to add that I misspoke with regard to the hookahs. I hadn’t thought about them in the context of creating vapor but in that they would be a vapor-related product, I do believe they would be included in this context.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Davis.

REP. DAVIS (57TH):

Thank you, Mr. Speaker. Is it, when it's a vapor product, is it through an electronic device vapor product cause I did see in the bill that explicitly like an electronic hookah device would be prohibited but there are certainly most hookahs from my understanding would be done with coals and not actually done thorough an electronic device, so would those ones still be prohibited for people under 21 to use?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.
REP. STEINBERG (136TH):

Thank you, Mr. Speaker. The representative has greater familiarity with hookah products than I do though I actually, I owned a hookah at one point many years ago. Never actually used it and I'll swear by that. [laughter] To the good representative --

REP. DAVIS (57TH):

Mr. Speaker, I won't ask if he inhaled with the hookah or not. [laughter]

REP. STEINBERG (136TH):

I believe that's a bill for another day which we can get into. Sorry, we may have violated the back and forth here a little bit, Mr. Speaker, I apologize. My understanding is it would have to be electronically-delivered to fall explicitly under the category here. So to your point and your vast expertise on hookah-related products, if there was no electronic involvement, it would not be covered.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Davis.

REP. DAVIS (57TH):

Thank you, Mr. Speaker. The first time I've been
described as an expert in hookah devices, but through you, Mr. Speaker, question about that compliance with the fines. I know it was discussed earlier about DMHAS' role in this and through you, Mr. Speaker, does DMHAS have any other enforcement action or enforcement activities? We have DRS that enforces tax code, we have Department of Consumer Protection which enforces consumer complaints, but does DMHAS actually have any other enforcement roles or would this be the first time that they're actually actively out enforcing a law here in the state.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Again, very important point to emphasize. DMHAS's role in this effort is explicitly compliance, to check into the retailers to see whether or not they are behaving as per the law as it will be and that enforcement activities fall under the egis of the Department of Revenue Services and yes, they have significant experience in enforcement
actions with cigarettes.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Davis.

REP. DAVIS (57TH):

Thank you, Mr. Speaker and under current law right now, it is actually just DRS that does the compliance checks and the enforcement side or does DMHAS play a role in compliance for tobacco-related products?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. To be clear, the law, this bill would change some of those relationships. Currently, DCP has responsibility for some aspect of the enforcement actions which are now going to be taken by DRS, but DMHAS has been responsible for compliance throughout.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):
Representative Davis.

REP. DAVIS (57TH):

Thank you, Mr. Speaker. So I was not aware that DMHAS is currently out doing the compliance checks along with I imagine perhaps local law enforcement and DRS and so on and so forth, so that actually gives me a willingness, a greater willingness to support the bill here today because we were perhaps creating this type of new compliance activity for DMHAS, but apparently we are not. And through you, Mr. Speaker, is there actually a penalty for anyone under 21 that is caught smoking or using any of these tobacco products, that they would no longer be able to purchase themselves?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Again, a good question. No, this bill does not have this going forward. The only infraction for which the young person could be liable would be a civil penalty for misrepresenting
their age. Again, the emphasis is on stemming things at the retailer and not putting the ownness on the young person.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Davis.

REP. DAVIS (57TH):

Thank you, Mr. Speaker and would this change also apply to the tribal lands in the State of Connecticut? The casinos and on the tribal reservations?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Well yes, that is a question I had not anticipated. I do not know the answer whether this in any way infringes on their sovereign rights on their own territories. I do not know.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Davis.
REP. DAVIS (57TH):

Thank you, Mr. Speaker. I appreciate those answers. As I mentioned in the beginning of my discussion of the bill, in years past I most likely would’ve opposed this bill. I think it's come a long way. I think the efforts over the last few weeks since its passage through the committees to here today have been positive. I think they’ve made some improvements to it that are worthy of my support and I will be voting in favor of this bill today. Even though my libertarian streak might be fighting against that, I think it is good public policy and good public health policy for individuals to not begin smoking until at the least the age of 21 if not at all so.

Thank you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark further? Representative Boyer, you have the floor, madam.

REP. BOYER (115TH):

Thank you, Mr. Speaker. I rise in strong support of this legislation and I first want to start off by
thanking the good Chair of Public Health, Representative Steinberg, for all of the work that he's done along with all of our colleagues. In fact, over 100 legislators in the room today either co-sponsored or lent their support to legislation that specifically addresses teen vaping which is a big part of this bill. That significant support indicates to me that it is widely recognized that Connecticut has a crisis when it comes to teen vaping and Connecticut is not unique, as it's a national crisis. So much so that the Surgeon General has declared it a national epidemic.

This comprehensive bill is going to address the purchasing age, the distribution channels, the penalties, and it's also going to address and eliminate tobacco products on campuses K through 12 in our education system. We know that the FDA is working on a parallel track because of this national crisis and while we work in tandem with them, we needed to do something here in Connecticut to address it as well.

The teen vaping in our schools the Department of Education has indicated that it's happening faster
than they can get their arms around. Issues related to teen vaping, absences and discipline over teen vaping. This trend, our youth think it's cool and it's safe but it is not. One pod is equal to a pack of cigarettes and our youth are getting hooked in two days. It is our job here today to help them. They've become addicted before they knew what hit them. This is an aggressive problem in our state and it needs an aggressive approach and I thank everybody for their collaboration, and I particularly want to thank Representative Cristin McCarthy Vahey whose compassion and drive has helped bring us to this point. Thank you everyone.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, madam. Would you care to remark further on the bill as amended? Representative Mastrofrancesco, you have the floor, madam.

REP. MASTROFRANCESCO (80TH):

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

DEPUTY SPEAKER CANDELARIA (95TH):

Please proceed, madam.
REP. MASTROFRANCESCO (80TH):

Thank you, Mr. Speaker. Currently to date, has there been any fines issued to any establishments or retail stores for selling tobacco products under the age of 18?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I don't know.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you. Through you, Mr. Speaker. I apologize, I couldn’t hear the response.

Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg, would you care to respond?

REP. STEINBERG (136TH):

I will try to reprise my answer. I don't know.
Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you and through you, Mr. Speaker, the reason why I ask that question, I'm just curious to see if there's been any studies done at all. Are retailers selling tobacco products and those vaping products to minors under the age of 18? I'm curious as to why this bill stops at the age of 21.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I'm not sure. Oh, there is a why in there so okay. As we discussed previously during this debate, a lot of consideration, a lot of conversation went into the decision to choose the age of 21 as the appropriate age in which to restrict access to nicotine and vaping products. There may not be a perfect answer. As has been discussed previously, the definition of minor in terms of
chronological age varies depending upon the context, but the case we made here was that in the case of a person's health, that 21 was an appropriate age to protect them in this instance. As I've said previously, one could argue it should be 25 because a young person's brain is still developing through that period of time. We thought that was a little on the extreme side; 21 seemed like the appropriate age.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you. And through you, Mr. Speaker, there was some conversation earlier about purchasing tobacco products online and if they would have to show proof of age when the product was delivered. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. To be explicit, that is
for electronic, E-cigarette vaping products, explicitly not for cigarette products where there's you know existing rules. This was created, this online section was created explicitly for the online products.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you and through you, Mr. Speaker, can you tell me what form of ID is required when that product is delivered to the home?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I do not recall the specific language from memory. It has to be I believe a pretty traditional form of identification in which we could have high confidence as to its authenticity. A valid driver's license certainly would fall in that category as again, something we could look up but our
goal was to be reasonable in terms of an appropriate form of identification. It's apparently section 20 of the bill. If you'll bear with me, I'll try to help find it for a moment.

DEPUTY SPEAKER CANDELARIA (95TH):

   Chamber will stand at ease.

REP. STEINBERG (136TH):

   Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

   The Chamber will come back to order.

Representative Steinberg.

REP. STEINBERG (136TH):

   I believe this is a cautionary tale when a bill goes through many revisions, amendments and thus, it's hard to find the specific lines, but I believe we can find the specific language in lines 1137 through 1139 and I will read, providing a valid motor vehicle operator's license or a valid identity card described in section 1-1H of the general statutes which I don't have at my fingertips, but I assume that's a pretty good form of identification.

   Through you, Mr. Speaker.
DEPUTY SPEAKER CANDELARIA (95TH):

   Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

   Thank you, Mr. Speaker. I don’t have in front of me, I don't know what section 1-1H of the general statutes identifies as a form of ID, but you do have on here for an operator's license. What would the process be for someone that does not have a driver's license and they have ordered a product online and it was going to be delivered?

   Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

   Representative Steinberg.

REP. STEINBERG (136TH):

   Thank you, Mr. Speaker. Again, there are other valid forms of identification that I believe would be available to somebody without a driver's license, but the alternative is to have somebody who is over the age of 21 in that household who is prepared to sign for it, which is indeed the protection we want to put in place.

   Through you, Mr. Speaker.
DEPUTY SPEAKER CANDELARIA (95TH):

Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you, Mr. Speaker. And how would this be and again, I just keep going back to people that do not have a driver's license. We have many undocumented people in this country. They would have no form of ID. They would maybe not have a Social Security number, birth certificate and so forth. How would we address the issue of undocumented people in this country purchasing products online that are clearly over the age of 21? They will not have an ID when a product is delivered to their home?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I do believe we passed some legislation not too long ago which does allow undocumented residents to get driver's licenses, but to the representative's question, yes, there will certainly be people whether documented or otherwise
who will not have a driver's license so that's we refer to the section of the statutes which offers up alternative forms of identification. I apologize to the good representative for not being able to explicitly state what those other forms are, but yes, this kind of issue with identification does come up in a variety of contexts and that's why we do allow more than one form of identification.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you, Mr. Speaker and through you, Mr. Speaker, I guess, so could I assume that an undocumented person here or somebody that has no identification at all would not be able to purchase, make a purchase of an E-cigarette or so forth online?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I would agree. The way
that the good representative has described it, that would be the case and that's the same case if you were to try to purchase it in a retail establishment. You would have to be able to demonstrate you're over the age of 21 with an authorized form of identification.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you, Mr. Speaker. I don’t really have any more questions right now. I may later. It's been very interesting to me to listen to this debate. I for one personally feel that you are an adult and I think I said this the other day when we were talking about the helmet law, that you are able to enlist in the Army at the age of 18. By federal standards, you are an adult at the age of 18, yet we are telling people 19, 20, until you’ve reached 21, that you are not old enough to make your own decisions. I personally believe that we should be able to make our own decisions. I am not going to go home and tell an adult what they can and cannot do. Those are my
concerns. I get the concerns about the health issues, but people have to make their own choices and they have to be accountable for themselves.

What I found very, very disturbing a little while ago as I was listening to this debate is that the representative mentioned that the goal is to change people's behavior so they don’t get addicted to nicotine. I find that very disturbing as a legislature, that our job here is to create good public policy, not to change people's behavior. That's what our freedom is all about and that's what the people in this country died for, our freedom, so we can make our own choices. I find it very disturbing that the legislature feels that we should be controlling people's behavior. Maybe it's a behavior that you don’t agree with so you feel you need to change it, and maybe somebody else feels another way. So do we need to change that behavior as well? I find that very disturbing to be quite honest with you.

I do understand that we are concerned about the health risks. I have to wonder and I have to shake my
head because I, people are concerned about the health risks of smoke and nicotine, but yet we are willing to legalize marijuana. That makes absolutely no sense to me whatsoever. It's unfortunate that we don't put as much emphasis on the drugs that we have on our streets and the kids that are addicted to drugs, that are dying on a daily basis. If we put that much focus on that issue as we do on trying to tell people not to smoke at the age of 21, I think this state and this world would be in a better place. It's really unfortunate that we don’t have that kind of focus, but we're focusing on taking somebody's rights away from them.

I, um, you know again, I understand people's concerns about the health risks but I really truly in my heart believe that you are an adult at the age 18. You should be able to make those decisions. You know as a parent our children are going to graduate from high school maybe at the age of 17 or at the age of 18 and they are going to go off to college and guess what? They're going to go live in another state that's going to let them buy their cigarettes. We
have no control over it. People need to make their own decisions and be held accountable for their own decisions. You know as a parent, you gotta let go at some time. You gotta let kids go on their own and figure it out. I am just, I really have to shake my head at the amount of control that this body is trying to put in people's lives. You want to tell parents not to give your kids sugary drinks. You want to ban those, you want to tax those because you as a body, you do not agree with the way you live. You don't agree with the way they eat. That's not what our men died for. They died for our freedom so we can make our own choices.

I would urge my colleagues to think about those. Do you as a legislator, do you as a person believe that you have the right to tell people what to do? To make policy to tell people what to do and how to live their lives? Well when we come to that point, what kind of a state or a country are we living in? It's very, very disturbing to me. Again, I appreciate the effort and what you're trying to do to keep people healthy, but at the end of the day, you need to make
your own choices and an 18, 19, and 20-year-old person clearly, clearly is able to make their own choices. They go to work every day, they enlist in the Army, they fight in this country for your freedom and yet you're gonna tell them that they can't make that choice? It's very unfortunate. Thank you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, madam. Would you care to remark further on the bill as amended? Representative Carpino, you have the floor, madam.

REP. CARPINO (32ND):

Thank you, Mr. Speaker. Just a few questions to the Chairman of Public Health and then some comments if I may.

DEPUTY SPEAKER CANDELARIA (95TH):

Please proceed, madam.

REP. CARPINO (32ND):

I listened to the debate and I give the good Chairman a lot of credit. He's definitely studded the amendment but I have a few points that he hit on this morning and I'm not quite sure I understood in great
detail. So the first one has to do with the
delineation of responsibilities between three of the
agencies and you were quite clear on DMHAS and DRS and
through you, if the good Chairman can just explain
DCP's role going forward?

Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Yes, I know this has
been confusing because we had a lot of conversation
about which agencies do what to whom. In the context
of DCP explicitly, their job is for licensing, the
licensing referred to in the bill. Again, compliance
is DMHAS, enforcement is DRS. DCP's role has been
confined to those licenses.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Carpino.

REP. CARPINO (32ND):

Thank you. And my second question is not going
to come as a surprise to the good Chairman. We have
other substances that are only for those 21 and above and they sometimes find their way into the hands of those under 21. When, I hope this bill passes, will there be any penalties associated to individuals? We spoke a great deal of time talking to penalties to fines to entities that sell or give cigarettes or vaping products to those under 21, but what about the adult that's 21 that passes these along to those who are under 21?

Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Let me try to answer your question. We do have language that refers to both retailers and manufacturers with the intent of establishing who are responsible entities to sell or distribute products. We cannot explicitly address individuals who may be of age who for whatever reasons choose to distribute products along those lines. You could argue that's something that maybe needs to be addressed at some point. We believe this is the
essential initial step in stemming the flow. It is not all encompassing. I would love to figure a way in which we could totally stem the flow.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Carpino.

REP. CARPINO (32ND):

Thank you for that answer and I appreciate that cause I think that's important to know. I have a few comments at this point. My position on this has evolved as it has for many. I was the child of the young service member who smoked as did his wife until the massive heart attack in his early 40's caused him to quit the first time at least so I've seen what happens to those who don't know the ill effects and that hasn't changed for many. I also had a forum in my district and to listen to your students, anybody who doesn't think this is an issue in their district, you're not talking to the right people. Talk to the youngsters who are enticed by the flavors they're not supposed to be having right now. They'll tell you where they can get these products. They'll tell you
how they put them in their watch or their sleeve, how some of these items look like necklaces, how they can smoke on the bus or how there's vaping out on the fields. So I know that this isn't a perfect bill and I too struggled because we are individuals and I do respect the right to make your choices, but this is a really public health policy and those of you who have different positions, I respect them, but please know what's going on in your district before you vote.

Thank you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, madam. Would you care to remark further? Representative Kokoruda, you have the floor, madam.

REP. KOKORUDA (101ST):

Thank you, Mr. Speaker. Mr. Speaker, I stand in strong support. I don’t have any questions but I want to say something. What bothers me about Connecticut with this issue, do you Connecticut is last with what kind of money we put into smoking preventative programs? Last. And what's so ironic about it is that we take in $500 million dollars a year in
cigarette tax and in the tobacco settlement; $358 million dollars and $120 million dollars; $500 million dollars and we put zero into protecting our kids and helping our constituents and helping our citizens. We spend the money in other places. That alone is the reason Connecticut has to step up and do something.

I think this bill takes great steps in that direction. That's why I'm happy to support it. When I first heard about the bill and I am an anti-smoking bill, when I first heard about the bill I paused because of one issue. I wanted to make sure our veterans, we were being respectful of them, but you heard Dr. Pettit say today had I've heard, I got the same information, the Department of Defense is telling us they need help. The Department of Defense is saying these young soldiers that are coming to them are coming to them addicted. Addicted already. When Dr. Pettit said today that the Department of Defense has said that with health issues caused by smoking and the lack of productivity, there's a cost to our Department of Defense of $1.6 billion dollars per year; $1.6 billion dollars. Directly impacted and
costing us that kind of money because of addiction to cigarettes.

The Surgeon General we heard about today and it was said once before but we've got to pay attention to it. Soldiers who are addicted cannot do the same job as others and they don’t heal as fast from injuries and I think what our Department of Defense has said along with all our different branches of our Defense Department with our Air Force, our Navy, our Army, I know I'm leaving somebody out, Marines, their goal, their goal, ultimate goal is to be tobacco free. To be a military that is tobacco free so I know that’s not what this bill is about but for those of us who had some concerns about our veterans fighting for us, doing so much for us and us letting them have their rights, I think we're hearing today, when you hear that our veterans die at double the rate of non-veterans every year from lung cancer and other diseases caused by cigarettes. They are doubly impacted by cigarettes so I think for us to use veterans as a reason not to support this I really think is short sighted and when we hear lost revenue,
the lost revenue we should be talking about every year is the $500 million dollars that we don’t put into our programs now. We're doing nothing, nothing to help this addiction problem and doesn’t that worry all of us as we talk about having a future conversation about marijuana? Because we're going to do a lot of good things with the money from marijuana while we're doing nothing, nothing good as far as preventing cigarette smoking and helping people with addiction with the money we raise from tobacco. So today I want to thank Representative Steinberg and Representative McCarthy Vahey. I know Representative Pettit and O'Dea worked and I know there were others here and upstairs. This is an important bill. It is our responsibility to keep our people safe. These are children. These are children and I'm happy to stand in support. Thank you.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, madam. Would you care to remark further? Representative Cheeseman, you have the floor, madam.

REP. CHEESEMAN (37TH):
Thank you very much Mr. Speaker and I have, although so many questions have been asked, I do have a few questions for the good Chairman of Public Health.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Please proceed, madam.

REP. CHEESEMAN (37TH):

I'm looking at line 1103 and 1104 which now prohibit vaping outside schools and daycare centers. May I ask, through you, Mr. Speaker, how notification is going to be given to these institutions?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. To the good Representative's question, we do not explicitly state the means by which we communicate that as is the case in any number of laws that we create. I would imagine the scholastic community is paying close attention to the deliberations of this body and will be eager to
implement a program which will stem this growing problem they have on their grounds. That may not be sufficient. We do have agencies who are responsible for promulgating protocols involved, but I would also suggest it is a very good thought that perhaps it is incumbent upon all of us as legislators to make sure that we interact with our local school districts and make sure they're aware of what we're trying to do on their behalf.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Cheeseman.

REP. CHEESEMAN (37TH):

Thank you, Mr. Speaker and I do concur, although one of my concerns as we pass legislation very often, we simply don’t stipulate a method through which people are going to be informed. I believe one of the gun bills we passed did stipulate that DESPP should have on their website the new regulations and I would like to see perhaps the Office of Early Childhood be instructed to product this on their website even if we don’t have to state it in statute that the
conversations are held to encourage that. I'm sure the schools will find out fairly quickly.

I see according to the fiscal note that there's a projected revenue loss both in terms of the excise taxes and the sales taxes from 18 to 20-year olds who will no longer be allowed to purchase these products. Through you, Mr. Speaker, may I ask where the numbers were derived that result in these figures?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. We often ask the Office of Fiscal Analysis to make projections based upon assumptions and we were looking at the amount of fees and penalties, the number of entities we believe would be subject to those, and made certain assumptions. To the good Representative's point, we knew there would be a hit to revenue by changing the age. The fee penalty structure somewhat mitigates that impact. It was a hard decision for us in a state that is struggling to balance its budget, to reduce an
existing revenue source and I can only emphasize it's because of the public health imperative here that we felt that this was something where we would have to find a way to get it done even if it did have some impact on revenues, but to answer your question explicitly, I can't tell you the precise formula. I wouldn’t say OFA operates in mysterious ways. They have a methodology and we've been in contact with them recently and we're hopeful that the information we gave them led them to good projections.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Cheeseman.

REP. CHEESEMAN (37TH):

Thank you very much for that answers. Yes, I won't refer to OFA's deliberations as mysterious, but I wondered if this were based on a random sampling of retailers or whether there was any specific research that had been conducted behind it. And speaking of research, do we know, have there been recent studies on the number of Connecticut teenagers between 18 and 21 who are currently vaping?
Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Yes, when I, in my opening remarks, we did talk about the incidence of such activities among young people between the years 2015 to 2017 to having more than doubled from 7 percent to over 14 percent, and I would argue it's probably even higher than that in more recent years. We're talking about a lot of kids in our schools.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Cheeseman.

REP. CHEESEMAN (37TH):

Thank you and I presume the assumption was that nationwide statistics probably apply to Connecticut. Now, moving on to the increased fees and registration licenses. Is it anticipated, and I didn’t see this in the fiscal note, that any of these changes may result in retailers not retailing these items?

Through you, Mr. Speaker.
DEPUTY SPEAKER CANDELARIA (95TH):

    Representative Steinberg.

REP. STEINBERG (136TH):

    Thank you, Mr. Speaker. I thank the Representative for the question. It is certainly not our intent to dictate to retailers what they should or should not sell. I imagine it's possible that some retailers will decide that there's more profit in selling other items. I'm sure they make those kinds of decisions all the time based upon the cost of doing business. I imagine the reputable retailers involved with this will make the adjustments if this is a business they choose to be in, but I could not predict what any individual business entity might choose to do with regard to sales of this product.

    Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

    Representative Cheeseman.

REP. CHEESEMAN (37TH):

    Thank you for the answer and I know this bill doesn't contain that, but it was discussed earlier, the Governor's budget included quite a significant
increase in the taxes on E-cigarettes and a concern I have, and I believe I voiced in Finance was the effect this may have on adult smokers who are using this electronic method as a smoking cessation technique as the good Chair of Public Health is aware, 480,000 Americans every year die from cigarette smoking. Is there a concern that this could adversely affect those adult smokers who are viewing this and using this as a way to give up that incredibly dangerous habit of smoking tobacco?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Indeed, you know it's almost natural that we had a conversation about the general effects on those who have chosen E-cigarettes and vaping products to seek to reduce their nicotine intake and to avoid or eliminate addiction. Frankly, we don’t really address this because this is only about those under the age of 21. It is a broader issue that I'm hoping will be addressed on the
national level. We felt it was appropriate to focus on those under the age of 21 and ideally interdict the potential for addiction early on in the process such that they don’t find themselves as adults with this problem. So to answer the Representative’s question, no, we do not explicitly address that.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Cheeseman.

REP. CHEESEMAN (37TH):

Thank you for that answer and I do understand that this only addresses that problem with underage smoking and this is purely editorial comment. I hope as we go forward, we taken into account that given the incredibly proven destructive effect of cigarette smoking, that any legislation we pass does not end up discouraging people who are going to rely on this as a method of giving up smoking, and those are the rest of my questions, uh, all of my questions. I thank the good Chair of Public Health.

I do have a few further comments.

As someone who had smokers in the family
including a husband who was a three-pack-a-day smoker who started at 15 and thank God gave up, the power of addiction is incredibly strong and not only the substances that are in the product, but the habituation. You get used to doing something. You get used to doing something and lighting up a cigarette or having a drink or whatever, so I think anything that could stop this process in its tracks, particularly with our young people who are the most vulnerable, whose brains as we are learning as the research progresses are so much more susceptible to those negative influences and impacts, and I am in strong support of this. I too had my doubts about it but as our children are our most precious, precious resource, we need to protect them and I will echo what Representative Mastrofrancesco said before. As we debate this, as we hopefully approve and pass this bill, let us bear this in mind as we have the debate on retail marijuana. Let us not normalize a habit, a product that we know now through research is so destructive to those
developing minds. 14 to 21-year-olds now view marijuana as harmless by only 14 percent so we talk about the revenue loss, we talk about revenue gains with retail marijuana. What about the lives that will be lost? What about those 18, 19, 14, 15-year-olds who will be lost to us, so I urge support of this bill today, but I hope we show as much concern for this age group and everyone else in our state when we debate retail marijuana. Thank you very much, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, madam. Would you care to remark further? Representative O'Dea, you have the floor, sir.

REP. O'DEA (95TH):

Thank you very much, Mr. Speaker. I just want to start off by thanking a number of people, obviously the Chair of Public Heath, Representative Steinberg. Thank you very much for bringing this out and if you need to stretch your legs for a couple of minutes, I can talk for a long time if
I also wanted to especially thank Representative McCarthy Vahey. This was a truly bipartisan bill which is what we should be doing more often, but Representative McCarthy Vahey went above and beyond to try to bring everybody together and worked harder on this bill to make it bipartisan than I've seen in this building in a long, long time so thank you very much, Representative.

This is probably the bill I'm most passionate about getting through. You know my daughter and my son are in high school and the vaping, they call it Juuling actually more than vaping, is epidemic. And I'm going to let Representative McCarthy Vahey go into some of the stats, but I believe in college now, the freshman are vaping at 60 to 70 percent rates which is double than even the upper classmen in college. We are at the precipice of a window of a generation that are addicted to or getting addicted to these vapes, these Juul's and I think it's completely appropriate, fortuitous and amazing
that on this day, May 16, 1988, C. Everett Coupe, the US Surgeon General did an important announcement in the United States warning about the dangers of the addictive properties of nicotine. On this day 31 years ago and he put it on par with cocaine and heroin, how bad nicotine is and we are. You know back in the 60's, 50's, 60's, you know 40 to 50 percent of America was smoking and we all know how bad cigarettes are. You see someone smoking and it's gotten to the point now where kids think it's gross. Thank goodness. But the addictive nature of nicotine and the children who think that vaping and Juuling is cool, they get hooked on the nicotine. There's more nicotine, as we've heard, in some of these Juul cartridges, than an entire pack of cigarettes.

My dad is a surgeon, a retired surgeon, operated on people, he was a general surgeon. Operated on people dying of cancer, stomach, gallbladder, lung, and he smoked two packs a day. To this day, although he swears he quit, but up
until recently he was smoking a pack a day or more and he was a doctor. He knew how dangerous it was and so we have to make sure our children are not becoming, do not become addicted to nicotine. A surgeon who operated on people dying of cancer, who knew the dangers of cigarettes couldn’t stop because he started smoking as a teenager back in the 50's and 60's when it was cool, and now we've got this vaping, Juuling that's cool, that is delivering nicotine and getting a new generation of children addicted. It is evil and bad. And I understand my good friends on this side of the aisle who are concerned about lowering the age, but just like alcohol is deadly to the young brain, and I'll be the first to admit, I think it's scientific that men's brains are least developed in their teenage and young 20's age than our female friends, and mine's still developing at 53 so I've never used a Juul, I don’t smoke cigarettes. I've never smoked cigarettes of any kind, but he addictive nature of this goes beyond simply a generational thing. This
is a window that we have an opportunity to stop these deadly, deadly delivery systems and at least limit them to 21.

I was gonna offer a friendly amendment to raise it to 25 and prevent anyone from being elected to the legislature younger than but I figured some of our friends in the Senate may not like that so I wasn’t going to offer it here today. But I don’t want to go on too long. This was the most important bill in my mind on the agenda and I can't thank the good Chair. This is going on in schools, our high schools, our middle schools and we need to get vape detectors, Juul detectors in our schools because the teachers are just inundated with it so without prolonging this any further, I'm very passionate about this. I'm very thankful for the hard work of the good Chair and Representative McCarthy Vahey in making this such a bipartisan bill and I would urge my colleagues before voting no, and I understand the 18 to 21 issue, you're an adult, but this is an epidemic that we need to address and I'm so
appreciative that we've gotten it this far and I look forward to supporting it further. Thank you very much, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark further? Representative Wilson, you have the floor, sir.

REP. WILSON (66TH):

Thank you, Mr. Speaker. I hope you're holding up well there this afternoon, you get to stand up longer than me. I just feel that I need to stand up for the business owners in the State of Connecticut who are involved with the sale of these products. Certainly it's a very important issue. I think I will ultimately vote in favor of it. Having said that though, I'd like to just touch if I could on the fiscal notes and perhaps some items that might be missing, and my laptop went to sleep here so bear with me so I can get back in. I see between a $4 and $5-million-dollar revenue loss over the two fiscal years that we're considering in this session
plus increases in fees and fines to the businesses, which I will talk more on. I hope I can kind of tie all this together.

My first question, through you, Mr. Speaker, to the proponent of the bill is what consideration has been given to the replacement of this lost revenue?

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. As I stated previously, I thank the Representative for the question, there was a lot of conversation as there has been in previous years about anything that would reduce the revenues when the state is struggling to balance its budget. So in past years that was absolutely an obstacle. I think that from the first day the Governor took office, his emphasis on trying to work with the legislature to address this problem by looking at ways to tax it are indicative of the fact that many of us now take it so seriously, and I will add that the degree of the epidemic has grown
exponentially, even in the couple of years we've been discussing it. So the urgency of a bill to address this problem I think has played a role in our willingness to contemplate some loss of revenue in this regard so it's something we had a lot of conversations about. It was something we consulted to see what OFA thought the numbers would look like and the fact that this is now going to be part of the final budget agreement indicates that it must be considered more broadly in terms of our agreement on revenues and spending going forward. No one takes any loss or revenue trivially. There are times in which we actually contemplate reducing or eliminating taxes because of their burdens on business, but in this instance, we felt that because of the public health impact, it was worthy to contemplate some decrease in revenues and to your point, we will have to look at this in the broader picture of our entire revenue package to make sure we can cover the amount that we'll be losing.

Through you, Mr. Speaker.
DEPUTY SPEAKER CANDELARIA (95TH):

Representative Wilson.

REP. WILSON (66TH):

And through you, Mr. Speaker, I thank the good Representative for that answer. If I could go on to just a couple of other areas and again, I'm trying to just draw correlation as I go down through this list. So through you, Mr. Speaker, could the proponent of the bill please share with us how many licensed dealers for these products there are currently in the State of Connecticut.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I'm not sure I know the precise number, but I believe it may be in the neighborhood of 1000, if that's correct.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Wilson.

REP. WILSON (66TH):
Thank you, Mr. Speaker. Through you, and I believe I read someplace, actually there's a lot of redundancy because we talk about tobacco products and vaping products and so as I read through the bill here, one of the first places I see the license fee increase notation is in the area of lines 112 through 113 and the licensing fee is being changed from $50 dollars to $200 dollars annually. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Yes, that is correct.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Wilson.

REP. WILSON (66TH):

Thank you, Mr. Speaker. And going on a little bit more, an area of curiosity that I found as I went down through the bill is reference to where
vending machines can be placed, only in areas accessible to those over age 21, I believe that's in lines 127 through 131. And the question to the proponent, sir, is how do we expect to determine where those locations are only accessible to those over age 21?

Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. It's a good question. I can't give you an explicit protocol for how that would be determined, but I would say if there are areas that are generally open to people under 21, that would be a problem. Think about bars. We are pretty explicit about keeping people away from the bar area because they're not allowed to drink alcohol under the age of 21. I would imagine that kind of similar logic would apply in this case.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):
Representative Wilson.

REP. WILSON (66TH):

And just a comment or opinion on that comment from the proponent of the bill, sir. I go into many, I don’t want that to sound the wrong way, but I go into many bars basically, [laughs] I think it's safer to say restaurants that have bars and many times in those common areas, there are people under age 21 so I'm not sure how this is going to be easily enforced or who's going to enforce it.

If I can go on, through you, Mr. Speaker, when a business fails to renew a license, the fine I believe in the area of line 172 is $50 dollars a day. How will this be enforced?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. As we ask DRS to enforce other such specific payments, they would be responsible for assuring such regular payments.
That's part of the process.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Wilson.

REP. WILSON (66TH):

Thank you and through you, Mr. Speaker, when I looked at that question in my mind, I was wondering how long will the process take?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Thank you, Mr. Speaker. I would hope that process would be expeditious, very quick because we want to make sure that the parties are behaving well. I could not tell you explicitly, that's what DRS does. Thank you, Mr. Speaker.

REP. WILSON (66TH):

Thank you, Mr. Speaker. And will the fine be retroactive to the day that the license expired?
Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. That's my understanding is it would be from the first day of the expiration.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Wilson.

REP. WILSON (66TH):

Thank you, Mr. Speaker. Another question that I couldn’t find in the bill as I read through it was how old do employees of these establishments need to be to sell for that licensed dealer?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I'm sorry I missed the part just before employees, if the good
Representative could please repeat it?

    Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

    Representative Wilson, can you please repeat the question?

REP. WILSON (66TH):

    Certainly, Mr. Speaker. Through you, my question how old do employees need to be to sell these products if they work for a licensed dealer?

    Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

    Representative Steinberg.

REP. STEINBERG (136TH):

    Thank you, Mr. Speaker. I'm not sure. I would imagine it would probably be good if they were over 21.

    Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

    Representative Wilson.

REP. WILSON (66TH):

    So as I read the bill, I don’t see specific
reference to that, but I do see that if they're under age 21, they're not responsible for the fine if they sell to someone who is under age 21. But if they are 21, it's a $300-dollar fine. Before the fine though, if it's a first offense, they have to take an online tobacco prevention education program administered by DMHAS and so that raised this question. Through you, Mr. Speaker, I see a number of references in the bill to education, especially regarding first offenses and yet, I don’t see anything in the fiscal notes as the cost to create these education programs and administer these education programs. Through you, Mr. Speaker, what might that cost be?

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I want to thank the Representative for bring this up because we haven't talked about the online education, which does appear in a number of places in the bill. It's important
to emphasize this is not just about penalties. This is about hopefully educating people going forward. I do not have a specific number for you on what the cost will be to administer these programs. In that their online once they're created, the cost is minimal and I would expect it is part of the distribution funds that will be derived from the revenues, the fees and the penalties, that that would cover that cost.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Wilson.

REP. WILSON (66TH):

And through you, Mr. Speaker, I thank the good proponent for his answers. I just have a couple more and then a couple of closing comments. I noticed that under the dealer registration section through DCP, the application fee is set at $75 dollars and the annual fee is $800 dollars and I just want to know, through you, sir, how those fees were determined?
Rep. Steinberg.

Thank you, Mr. Speaker. Again, this is something that was the subject of a lot of conversation and there's no doubting that part of it was related to generating sufficient revenues to support the enforcement of the programs, but we did look at other states. We tried to have conversations with stakeholders to understand what the impacts might be. We actually reduced the fee from $1000 dollars to $800 dollars in response to some feedback we received. We put a lot of effort into it and we're very hopeful that these are appropriate in this context.

Through you, Mr. Speaker.


Thank you, Mr. Speaker and then my last question has to do with the proof of age...
verification and I'm referring to, this may be the first place or the last place, I'm not sure where it appears in the bill. I think it appears in a number of places and I may have missed some, but the line reference I have is 889 and 1045 to 1046 and I see terminology is the verification has a consideration if the individual appears to be under age 30 and it was curious to me exactly what the intent of that wording was.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Good question, interesting question. You know it's hard to say how old somebody necessarily looks so one has to create a little bit of room. I think most people weren't aware of the fact that I'm only 23 [laughter], however, we're trying to use something akin to a reasonable person standard, that if somebody looks older than 30, they're probably not going to need to
be subject to a check to see if they're under 21. We're trying to provide the person who's retailing these products the ability to use discretion in not checking everybody, but checking people who might be under the age of 21. So again, it's not a perfect standard, but it gives them reason to think about who they're dealing with and to consider verifying their age.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Wilson.

REP. WILSON (66TH):

And thank you. Through you, Mr. Speaker, just a few closing comments. I highly respect the time, effort, and the professionalism of the Committee in bringing this bill forward. I do have concerns about the fiscal impact on the State of Connecticut, both on the revenue side and on the cost of doing business. I certainly feel we need to do a good job of educating especially the purveyors of these products as to what the changes in the laws are. I
think there's going to be a time gap. I'm afraid that there may be violations that are coming because of this lack of education effort. I would like to have the answer at some point of how much actually has been put into the budget for this education expense. I will continue to listen to the debate. My leaning is because of the seriousness of it to support the bill, but I just don’t feel right not speaking up for the business owners in the State of Connecticut that are going to be significantly affected by the increases in fees here and I thank you for my time today, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark further? Representative Buckbee, you have the floor, sir.

REP. BUCKBEE (67TH):

Thank you, Mr. Speaker. Doing a great job up there today. You’ve been putting in the hours today, doing the grind, thank you so much for that. A few questions to the proponent of the bill if I
DEPUTY SPEAKER CANDELARIA (95TH):

Please proceed, sir.

REP. BUCKBEE (67TH):

So, by the way also, wonderful job too.

There's a lot going on and you're answering a lot of questions and I know it's difficult sometimes so please, allow me if I did, if I step on another question, pardon my ignorance to that but a wonderful job by the entire Committee and through the Chairman of the Committee, our ranking member, speaking with Dr. Pettit, there's quite a bit there that's wonderful. So there's a few questions I have though. The first one is the intent of the bill being health. Right? I think that's understood is health of these young people yet there's an annual dealer fee increase and I'm curious how that ties into being a health concern as opposed to just an additional tax on that dealer?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):
Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I have to say before I answer the Representative's question, I need to express how disappointed I am in him, given his well renowned prodigious softball skills that he has not used any sort of baseball analogy or metaphor in addressing me.

REP. BUCKBEE (67TH):

It's coming.

REP. STEINBERG (136TH):

Okay. All right. I'll look forward to that.

To answer your question if I can, the genesis of this entire legislation is not about taxes. It's about dealing with an epidemic which is clearly a health impact for the state. That's where we started but we realized that when we tried to put in effective safeguards, there were gonna be costs, there were going to be impacts on the budget, and it led to a very complicated conversation that has resulted in a 40-plus-page bill which has all these
parallel tracks dealing with who does what to whom and what we charge for it because it is complicated. That's probably the best answer I can give you. This is a public health bill but as we often find out, even things that seem very simple like addressing public health have a lot of ramifications that need to be addressed in other ways and that's the bill we have before us.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Buckbee.

REP. BUCKBEE (67TH):

I appreciate the good Representative's answer. I appreciate that. I'm concerned about that as these businesses, as my colleagues have mentioned before, I'm worried about the business side of this and it affecting them as far as their increases go, but I do understand there would be a cost. My second question, again, this would be -- well recent Representative Wilson mentioned, it's really funny, he beat me to the punch, the appearance of someone
being 30. I had the same question down because it's an odd question and my thought was more it is fairly subjective and we're asking sometimes younger people to try to figure this out. Is that, I know that's been heard before in the stores that people say you don’t look 30 so has there been any other consideration to that? I think this is that softball question I'll throw up to that, any other consideration to that?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. You know you raise a really good point. For young people, everybody looks over 30 so how are we gonna be discriminating. Obvious this probably has some derivation from the same expectations we have of them to check people, whether they're of age to consume alcohol. Again, it's not a perfect standard but we want them to stop and think when they are serving an individual,
whether there's a prospect they could be under the age of 21. It's the best standard we can come up with. It's not perfect, but we have them stop and think and make sure they're doing the right thing, the legal thing. That's probably as good as we can do.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Buckbee.

REP. BUCKBEE (67TH):

Thank you, Mr. Speaker and thank the proponent for a good answer to that. The toughest part is a lot of things that we're doing aren’t perfect and the step towards perfection is I guess is practice makes perfect I guess is what we need to do is monitor that piece of it cause I think there's something better that can be done with that as well.

Within the bill I had a question on a few lines, lines 1060 to 1061, in any area of establishment with a permit issued for the sale of alcohol or liquor pursuant. So I guess my question
is, if someone were to go to a liquor store, if I stop by and grab a case of beer and I get to my car and there's a guy standing there, lights up a cigarette or a cigar at his car. It is a liability to that business owner as this says on the property of that location?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Interesting question. I don't think we're in any way changing current law with regard to that. I can't speak about liability issues in a parking lot that could be jointly operated by any number of establishments. You raise an interesting point, but we're not changing current law.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Buckbee.

REP. BUCKBEE (67TH):
Thank you, Mr. Speaker and I think that's the concern because I don't know is that being a law if you go to a liquor store and God forbid someone wants to have a cigarette in their parking lot. I just don't want to see the law imposed on that business owner, that now they’ve violated the law because they're not patrolling their parking lot, that someone is smoking in their parking lot so that's a concern I'd like to see addressed to this at some point. Also, line 1070 where they talk about school not being in session anymore but on the grounds of schools, whether the school is in session or not and there are a number of park and recs and other programs that happen on school grounds after hours. The way it's written, does that hold the town or someone else liable to ensure that no one is smoking on those grounds, say for a softball game? Not me but there's plenty of guys who have a cigarette on the bench, not my thing, but does it pertain to, A, does it pertain to those people who might be having something at a ballgame or does that
pertain to chewing tobacco as well during those games on the ball field?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. A good question. We're saying on the grounds whether school is in session or not so if the municipality or the district chooses to allow the operation of activities within those grounds, I imagine they're subject to the law with regard to that. Our goal is to eliminate it from school grounds and this is a very clear line.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Buckbee.

REP. BUCKBEE (67TH):

Thank you, Mr. Speaker and thank you for that answer. I think that's gonna be a tough concern for the municipality. I mean that could lead to, if
they truly are policing this concern, I would be, I
would think that's a lot they have to monitor
through their fields at any time of day whenever the
kids are there or not. Through you, Mr. Speaker,
this would apply to any age individual who would be
using tobacco on school grounds any time of day?

Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. First of all, many
municipalities are probably engaged in such
monitoring, protective activities on their grounds I
would imagine, and secondly, again, remember this
bill relates to those under the age of 21. I
believe the good Representative alluded to older
adults. Again, that's not the subject of this bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Buckbee.

REP. BUCKBEE (67TH):
Thank you, Mr. Speaker and thank you to the proponent for that answer. One more question. It was redundant so I'm not going to go to that but I do have one comment to make on this and again, I think that proponent for his time. This is a tricky bill when we look at what everything is that's involved here. We are looking at where we set our ages for being an adult and I know we're looking out for children and we say children on a regular basis in here with that, but this is someone who's over the age of 18 and we've heard this argument throughout the day here today of being over 18 and are we taking a step to coddle an adult as a child. That's a concern for me, but we have different levels, be it we've heard 12 to 15, 16, 17, 18, 21. We need to really define what an adult truly is I think before we start dancing this number around. If it is 18, if it is 21, whatever that number might be. It's confusing to myself and to fellow legislators as to what age is this legal. There's no bar set. We need to set that standard high.
Just my two cents on that.

As far as the overall health intent, I had a tough time reading this bill to start with and like many of my colleagues, I've had a tough time struggling with this concept but there are so many harmful pieces of this. I think the bill needs a lot of work. I don't think it's a, as the questions we just discussed, there's some questions there that are clear lines that really shouldn’t be, that maybe there should be some more room for movement there, but overall, I support the bill. I think it's a step we need to take in protecting the youth and I'm curious to hear more of this discussion before this comes to a vote.

I thank you, Mr. Speaker, and again, thank the proponent for taking the questions.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark further? Representative Hill, you have the floor, madam.

REP. HILL (17TH):
Thank you, Mr. Speaker. I rise today with a few comments in support of this bill, and I bring the perspective of the Boards of Education in my district who have spoken to me at length about the significant concerns that they have with the epidemic and there's no other word to use for this, but the epidemic of vaping in our high schools and even in our middle schools.

I have the advantage of having two daughters. One is 21 and one is 17 and a senior in high school. Four years ago, there was no thought of smoking in the high school. There was no vaping in the high school. This wasn’t even something that was considered as an issue. In four short years, this has become so widespread that it is having a significant impact on the day-to-day climate in the school. We talk in this Chamber about bullying. We talk in this Chamber about school climate and the concerns of our students and their mental health. This is having an impact on them.

When 250 students in a lunch wave at the Canton
High School have to go to the restroom one at a time because of the concerns over vaping in the restrooms, that's problematic. That's causing issues with school climate. When students can't leave a classroom to use a restroom or to go down to the office to deliver a message because there are concerns about vaping, that's causing a problem with school climate.

This has a wider impact that just health. We've heard fantastic information today about the health impact of this and that is critical, but our students are being significantly impacted by this and we have to think about that perspective. Our Boards of Education and our municipalities are begging us to help them solve this problem. Our administrators can't solve this problem themselves. You can't smell this in a restroom. They can't send personnel in and out of the restroom every minute to check to see if someone is vaping. My daughter was on a high school bus home from an athletic contest last week. There were athletes on the bus vaping.
We had student athletes throughout this Chamber earlier today. I would’ve loved to have talked to them about their experiences in their high school and what the impact is on the climate in their school. Adults aren’t always aware of what’s happening. The coach of the other team that was on this bus knew he smelled something strange, but he didn’t know what it was. We had smoking sections when we were in high school. That's been long gone for ages. This is the new crisis. We need to help our school boards and our parents and our municipalities deal with this issue. Is this bill perfect? No. I always am concerned about the impact on our business community. I ran on being concerned about the impact to our business community, but this is so important that I am grateful to the changes that were made to the bill, the lower the fees and to address some of those concerns, but this is important. This is important to physical health and mental health and the climate in our schools, and I urge my colleagues to give
this their support.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, madam. Would you care to remark further? Representative Frey, you have the floor, sir.

REP. FREY (111TH):

Thank you, Mr. Speaker. Mr. Speaker, through you, a couple of questions for the proponent of the bill as amended.

DEPUTY SPEAKER CANDELARIA (95TH):

Please proceed, sir.

REP. FREY (111TH):

Thank you and thank you, Representative, my friend from Westport. Let me just start by saying I support the, I supported the underlying bill as a co-sponsor, I support this amendment, but I just have a couple of questions. The penalty for someone who -- say someone smokes cigarettes who's 20 years' old who hasn’t purchased them. Are there any penalties for someone who hasn’t you know bought them over-the-counter somewhere and I suppose they
got them illegally somehow, but is there a penalty to the actual smoker?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. No, we are not going after the possessor in this case. The only liability they have is if they misrepresenting their age and that's a civil penalty. So to answer the question, the answer is no.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Frey.

REP. FREY (111TH):

And through you, that's, the case currently, right? If you're under 18, say someone is 17 years old, there's not a misdemeanor for a 17-year-old to smoke cigarettes so we're not changing the penalty to the user, it's how they obtain it, it's to the dealer or the seller. Is that correct?
Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Yes, that is so.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Frey.

REP. FREY (111TH):

Thank you. And then really, my last question is heaven forbid there's a 20-year-old who is a regular smoker, a pack a day and this takes effect, as I read it, October 1 of this year, are we reaching out to them as far as a cessation program to help them you know overcome their smoking addition?

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. A very important point...
the good Representative is making. You’ve heard us allude to the online education program. That's only one component in what needs to be a much broader effort. We should acknowledge the existing efforts, some of which have been paid for through the tobacco settlement fund to address tobacco and nicotine addiction. I imagine there's even more that we can do and hopefully we will, as a legislature, devote even more energy and funding for educational activities. This is part of an ongoing effort to make people aware of the dangers of nicotine addiction and to help them find a path to ceasing to be addicted.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Frey.

REP. FREY (111TH):

Thank you, Mr. Chairman and I thank the good Chairman of the Public Health Committee. I think, you know we've done, we've gone so far in really accomplishing our goal in less smoking. I have an
intern sitting here next to me, Alec, who's a senior at Richfield High School and you know, several years ago, our youth were not smoking. They said they didn’t like the smell, they didn’t like the aftertaste, it just wasn’t the cool thing to do and I think back to when I was in high school, I'm not sure what the age, I guess it was 16. If you were 16 olds, we had a smoking lounge for 16-year-olds who went outside and smoked cigarettes. Today, my understanding is there's quite a large number of high school students and older, and college students who vape so I think this is the right, certainly the right direction and I urge its adoption. Thank you, Mr. Chair, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark further? Representative Case. Would you care to remark further? Representative Carney, you have the floor, sir.

REP. CARNEY (23RD):

Thank you very much, Mr. Speaker. I just rise
with a question for the proponent of the bill, through you?

DEPUTY SPEAKER CANDELARIA (95TH):

Please proceed, sir.

REP. CARNEY (23RD):

And I'm sure, I do apologize, this question probably has already been asked, but I've been in and out of the Chamber, I was just wondering, with these additional fee hikes, where will that money go? What account will that go into?

Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. It is a valid question cause at one point we had created a separate fund, but no, the amended bill would put this into the budget. In other words, this is still to be finalized in the final budget negotiations both the assurance of the revenues and the dedicated funding for the compliance, the enforcement, and ideally,
the education efforts. That's on us so we've got to make sure that's all taken care of.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Carney.

REP. CARNEY (23RD):

I appreciate the answer. I'm just curious, outside of this bill, taxes on tobacco products, where does that revenue currently go?

Through you.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. You know it's been a few years since I was on the Finance Committee, probably knew that back then. I'm not exactly sure whether it goes into the general fund or whether there's something more specific that it goes into. We can get you that answer.

Through you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):
Representative Carney.

REP. CARNEY (23RD):

Okay. I appreciate the good Chairman's response. I believe there is a tobacco account and one of the things that concerns me is in the past, I believe it has been swept into the general fund as part of budgets in the past, I believe in the past two budgets, I think it has been so I do have concerns that we're not always taking funds from tobacco purchases or E-cigarette purchases and actually doing what we should be doing with them and trying to get folks to either quit smoking or quit vaping and really try to make our state healthier.

You know I understand the reasoning for this bill. One of the things I would want to mention though is when I was in high school, you know obviously the age to purchase tobacco was 18. Kids smoked, not a ton. I never smoked cigarettes. It was just something I was raised not to do. We had a bunch of education campaigns on television. We had a bunch of education campaigns, probably
legislatures of the past helped implement those so I think we've done a great job with cigarettes, with tobacco products and you see a lot of kids not smoking, not at the levels they've smoked in the past in terms of traditional tobacco. So I would hope, I know this bill is going to pass, I would hope though that we do a really good job too, like we did with traditional tobacco, of really educating younger people about the health risks of E-cigarettes and vaping. You know I know that there's not as much comprehensive information out there as we have on traditional tobacco cigarettes so it's still sort of a work in progress, but like I said, I just really hope that we can educate our youth and educate them enough to the point that they're not going to want to smoke anymore like when I was a kid. I know other states have put warnings on cigarette packs, we've gotten rid of cigarette mascots. We have the truth campaign. We have so many wonderful campaigns to prevent cigarette smoking and all of the horrible health impacts that
go along with it so I do hope though that we do similar things with E-cigarettes once we have a lot more information on them and really try to get younger people not to even consider trying like me back in high school, I didn’t want to do it so I appreciate the comment, I appreciate the comments from the good Chairman and that's all, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark further? Representative Perillo, you have the floor, sir.

REP. PERILLO (113TH):

Thank you, Mr. Speaker. And just a few comments very, very briefly. I just speak as somebody who for many years was opposed to this concept of raising the age to 21, but in my opinion, this is a concept that's time has come. We all know the health effects and we all know how negative they can be for our children and of course, as they become adults and you know this is a vote that really comes down to, at least for me, keeping
people healthy and again, as somebody who has
opposed this for years, it's time. It's just time
to do this and I think our kids, even as they grow
older, are going to be better off for it so I would
just urge support.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark
further? Representative McCarthy Vahey, you have
the floor, madam.

REP. MCCARTHY VAHEY (133RD):

Thank you, Mr. Speaker. It's great to see you
up there and I very much appreciate your efforts
here today. I stand in full support of the bill
before us today and I stand here in honor and in
memory of my grandfather, Fred McCarthy. When I was
a teenager, he died after suffering the effects of
smoking cigarettes for many years and I'm fairly
certain that he would not have made that choice as
the father of 12 and grandfather of dozens had he
known when he was a teen and a young man what the
impacts of doing that would have been. This bill
today is addressing what others have referred to as an epidemic. We've heard that at the federal level, but I also heard it just this week from an assistant principal at a neighboring high school talking about what it's like at school addressing this epidemic and she said it's like whack-a-mole. That they are struggling so much, as we've heard from others today.

No, this bill will not do everything to stop this epidemic, but it is an important and critical step and a tool for us to be able to use to prevent access for our young people whose developing brains are particularly susceptible to the prospect of addiction. And it's important that we make sure that parents and students alike, particularly with respect to electronic nicotine delivery systems that there is nicotine and in some of these devices at very, very high levels. And I spoke briefly with a professor at one of our local universities and she shared some of the survey data that they had one, just in one university, which was at the college
level, 60 percent and 70 percent of students had reported trying vaping and the 30-day use rates were close to 40 percent. And as Representative O'Dea mentioned, what's so interesting about the data is the younger students are using at higher rates than the older students. This is another indicator of this epidemic.

I'd like to conclude by echoing the thanks of so many. Representative O'Dea and so many others across aisle, folks from upstairs in the Senate, the Chairs, the Co-Chairs of our Public Health Committee who have done an incredible job leading this. Our partners in the Executive Branch. This has been such an amazing collaborative effort because we all know how important it is that we continue to protect the health of our young people.

So Mr. Speaker, as I stand here today, I urge support for the bill. Thank you.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, madam. Would you care to remark further? Would you care to remark further?

Representative Steinberg.
REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I want to commend all the members of the House today for what I found to be a very informative helpful debate on this bill. It's complex. The concept is simple, but as we often find out around here, trying to make it happen has a lot of ramifications. The bill gets very complicated and it was very important we had this kind of debate so we could get into some of the nitty gritty and understand some of the decision process we brought to this occasion.

I just want to take a minute to thank a lot of people who were involved with this. This was not one of your overnight sensations. This went through a lot of deliberation. Let me start by thanking Governor Lamont who you know coming in here had to choose from any number of priorities to make part of his administration. This was on that list from the beginning and through his support and that of the administration, we were able to come to terms with a bill that I think we can all be very proud of.

I would also like to thank Majority Leader Ritter
who has also made this a very important part of his agenda, his priorities this session, though I understand his wife was the one who told him it was very important to do it at one point. I want to specifically thank two of the organizers who brought a lot of people together. In the Senate, it was Senator Flexer and here in the House it was Senator, excuse me, Representative Cristin McCarthy Vahey. There's no way this would have gotten done without Cristin. To put it fairly, she lived this bill for literally weeks, lost sleep over it, could not have cared more about getting it right and I want to thank you, Representative McCarthy Vahey, for making me look like I knew what I was talking about today. You did a really great job, it was, almost impossible. [laughter] I want to thank the members of the Public Health Committee that spent a lot of time deliberating about that, the chair, the vice chair, the ranking members, even the staff in this regard.

I also want to thank a lot of members of this Chamber who are directly involved. Representative O'Dea who was an incredibly effective partner from the
other side of the aisle. He was not the only one, Representative Kokoruda, Representative Lavielle and Representative Kupchick and I know there were others who were very interested in this. I want to also thank Representative Linehan and Representative Borer who took a lot of interest. There were members in the Senate, my co-chair Senator Abrams, Senator Somers, our ranking member, Senator Slap. I'm probably forgetting some people along those lines.

I must emphasize how challenging it was to bring all of the agencies together in a very complicated bill and we became, we spent a lot of time together. Let's just put it that way. OPM, DPH, DMHAS, a little involvement at DRS and DCP. This is what it takes sometimes and I want to thank them specifically for all the efforts they put in, maybe not for the last five amendments, but pretty much that. And lastly, I want to make sure I thank the COST community that was involved here. They were a tremendous source of important information, particularly the data whether it was the Heart Association, the Lung Association, particularly the Cancer Association. They helped us
make this possible. They helped us understand what we could and couldn’t do and helped us realize how important it was that we move forward with this bill and get it done this year.

There were also municipal leaders that were very supportive. You know I’m not going to use it takes a village line but a lot of people were involved here so Mr. Speaker, I move that we approve this bill, whatever the right words are, getting tired. Thank you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Would you care to remark further? Would you care to remark further? If not, 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 CANDELARIA (95TH):

Have all members voted? Have all members voted?
If all members have voted, the machine will be locked and the Clerk will call the tally. Will the Clerk please announce the tally?

CLERK:

House Bill 7200 as amended by House A.

Total Number of Voting 146
Necessary for Adoption 74
Those Voting Yea 124
Those Voting Nay 22
Those absent and not voting 5

DEPUTY SPEAKER CANDELARIA (95TH):

The bill as amended passes. [Gavel]

Representative Ritter, for what purpose do you rise?

REP. RITTER (1ST):

Thank you, Mr. Speaker. There will be an immediate Democratic caucus right after this. It will be a very brief caucus for about half an hour. Thank you.

DEPUTY SPEAKER CANDELARIA (95TH):

Thank you, sir. Are there any announcements or personal introductions? Representative Godfrey, you have the floor, sir.
REP. GODFREY (110TH):

   Thank you, Mr. Speaker. For an announcement?

DEPUTY SPEAKER CANDELARIA (95TH):

   Please proceed, sir.

REP. GODFREY (110TH):

   I just want to remind everybody that from 5 to 7
this afternoon upstairs in the old judiciary room, the
Alliance, which is the umbrella organization for all
of our non-profits that we are so fond of and speak
well of, is having their legislative reception. I
hope everybody can attend. Thank you, Mr. Speaker.

DEPUTY SPEAKER CANDELARIA (95TH):

   Thank you, sir. Representative Haddad, for
what purpose to you rise?

REP. HADDAD (54TH):

   Thank you, Mr. Speaker, for the purposes of an
introduction.

DEPUTY SPEAKER CANDELARIA (95TH):

   Please proceed, sir.

REP. HADDAD (54TH):

   Thank you, madam. Mr. Speaker, sitting in the
well today is Dr. Thomas Katsouleas. Dr.
Katsouleas, you know, was recently appointed to be the 16th President of the University of Connecticut and he joins us today to begin the process of building the relationships that his University needs to make with us here in the legislature. Just by way of introduction, I'll say that Dr. Katsouleas comes to us with a very impressive resume. He's one of our nation's leading plasma scientists, he's an engineer. He's formerly worked as a faculty member at Duke University, UCLA and USC. He currently works as the Executive Vice-President and provost of the University of Virginia. We're very pleased to have him come to the University of Connecticut because I know that he shares our vision for the potential of the University and for the potential of our state and I hope that the members here today will give him a warm welcome and congratulate him on his recent appointment. [Applause]

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Klarides, you have the floor, madam.
REP. KLARIDES (114TH):

Thank you, Mr. Speaker. I'm not going to repeat what the good Chairman said cause I agree with that but most importantly, he is another proud Greek and we're happy to have him. [laughter]

[Applause]

DEPUTY SPEAKER CANDELARIA (95TH):

Welcome sir. Representative Ritter.

REP. RITTER (1ST):

Mr. Speaker, I move that we go into recess subject to the Call of the Chair. Thank you.

DEPUTY SPEAKER CANDELARIA (95TH):

Hearing no objections? Representative Klarides.

REP. KLARIDES (114TH):

Thank you, Mr. Speaker. Upon recess, the House Republicans will be caucusing.

DEPUTY SPEAKER CANDELARIA (95TH):

Hearing no objections, the House will stand at recess subject to the Call of the Chair. [Gavel]

(On motion of Representative Ritter of the 1st District, the House adjourned at 2:59 o'clock p.m., to
meet again at the Call of the Chair).

(The House reconvened at 4:00 o'clock p.m.,
Deputy Speaker Juan Candelaria in the Chair.)

DEPUTY SPEAKER CANDELARIA (95TH):

Is there any business on the Clerk’s desk?

CLERK:

Yes, Mr. Speaker. Favorable Report House Joint
Resolution No. 169 RESOLUTION CONFIRMING THE
NOMINATION OF KAREN WELCH OF SOMERS TO BE A MEMBER
OF THE ADVISORY BOARD OF THE WORKERS' COMPENSATION
COMMISSION.

DEPUTY SPEAKER CANDELARIA (95TH):

Tabled for the Calendar. Representative Currey.

REP. CURREY (11TH):

Would the Clerk please call Calendar 421.

CLERK:

House Calendar 421, Substitute House Bill 6742
AN ACT CONCERNING THE LICENSING OF ESTHETICIANS,
NAIL TECHNICIANS AND EYELASH TECHNICIANS. Favorable Report of Joint Standing Committee on Appropriations.

DEPUTY SPEAKER CANDELARIA (95TH):

Representative Currey.

REP. CURREY (11TH):

Through you, Mr. Speaker. Mr. Speaker I move that we refer this to the Committee on Public Health.

DEPUTY SPEAKER CANDELARIA (95TH):

Without objections so ordered. The Clerk please call Calendar 238.

CLERK:


DEPUTY SPEAKER CANDELARIA (95TH):

Representative Currey.

REP. CURREY (11TH):

Through you, Mr. Speaker. I move that we refer
this to the Committee on Appropriations.

DEPUTY SPEAKER CANDELARIA (95TH):

Without objection so ordered. [Gavel] Will the Clerk please call Calendar 451.

CLERK:


DEPUTY SPEAKER COOK (65TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Good afternoon, Madam Speaker. I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill.

DEPUTY SPEAKER COOK (65TH):

The Question before the Chamber is on Joint Committee's Favorable Report and Passage of the Bill. Representative Steinberg, you have the floor sir.
REP. STEINBERG (136TH):

Thank you, Madam Speaker. You know often times Bills that we have before us in the Legislature have inscrutable titles but in this case, I think that the precise words in the title are very important and I would ask my colleagues to focus on the phrase limited services pregnancy centers. That is what we are here to talk about today. These are not necessarily healthcare centers that provide a full litany of services and so when we talk about putting some limits on them, we’re talking about in the context of limited services pregnancy centers and the other key words in the title of this Bill are deceptive advertising. Deceptive advertising in this instance is advertising that can be determined is intended to mislead and I’m not a lawyer but there is plenty of case law with regard to the meaning and prosecution of deceptive advertising practices. This Bill provides greater authority and latitude to the Connecticut’s Attorney General to build a case against limited services pregnancy
centers that engage in deceptive advertising that goes beyond his existing authority under Connecticut Unfair Trade Practices Act (CUTPA) to include those that may be providing services at no cost.

Let me try to very quickly give you a sense of why this Bill is important and why we are talking about it today. I should start by saying the vast majority of limited service pregnancy centers here in the State of Connecticut are behaving well, they are acting responsibly, their communications, their advertising are ethical and straightforward and clear. But we are concerned and this is often where government comes in with regard to bad actors who may be intentionally misleading young people about the services and the advice they are prepared to provide. Why is this important? Well we would prefer that anybody considering what to do with regard to being pregnant would have the long-term standing relationship with an OB/GYN or other practitioner, that they would have the support of their family be able to get a lot of advice but we
know for a fact that is not true in every instance. So we often have her our young women who are seeking professional medical advice about what their alternatives are with their pregnancy. These women are often vulnerable without a lot of support, without a lot of resources and they are dependent on these centers to provide them with the options that may be available to them and we suspect that there are instances where some of these limited pregnancy centers mislead them as to what advice and services they are prepared to provide and more importantly, more dangerously may lead them to postpone making a decision that could include abortion until such time as abortion is no longer a safe or legal option. That is what we’re talking about today. I want to make it very clear to people this is not about some broad prosecution, this is not about religious freedom. This is about full disclosure, fair operating and avoiding deceptive advertising. It’s very important for us to keep that in context as we discuss this Bill today. Thank you, Mr. Speaker. I
urge adoption.

DEPUTY SPEAKER RYAN (139TH):

Question is Acceptance of the Joint Committee's Favorable Report and Passage of the Bill. Do you have anything further to say, Representative Steinberg? You all set? Representative Petit of the 22nd, Sir you have the floor.

REP. PETIT (22ND):

Thank you, Mr. Speaker.

Through you. I would like to review the Bill with the good Chairman. First of all

Through you, Mr. Speaker.

Does this Bill regulate all centers that provide pregnancy related services or just a specific subset of providers?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. An important question.
As per the phrasing of the title, it is focused only on limited service pregnancy centers. It does not address other types of medical clinics if you will.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Petit.

REP. PETIT (22ND):

Thank you. A follow up on that.

Through you, Mr. Speaker.

So if a certain, whether it is a medical clinic or a hospital facility that may be faith based does not regularly provide abortion services so that are limited in that respect would they be covered under this legislation?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker, if the good Representative could rephrase that a little bit, I’m not quite sure I heard exactly what the question
was. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Petit could you rephrase your question please?

REP. PETIT (22ND):

Yes, sir. In my prior life in my years of practice, some medical practices, some facilities don’t provide the continuum, that is don’t provider abortion services so to that degree they are limited as well. So would those practitioners and/or facilities be covered under this legislation.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. If I understand the Representative correctly, he is referring to centers that do not provide abortion services. This does describe what is probably the case with the vast majority of limited service pregnancy centers so I guess the answer is yes.
Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Petit.

REP. PETIT (22ND):

Thank you. In terms of the necessity having sat on Public Health over the past three years, I don’t recall during the Public Hearing this year that there was actually any specific instance brought forward to us where someone brought forward a case where they were misled or not provided a service that they were looking for. Can the Chairman provide us with examples of services that were not provided or people were misled? As I recall it was a long day, a late one. During the hearing there was a story about a service that was not provide in North Carolina in a clinic and one perhaps in Pennsylvania but none in Connecticut or were there any examples presented during the Public Hearing of issues in Connecticut.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):
Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker.

I agree with the Representative’s recollection. I do not remember testimony of someone in the State of Connecticut who had filed a complaint about lack of disclosure or services. I think we also had some experience in real time as we were sitting there a number of people went on-line and they did find some communications on-line that were at the very least not clear. So to your point no evidence of specific complaints were entered as testimony but some of us did find somethings that again, and we’re not lawyers, we are not the Attorney General, made us pause and think whether or not that would be described as deceptive advertising practice.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Petit.

REP. PETIT (22ND):

Thank you, sir. I am going to take us down the
rabit hold of the former Whiffenpoof and former basketball player assuming the robes of the lawyer. In Sec. w of the Bill on Line 59 and 62, it talks about information disseminated that may be explicitly or implicitly false and then in 61 - 62 “with the intent not to perform such pregnancy-related service as explicitly or implicitly Advertised.” For the nonlawyer can you explain to me explicitly or implicitly what that implies per se?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Well thank you, Mr. Speaker. As a nonlawyer trying to explain to a nonlawyer in a room full of lawyers, we’re probably the last people to go through this. My understanding of it as I read it, explicitly is pretty straightforward, you know, you view it, you can see it, it seems pretty straightforward. Implicitly by definition is a
little more complicated. I think it would be incumbent on the Attorney General and his staff to make a case with regard to what would be described as an implicit misleading or false advertising. I don’t know necessarily where there is a long history of caselaw on that but I’m sure they are familiar with how they would build a case of deceptive advertising and I’m sure they’ve encountered the need to be able to prove implicit deceptive activity.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Petit.

REP. PETIT (22ND):

Thank you, sir. Certainly we received testimony during the Public Hearing primarily from a very experienced attorney with some 30 plus years of experience in the field that felt that the Connecticut Unfair Trade Practices Act would apply in this case and people would be able to seek remedy through that statute and in fact made the statement,
if I recall correctly from his testimony that even though if it was a not for profit and there was not money exchanged, if goods and services were exchanged CUTPA would apply. I wonder if the good Chairman would comment on why he feels from a legal point of view that the Connecticut Unfair Trade Practice Act does not apply and provide protection to consumers at the current time?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Thank you, Representative, for the question. This is a very important aspect of why this Bill exists. The argument is that whereas CUTPA covers commercial activities it is arguable whether it would cover entities that provide services for free effectively not being commercial in that sense. Would the AG, the Attorney General still have the authority to bring a deceptive advertising prosecution in the
instance of somebody who is giving services for free. So this Bill exists to some degree to assure that the Attorney General would not be limited in his ability to bring a case of deceptive advertising in the instance of limited service pregnancy centers that do not charge for those services.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Petit.

REP. PETIT (22ND):

Thank you, sir. To my knowledge as a member of Public Health we never received a definitive legal opinion from anyone concerning that just has the testimony of the one experienced attorney who felt that it would apply. The Attorney General who did testify that day did say that he was not clear on whether, he hasn’t sure whether or not CUTPA would apply as I recall his testimony that morning. He was first up that morning.

Through you, Mr. Speaker.

Currently this has been under the prevue of the
Department of Consumer Protection and if you go to cte.gov/dcp first page is how to file a complaint. You click how to file a complaint and under what you can file about it talks about misleading and descriptive advertising and you can file a complaint.

Through you, Mr. Speaker.

Can the Chairman let us know how many complaints about these limited service pregnancy centers have been provided through DCP over the past year or five years?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I think that Representative brings up an interesting point. I am not familiar with how many complaints may have been registered but I will submit that given the subject audience who might be in a position to use these limited service pregnancy centers they may be not
particularly well-informed about the whole DCP process for making complaints and may feel uncomfortable with issuing such a complaint given their circumstances. So even a record of complaints may underrepresent those who might actually had had a reason to complain. That is pure speculation.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Petit.

REP. PETIT (22ND):

Thank you. Moving on with the Bill Lines 79 on my copy talks about posting remedial “notice that corrects the effects of the false, misleading or deceptive advertising for clients entering the facility.”

Through you, Mr. Speaker.

Does that not include other places, it only has to be placed where clients are entering a facility or does it have to be, the remedial notice have to be placed in other spots.

Through you, Mr. Speaker.
DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I believe it is both common practice and logical to place such notification at the point of greatest traffic, the point where the individual first encounters the facility and its staff and since often times those who take advantage of these services return on more than one occasion it is very important for them to see upon their return visit that something may have changed and that they should be made aware of the change in information or status so that seems the logical place to make sure that such notification is posted.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Petit.

REP. PETIT (22ND):

Thank you. In the following statement, Lines 85 through 87 is suggests “Provide such other relief
as the court deems necessary to remedy the adverse effects."

Through you, Mr. Speaker.

How would that be determined what the appropriate recourse or relief is?

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker.

Not only am I not a lawyer, I am also not a judge. So I’m not familiar with what remedies the court might deem appropriate. Again they probably have experience with dealing with deceptive advertising and the need to make sure that everybody is very clear on what the appropriate remedy would be but I could not speculate as to exactly what those remedies might be.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Petit.

REP. PETIT (22ND):
Thank you. In the next section, it talks about, “the Attorney General shall give written notice” and you have to respond within ten days after receipt of written notice. It does not. I’m sorry, and the following section it talks about the amount, “Upon a finding by the court that a limited services pregnancy center has violated any provision of section 2 of this act, the state shall be entitled to recover civil penalties of” between fifty and five hundred dollars. Is there a basis for the amount of penalties?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I am not aware of the basis on which that had been arranged. Again I can speculate that perhaps it is consistent with similar such deceptive advertising penalties and I am assuming it is intended not to be overly punitive, not to put a not-for-profit out of business for that
if they take action to comply in the future.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Petit.

REP. PETIT (22ND):

Thank you.

Through Mr. Speaker.

Given the language in this Bill turning this
over directly from the Department of Consumer
Protection through the Attorney General’s Office
even though apparently no complaints have been filed
and the Department of Consumer Protection has not
helped in this regard given the fact that they have
not been any complaints. If a complaint is filed to
the Attorney General would the Department of
Consumer Protection still be included or will they
now be completely excluded from the process.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):
Thank you, Mr. Speaker. I think there is an important distinction to be made here to the Representative to this point. It is the Department of Consumer Protection that would receive complaints but that is different than the Attorney General’s Office feeling that they have cause based upon the evidence to bring an action which would not necessarily be based on specific complaint before DCP, that certainly could be part of the reason for bringing such an action against an entity but that the burden for bringing forward an action by the Attorney General is much more significant necessarily than maybe just a complaint that would be brought before DCP although that could be the basis for it.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Petit.

REP. PETIT (22ND):

Thank you, sir.

Through you, Mr. Speaker.
If a limited service pregnancy center were accused and then found guilty of violating. I’m sorry, were accused and then found to not be guilty of violating this statute what provisions would they have for redress in terms of their attorney fees or diminishment of their reputation so to speak?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I don’t believe this Bill address that. I would imagine that they have the same recourse or lack of recourse they would have vis-a-vis other actions that the Attorney General could bring against a party. So I’m not familiar whether there is any real redress available to them.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Petit.

REP. PETIT (22ND):
Thank you.

Through you, Mr. Speaker.

That is what I was afraid and maybe that the problem with two lawyers on the floor discussing and wondering if someone is falsely accused or found to be innocent that they won’t have any redress through the Attorney General’s Office or be able to recover whatever attorney’s fees they invested in their defense unless the good Chairman knows otherwise.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

If I understand the question correctly, I don’t know otherwise.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Petit.

REP. PETIT (22ND):

Through Mr. Speaker.

Again going back to the current process as a
Member of the Committee I don’t recall any testimony to the fact that people had difficulties with the process that was currently in places and I understand we had no testimony about specific issues. We had no testimony that I recall about problems with the process through the Department of Consumer Protections, is that the Good Chairman’s recollection as well that there we no complaints or no difficulties with the process currently in place for people to file a complaint about advertising?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Trying to answer the Representative’s question in terms of official complaints to DCP I don’t believe any testimony was presented to the Committee in the hearing however there was some testimony by two individuals at the hearing who believed that they were deceived, the patients who believed that they were deceived and
provided written testimony before the Committee. So that did form so of the basis for us to believe this could be a current problem even in the absence of official complaints before DCP.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Petit.

REP. PETIT (22ND):

Mr. Speaker, I am hoping an Amendment and waiting for it to be copied and distributed. Sorry.

DEPUTY SPEAKER RYAN (139TH):

Chamber stand-at-ease. Okay, we’ll come back to order. Representative Petit.

REP. PETIT (22ND):

Thank you, Mr. Speaker. The Clerk has an Amendment LCO No. 8915, would you please ask the Clerk to call it and I be allowed to summarize.

DEPUTY SPEAKER RYAN (139TH):

The Chamber stand-at-ease.

REP. PETIT (22ND):

Mr. Speaker, I would like to withdraw my
Deputy Speaker Ryan (139th):

The Chamber will come back to order.

Representative Petit.

Rep. Petit (22nd):

I’m sorry, Mr. Speaker. Mr. Speaker I would like to, at the moment withdraw my Amendment LCO No. 8915 sir.

Deputy Speaker Ryan (139th):

If there is no objection the Amendment is withdrawn. Representative Steinberg.

Rep. Steinberg (136th):

Mr. Speaker, I am in possession of an Amendment. LCO No. 8919, I ask the Clerk to please call the Amendment and I be granted leave of the Chamber to summarize.

Deputy Speaker Ryan (139th):

Will the Clerk please call LCO 8919 which will be designated House Amendment Schedule “A”.

Clerk:

House Amendment Schedule “A” LCO No. 8919
offered by Representative Steinberg, Senator Daugherty Abrams, et al.

DEPUTY SPEAKER RYAN (139TH):

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

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. This Amendment is an indication of this side of the aisle being very responsive to some of the questions being addressed by Representative Petit and I believe this Amendment does address some of the issues that were raised there and perhaps Representative Petit and I can explore them together. I move adoption.

DEPUTY SPEAKER RYAN (139TH):

Question before the Chamber is Adoption of House Amendment Schedule “A”, will your remark on the Amendment? Will you remark. Representative Steinberg.
REP. STEINBERG (136TH):

That’s it for me. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Does anyone else wish to remark on the Amendment? Anyone care to remark on the Amendment? Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. I would just ask the good Representative.

Through you.

What the Amendment does?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg, Representative Dubitsky would like to know what the Amendment does.

[Laughter]

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I believe the Representative has an eminently reasonable question [Laughter] one which I will seek to satisfy. Well this Amendment strikes everything the enacting
clause and substitutes the Sections that follow.
What we have initially are a series of definitions
that I believe conform to our previous Bill.
Section 2 does talk about explicitly the examples,
the uses whereby deceptive advertising might take
place including newspaper, other publications, other
types of advertising devices including the internet
and any statement concerning pregnancy related
services or any provision of any pregnancy related
service that is deceptive. That is what we are here
to talk about today.
Section 3 refers to the Attorney General’s role in
bringing forward an action with regard to deceptive
advertising. Subsection (1) does discuss and I’ll
read from that will, “Pay for and disseminate
appropriate corrective advertising in the same form
and using the same advertising” which would be part
of the injunctive relief and as we mentioned
previously, “device as used in the false,
78 misleading, or deceptive advertising; “Post a
remedial notice that corrects the effects of”
deceptive advertising and can provide such other narrowly tailored “relief as the court deems necessary to remedy the adverse effects.” So to summarize that component with regard to the remedy redress. And then as we continue it discussed the finding of the court of a violation, “the state shall be entitled to recover the civil penalties” we discussed previously, “of not less than fifty dollars and not more than five hundred” and “reasonable attorney’s fees and costs.” And then as we get to subsection (d) that would be Line 95 in the Amendment, is says, “Nothing in this section shall prohibit the state or political subdivision from seeking any administrative, legal or equitable relief permitted by law.” And that concludes the Amendment. I do hope that addresses the good Representative’s desire for summary.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Dubitsky do you have any other questions, sir?
REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. The summary that the good proponent just recited sounds to me an awful lot like a summary of the underlying Bill so if I may ask for the good proponent to highlight those things that are different in this Amendment from the underlying Bill I would appreciate it. Thank you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg did you hear the questions from Representative Dubitsky?

REP. STEINBERG (136TH):

I will certainly attempt to honor his question. I think that the significant difference in the Amendment refers to in section 3 the ability for the AG to seek redress through CUPTA.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. And how is that different from the provision of the underlying Bill.
Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Bear with me one moment, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. My understanding is that in the underlying Bill we did not have a sufficiently explicit reference to CUTPA and now we have done so to clarify the AG’s authority.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. And I may ask is that the only change in this Amendment from the underlying Bill?

Through you.

DEPUTY SPEAKER RYAN (139TH):
Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I’m sorry I didn’t hear the full question. Would the good Representative care to repeat it?

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky could you please repeat your question?

REP. DUBITSKY (47TH):

Certainly, Mr. Speaker. My question was is that the only change in this Amendment from the underlying Bill?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Mr. Speaker that is the most important change as per the Amendment and there may be some other less important changes in the Amendment.

Through you, Mr. Speaker.
Representative Dubitsky.

REP. DUBITSKY (47TH):

Through you, Mr. Speaker. I would think that one person’s important may not necessarily be the same as someone else’s so I would ask the good Representative to point out those changes whether or not he believes they are important.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Through you, Mr. Speaker. I will attempt to do so if the Chamber could bear with me for a moment.

DEPUTY SPEAKER RYAN (139TH):

Chamber will stand-at-ease please.

Representative Ritter, sir.

REP. RITTER (1ST):

I move that we pass this item temporarily. Thank you.

DEPUTY SPEAKER RYAN (139TH):

This Bill is passed temporarily. The Chamber
will stand-at-ease. The Chamber will come back to order. Will the Clerk please call Calendar No. 87.

CLERK:


DEPUTY SPEAKER RYAN (139TH):

Representative McCarty Vahey. Ma’am you have the floor.

REP. MC CARTHY VAHEY (133RD):

Thank you, Mr. Speaker. I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill.

DEPUTY SPEAKER RYAN (139TH):

Question is Acceptance of the Joint Committee's Favorable Report and Passage of the Bill. Representative McCarthy Vahey you have the floor.

REP. MC CARTHY VAHEY (133RD):

Thank you, Mr. Speaker. Mr. Speaker this Bill
will require that there is a Public Hearing, a noticed Public Hearing on municipal construction projects of $25 million dollars or more. And Mr. Speaker the Clerk is in possession of an Amendment LCO 8610 and I would ask the Clerk to please call the Amendment and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER RYAN (139TH):

Will the Clerk please call LCO 8610 which will be designated House Amendment Schedule “A”.

CLERK:

House Amendment Schedule “A” LCO 8610 offered by Representative McCarthy Vahey, Senator Cassano and Representative Zawistowski.

DEPUTY SPEAKER RYAN (139TH):

The Representative seeks leave of the Chamber to summarize the Amendment. Is there objections to summarization? Is there objection? Hearing none, Representative McCarthy Vahey you may summarize.

REP. MC CARTHY VAHEY (133RD):

Thank you, Mr. Speaker. Mr. Speaker the
Amendment makes some slight changes in wording but also just specifies that the Public Hearing would take place prior to competitive bidding and would be noticed in a matter consistent with provisions of 7-3. It could also, the Public Hearing could also take place during an already scheduled town meeting of a city or borough and I move adoption.

DEPUTY SPEAKER RYAN (139TH):

Question before the Chamber is Adoption of House Amendment Schedule “A”. Will you remark on the Amendment? Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. This Amendment addresses a couple of issues that were brought out by CCM in cost. It makes the underlying Bill an even better Bill. It increases transparency even more. I do support this Amendment.

DEPUTY SPEAKER RYAN (139TH):

Will you remark further on the Amendment before us?
us? If not, I would try your minds. All those in favor please signify by saying, Aye.

REPRESENTATIVES:
Aye.

DEPUTY SPEAKER RYAN (139TH):

Opposed, Nay. The Aye’s have it. The Amendment is adopted. Will you remark further on the bill as Amended? Will you remark further on the Bill as Amended? Representative Zawistoswki.

REP. ZAWISTOWSKI (61ST):

Thank you again, Mr. Speaker. This was unanimous in Committee and it is a good Bill, it should pass. Thank you.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Will you remark further on the Bill before us as Amended? Will you remark further? If not 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]
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 RYAN (139TH):

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 No. 7207 as Amended by House “A”

Total Number Voting 144

Necessary for Passage 73

Those voting Yea 144

Those voting Nay 0

Absent not voting 7

DEPUTY SPEAKER RYAN (139TH):

The Bill as Amended passes [Gavel]. Are there any announcements or introductions? Are there any
announcements or introductions? Will the Clerk please announce Calendar No. 85.

CLERK:


DEPUTY SPEAKER RYAN (139TH):

Representative Doucette of the 13th District, you have the floor.

REP. DOUCETTE (13TH):

Good afternoon, Mr. Speaker. I move Acceptance of the Joint Committee's Favorable Report and Passage of the Bill.

DEPUTY SPEAKER RYAN (139TH):

The Question before the Chamber is on Acceptance of the Joint Committee's Favorable Report and Passage of the Bill. Representative Doucette you continue to have the floor.

REP. DOUCETTE (13TH):
Thank you, Mr. Speaker. This Bill simply makes conforming technical changes to the language of the Banking Statutes that were recommended by the Legislative Commissioner’s Office. There are no substantive changes in this Bill, just technical changes to the language. I move adoption.

DEPUTY SPEAKER RYAN (139TH):

Will you remark further on the Bill before us?

Representative Delnicki of the 14th, sir you have the floor.

REP. DELNICKI (14TH):

Good afternoon, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Please proceed, sir.

REP. DELNICKI (14TH):

Thank you, Mr. Speaker. A couple of questions for the proponent of the Bill.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Please proceed.
REP. DELNICKI (14TH):

To the proponent of the Bill, is there any fiscal note or fiscal impact of any sort as a result of these changes?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Doucette.

REP. DOUCETTE (13TH):

Through you, Mr. Speaker.

There is none whatsoever.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Delnicki.

REP. DELNICKI (14TH):

Thank you to the proponent for the answer there. Another follow-up question. The changes that are made -- are the changes that are made virtually identical to the original language and it’s merely just a linguistic effort?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):
Representative Doucette.

REP. DOUCETTE (13TH):

Through you, Mr. Speaker.

That is correct, they are.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Delnicki.

REP. DELNICKI (14TH):

Thank you, Mr. Speaker. Thank you to the proponent. This Bill passed through Committee unanimously. This Bill does very, very minor clarifications and this Bill has no fiscal impact and I encourage my colleagues to support the Bill and pass it. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Will you remark further on the Bill before us? Will you remark further on the Bill 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 ARESIMOWICZ (30TH):

If all the members have voted please check the board to ensure your vote has been properly cast. If all members have voted, the machine will be locked and the Clerk will take a tally.

And the Clerk will announce that tally.

CLERK:

House Bill No. 7180

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SPEAKER ARESIMOWICZ (30TH):

The Bill passes. [Gavel] Are there any announcements or introductions? Representative
Ritter of the 1st District. Sir, you have the floor.

REP. RITTER (1ST):

Thank you, Mr. Speaker. I see we’ve been joined by a journalist who is in the gallery that we did want to acknowledge on a recent award that he received and Representative Paolillo is in his ear, so maybe we will get their attention at some point. But Ken Dixon who a longtime reporter is here in the State of Connecticut was recently nominated and I guess will be accepted to the Connecticut Journalism Hall of Fame. A round of applause from the Chamber.

Thank you. [Applause/cheering]

SPEAKER ARESIMOWICZ (30TH):

Thank you very much Mr. Majority Leader. Will the Clerk please call House Calendar 282.

CLERK:

SPEAKER ARESIMOWICZ (30TH):

Representative Abercrombie of the 83rd District. Ma’am you have the floor.

REP. ABERCROMBIE (83RD):

Thank you, Mr. Speaker. Mr. Speaker, I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill.

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is on Acceptance of Joint Committee's Favorable Report and Passage of the Bill. Representative Abercrombie you have the floor.

REP. ABERCROMBIE (83RD):

Thank you, Mr. Speaker. Over the years we’ve had some challenges when it comes to getting qualified interpreters. What this Bill does is adds Massachusetts Certification to the other two certifications that we allow here in this State. With that Mr. Speaker, I have an Amendment LCO 7928. I ask that the Clerk call the Amendment and I be granted leave of the Chamber to summarize.
SPEAKER ARESIMOWICZ (30TH):

Will the Clerk please call LCO 7928 which will be designated House Amendment Schedule “A”.

CLERK:

House “A” LCO No. 7928 offered by Representative Abercrombie.

SPEAKER ARESIMOWICZ (30TH):

Representative seeks leave of the Chamber to summarize the Amendment. Is there objection to summarization? Is there objection to summarization? Seeing none, Representative Abercrombie you have the floor.

REP. ABERCROMBIE (83RD):

Thank you, Mr. Speaker. Mr. Speaker this is just a technical change in terminology. It changes it to Deaf-blind which is the correct terminology. I move adoption.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much Madam. The Question before the Chamber is on adoption of the Amendment. Will you remark? Will you remark? If not, let me try
your minds. All those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER ARESIMOWICZ (30TH):

Opposed? Nay. The Aye’s have it, the Amendment has been adopted. [Gavel] Will you remark further on the Bill as Amended. Representative Case of the 63rd. Sir, you now have the floor.

REP. CASE (63RD):

Good evening, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Good evening, sir.

REP. CASE (63RD):

As the good Chairwoman had spoken, this is a good Bill, a Bill that we worked hard on this year. We do have some difficulties with getting interpreters and through the good Chairwoman and others in this Building we are working to get a more robust program in our Community Colleges and our State Colleges. Right now I am proud to say that
the Northwest corner, Northwest Community College the only school that has an interpreter program but we only have 26 students in it this year. That is not enough to feed what we have to do with interpreters throughout the State so we have to move this out to Massachusetts so that we can serve this community. It is important to do. We want to keep the jobs here in Connecticut, we’ve got to find the people to get educated and let them serve us here. So I thank the good Chairwoman for working on it. Good Bill, ought to pass.

SPEAKER ARESIMOWICZ (30TH):

    Thank you very much, sir. Will you remark further on the Bill before us? Will you remark further on the Bill as amended? If not Staff and guests please come 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.

DEPUTY SPEAKER RYAN (139TH):

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

The Clerk will please announce the tally.

CLERK:

House Bill No. 7230 as Amended by House "A"

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DEPUTY SPEAKER RYAN (139TH):

The Bill passes. [Gavel] Will the Clerk please call Calendar No. 489.

CLERK:

On Page 44, Calendar 489 House Bill No. 7190 AN
ACT EXTENDING GOOD SAMARITAN PROTECTIONS FOR PERSONS OR ENTITIES THAT INCLUDE AN OPIOID ANTAGONIST WITHIN A CABINET CONTAINING AND AUTOMATIC EXTERNAL DEFIBRILLATOR, Favorable Report of the Joint Standing Committee on Judiciary.

DEPUTY SPEAKER RYAN (139TH):

The Esteemed Chairman of the Judiciary Committee, Representative Stafstrom, you have the floor sir.

REP. STAFSTROM (129TH):

Thank you, Mr. Speaker. Mrs. Speaker it is such a pleasure to see you as always and you look so cheery up there this evening. So, Mr. Speaker I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill.

DEPUTY SPEAKER RYAN (139TH):

Question before the Chamber is on Acceptance of the Joint Committee's Favorable Report and Passage of the Bill. Representative Stafstrom you still have the floor.

REP. STAFSTROM (129TH):
Thank you, Mr. Speaker. Mr. Speaker this is a relatively simple yet important Bill which does precisely what the title indicates it does. I urge support.

DEPUTY SPEAKER RYAN (139TH):

Will you remark further on the Bill before us. Representative Rebimbas of the 70th, ma’am you have the floor.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker I rise in support of the proposal before us. It did pass out of Judiciary unanimously. Just one clarifying question.

Through you.

To the good Chairman?

DEPUTY SPEAKER RYAN (139TH):

Please proceed.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker.

Mr. Speaker through you.

The Connecticut Trial Lawyers Association
opposed the proposal. If the good Chairman could just indicate if it has been addressed or what are issue they were taking.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Thank you, Mr. Speaker. It is my understanding that the Trial Lawyers objection to this was based on the fact that they believe this type of protection is already provided under law. There seems to be some kind of confusion as to whether it is or isn’t. What this Bill merely does is to seek to codify the Good Samaritan Protection, I think based on the fact that the trial lawyers don’t believe this is extending a new immunity, they’re okay with the Bill as presented here today.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):
Through you, Mr. Speaker and I would like to thank the good Chairman for his explanation and certainly anytime we can clarify it and I think that is what this proposal is doing, we should. So I do rise in support and encourage my colleagues to do the same.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative O’Dea of the 125th, sir you have the floor.

REP. O'DEA (125TH):

Thank you, Mr. Speaker. I’ll just be brief. This is a momentous occasion. I think this is one of the first Bills I’ve gotten through certainly this session and probably a couple of others. But I want to thank the good Chair and Ranking Member for helping get this through. This is another Bill, you know, back a number of years ago, Representative Fox and I had pushed the Narcan being available to first responders. This is another step to address the opioid epidemic that we’re going through and I greatly appreciate the support and allowing this
Bill to be called before. And I urge my colleagues to support. Thank you very much, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Will you remark further on the Bill before us? Will you remark further on the Bill before us? 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. [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 RYAN (139TH):

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 the tally.
Will the Clerk please announce the tally.

CLERK:

House Bill No. 7190

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DEPUTY SPEAKER RYAN (139TH):

The Bill passes. [Gavel] Are there any announcements or introductions? Are there any announcements or introductions? Hearing none, will the Clerk please call Calendar No. 451.

CLERK:


DEPUTY SPEAKER RYAN (139TH):

This was a Bill that was previously before us
so we will have Representative Steinberg again bring it out. Representative Steinberg.

REP. STEINBERG (136TH):

Good afternoon, Mr. Speaker. I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill.

DEPUTY SPEAKER RYAN (139TH):

Question is Acceptance of the Joint Committee's Favorable Report and Passage of the Bill. Representative Steinberg you have the floor.

REP. STEINBERG (136TH):

Mr. Speaker just seeking some clarification on current status.

DEPUTY SPEAKER RYAN (139TH):

Please proceed, sir.

REP. STEINBERG (136TH):

We are on House Amendment “A”.

DEPUTY SPEAKER RYAN (139TH):

Bring up the Amendment again, sir.

REP. STEINBERG (136TH):

Thank you. Mr. Speaker the Clerk is in
possession of an Amendment File No., LCO No. 753.
I’d ask the Clerk to please call the Amendment and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER RYAN (139TH):

Sir, could you check the LCO number please.

REP. STEINBERG (136TH):

Oh, excuse me. LCO No. 8919.

DEPUTY SPEAKER RYAN (139TH):

This has already been designated as House Schedule “A”, will the Clerk please call LCO 8919 which has been designated House Amendment Schedule “A”.

CLERK:

House Amendment Schedule “A”, LCO No. 8919 offered by Representative Steinberg, Senator Daugherty, etal.

DEPUTY SPEAKER RYAN (139TH):

The Representative seeks leave of the Chamber to summarize the Amendment. Are there objections to summarization? Are there objections? If not, Representative Steinberg would you please summariz
Thank you, Mr. Speaker. I would think that everyone would be very eager for my summarization for this Amendment [Laugher].

DEPUTY SPEAKER RYAN (139TH):

[Gavel] It is becoming very difficult to hear the Chairman of the Public Health Committee summarize this Amendment so we would ask you to take your conversations outside and keep your voices low. Please proceed, sir.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. This Amendment is intended to clarify a number of points to the benefit of the understanding of the Bill and will make an effort to focus explicitly on those changes from the underlying Bill.

Mr. Speaker, I’ll begin with subsection (7) where it says, "Limited services pregnancy center" means a pregnancy services center that does not directly provide or provide referrals to clients for
abortions or emergency contraception.” This distinction is to be made that it is either to provide the services or make referrals for the services. If they do not provide the services or refer the services for abortion or emergency contraception they would be defined as a limited service pregnancy center. So there is a clarification on the definition.

Mr. Speaker, I’ll move forward to the following sections: Section (8) where there has been a change in the first sentence. I’ll just review that. “Pregnancy services center” means a facility, including a mobile facility, the primary purpose of which is to provide services to clients who are or may be pregnant.” The change in this section is adding “or have reason to believe”. So again, the distinction is important because one can either know that they are pregnant or have reason to believe that they are pregnant and both those are covered under “pregnancy services center.”

Mr. Speaker I will move on now to Sec. 2 where
it begins, “No limited services pregnancy center without the intent to perform a pregnancy related services shall make or disseminate before the public or cause to be made or disseminated before the public and then it goes into the various medial by which such a public advertisement can be made. The key aspect of this is to emphasize with the intent to perform and most importantly “before the public.” The distinction we’re making here is when one enters a limited service pregnancy center there is no intent of, in anyway regulating or limiting speech as in terms of the services provided but simply to focus on when one is making statements before the public via advertising, that is the basis for the discussion of deceptive advertising. And as we continue in this same section, as we get down to Line 63, there have been some changes made with the focus once again on the work deceptive. And as we’ve discussed previously deceptive is the operative work here. From what I understand there are oodles of caselaw with regard to the meaning of
deceptive and how that would be prosecuted by the AG’s Office. So the mention here in Sec. 2 as well as subsequently in Sec. 3 where again we refer explicitly to deceptive advertising and remove “other” qualifiers to that phrase. Really a critical clarification, we’re talking only about deceptive advertising and the legal prosecution of such.

As we continue, we start talking about specific aspects of injunction relief should someone be found in violation and the points that are enumerated afterwards are to “Pay for and disseminate appropriate corrective advertising.” In other words get the corrective advertising out there, secondly to post a remedial notice indicating there has been a change from the original advertising and lastly, “Provide such other narrowly-tailored relief as the court deems necessary to remedy” it and the emphasis is on “narrowly-tailored relief” and that also has a pretty clear definition. The judge is not afforded wide latitude as to the kind of relief that can be
applied to this case but has to be directly relevant and pertinent to the deceptive advertising violation.

And lastly but importantly in the last section, Section (d) the language that is included and referenced in Chapter 735(a) of the General Statutes is a direct reference to the CUPTA provisions. I believe that adequately summarizes the changes from the underlying Bill. I move adoption.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. The Question before the Chamber is Adoption of House Amendment Schedule “A”. Will you remark on the Amendment? Will you remark on the amendment? Representative Dubitsky of the 47th, sir you have the floor.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. I appreciate the recital of the changes from the underlying Bill from the good chairman. I would just like to ask a few questions about those changes if I may?

DEPUTY SPEAKER RYAN (139TH):
Please proceed, sir.

REP. DUBITSKY (47TH):

Okay on Line 29, in the definition of limited service pregnancy center, it looks to me like the word directly was added and I’m wondering what the meaning of that is. How is something directly provided as opposed to just provided?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I think the distinction includes the word that falls after the second provide which says “provide referrals” so to be clear the two different meanings here are whether they actually themselves directly provide services or whether they provide referrals to some other entity for those services.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.
REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. In the underlying Bill it used the word provide referral, “does not provide referrals to clients” that was changed to add the word “directly” and again I’m just trying to find out the significance of that word, “directly” means.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I will try again. The change made here is to distinguish between two things. One is if the limited service pregnancy centers directly provides those services themselves or itself versus whether they would provide referrals to another entity that might provide those services. So it is encompassing both aspects whether it is provided directly by that center or whether they might make referral to someplace else.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):
Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. So just to nail this one down, to be clear. So “directly” is that the pregnant, limited service pregnancy centers itself provides referral or provides the abortion for the emergency contraception or refers it to somebody else for those abortions or emergency contraception?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I would try to parse it out as intended that the limited service pregnancy centers do not directly provide for abortions or emergency contraception nor does it provide referrals for abortions or emergency contraception.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.
REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. So in any entity that provides either one of those, either directly or via referral would not be considered a limited service pregnancy center as defined in this Amendment?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

That is correct.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Moving on to Line 39 which is in Section, subsection (9). In the underlying Bill it talks about clients who are or maybe pregnant and that was changed to “are or have reason to believe they may be pregnant.” What is the significance of that change?

Through you.
REPRESENTATIVE STEINBERG (136TH):

Thank you, Mr. Speaker. I believe that in the underlying Bill there was some lack of clarity about may be and this is an attempt to make clear that even if they don’t, they’re pregnant they have a reason to believe that they are pregnant. So it’s a further clarification, hopefully a clearer version of what maybe what was meant in the underlying Bill.

Through you.

REPRESENTATIVE DUBITSKY (47TH):

Thank you, Mr. Speaker. So the definition of pregnancy service center in this Bill relies on whether or not a given person has reason to believe that she may be pregnant. If a person does not have sufficient reason does that change the definition?

Through you.
Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. It’s adjusted here because it is a definition but I think to the Representative’s point what it is talking about here is somebody who is approaching the limited service pregnancy centers to, based upon the fact that they are pregnant or think that they are pregnant, because that is the basis on which we are talking about the access to a full range of advice and services.

Through you, Mr. President.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. I would wonder how does any give facility which including a mobile facility determine in advance whether or not any given person has reason to believe that they may be pregnant in order to understand whether or not they fit within the definition under this Bill?
Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I think they would have to rely on the protestation of the individual involved that they are either pregnant or think they are and I think that would be sufficient.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Moving down to Sec. 2, Starting on Lines 55 comparing it with the underlying Bill and there has been an intent element added here that a limited service pregnancy center shall not do things “with the intent to perform a pregnancy related service.” Could I ask the good Chairman why this intent element was added?

Through you.

DEPUTY SPEAKER RYAN (139TH):
Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I believe, my response would be it is to assure that this was not done in advertently. That there has to be some basis of intent that in its advertising before the public that the entity disseminated deceptive information. If anything, it strengthens and more narrowly defines the instance we’re talking about if there is not some reason to believe there was intent that would be caused.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. I see that in Sec. 2 there are some language that has been removed including an intent element under the previous Lines 61 through 63 which required that the limited service pregnancy center make the statements with the intent not to perform such pregnancy related
services as explicitly or implicitly advertised. It appears that is no longer here. I would ask first off is that correct that it has been removed or if it has been moved to some other portion of this Amendment?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Yes, it has been removed in that section.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker and I would ask what the basis of that removal was, how does that change the intent of Sec. 2?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.
REP. STEINBERG (136TH):

Thank you, Mr. Speaker. If the good Representative recalls some of the debate earlier with regard to this Bill there was some lack of clarity about explicitly or implicitly. This was intended to remove that ambiguity and by replacing the word intent in the section where it now appears it should make it clearer and get us out of the realm of worrying about what implicitly actually means by focusing on intent. I think it is much clearer than it was previously.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. So just for the record, so any implicit advertising is no longer, being implicit is no longer an element in this section? Is that correct?

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.
REP. STEINBERG (136TH):

    Thank you, Mr. Speaker. I was never perfectly expert in explaining the implicit part so I am actually relieved that it is not here anymore but I think that it does make it clearer and hopefully removes any confusion about how the AG would determine implicit. So I think the section overall is clearer and stronger for the changes.

    Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

    Representative Dubitsky.

REP. DUBITSKY (47TH):

    Thank you, Mr. Speaker. So now that there appears to be an intent element here, I would ask is there, is the limited service pregnancy center in violation only when they have an intent to deceive?

    Through you.

DEPUTY SPEAKER RYAN (139TH):

    Representative Steinberg.

REP. STEINBERG (136TH):

    Thank you, Mr. Speaker. Yes, that is my
reading of the change.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky. Okay, thank you, Mr. Speaker. Now in the underlying Bill there is a section with regard to, let’s see, remedial steps. And there are still remedial steps in the Amendment but they do seem to be different. Give me one second. With regard to the corrective advertising in Line 73. Would this corrective advertising also include, it only includes published advertising in some way if it’s on paper or on the internet or would it also, is it considered advertising with regard to word of mouth or speaking to people? What is the advertising thing that we’re talking about?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I will refer the Representative back to earlier in Sec. 2, the
operative word is before the public and it does get into some definitions of newspapers or other publications, online but basically those things that are brought before the public via a variety of media and not what transpires once one is within the limited service pregnancy center if that is what he means by some sort of personal communication.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Would that include a sign on the front of the building?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I believe so because that would probably be construed as advertising.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):
Representative Dubitsky.

REP. DUBITSKY (47TH):

And then with regard to the corrective dissemination and the remedial measures would they be the same, in the same forum and format as the deceptive advertising? So for example if there was a deceptive banner on the window would the remedial action be the same putting up a corrective banner or would it be something more extensive?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I imagine that the judge in delivering the injunction relief would be specific as to the media, the medium or media which need to be adjusted. Certainly would probably begin with the medium in which the original deceptive advertising was detected but I suppose it could include other media as well.

Through you, Mr. Speaker.
DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. I am looking for some type of limitation. Now I do see in Line 78 the words narrowly tailored relief have been added. So but does that mean that a court can, has to order relief that is similar, that remedies the actual deceptive advertising or can the court order something significantly more extensive such as if there is a banner, a deceptive banner on the window, can the court then order publication in newspapers and on the internet?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I believe this subsection with its use of the term “narrowly tailored” is something that is not unusual when a judge provides injunctive relief that that
definition of “narrowly tailored” is well understood within the legal profession. Perhaps the good Representative would know more than I but it is in there explicitly to make it clear so that the judge cannot range wildly beyond what would be relevant and could not for example chose to shutdown such a limited service pregnancy center on the basis of an example of deceptive advertising that the injunctive relief would have to be appropriate given the nature and the level of consequence of the deceptive advertising violation.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Going down to Line 95 of the Amendment. That sentence, that first sentence has been significantly rewritten and in the old one it starts off, “Nothing in this section shall be construed as a limitation on the power authority of the State.” In the new one it is,
“nothing in this section shall prohibit the state from doing things.” What is the effective difference between those or is it just a text change?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I believe it was intended to clarify those limitations. It kind of flips it on the other side instead of saying not it is more explicit about what they can do but I believe the intent is roughly the same.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. I will listen to the rest of the debate. Thank you.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Will your remark further on the Amendment before us? Will you remark
further on the Amendment before us? If not, I would try your minds. All those in favor of the Amendment signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER RYAN (139TH):

Opposed, nay. The Ayes have it, the Amendment passes. Will you remark further on the Bill as Amended before us. Will you remark further on the Bill as amended before us? Representative Petit of the 22nd, sir you have the floor.

REP. PETIT (22ND):

Thank you, Mr. Speaker. The Clerk has an Amendment LCO 8937. The is an Amendment to the Amended Bill. Would you please ask the Clerk to call it and I be allowed to summarize?

DEPUTY SPEAKER RYAN (139TH):

Will the Clerk please call LCO No. 8937 which will be designated House Amendment Schedule “B”.

CLERK:

House Amendment Schedule “B” LCO No. 8937
offered by Representative Petit.

DEPUTY SPEAKER RYAN (139TH):

Representative seeks leave of the Chamber to summarize the Amendment. Is there objection to summarization? Is there objection? Hearing none, Representative Petit, excuse me. You may proceed with summarization.

REP. PETIT (22ND):

Thank you, Mr. Speaker. I appreciate the good Chairman’s efforts in improving the underlying legislation and certainly we’re all wanting folks to be able to have accurate information when they are seeking medical consultation and care. My position has been consistent on this since this Bill came before us in that I did not feel there was significant problem both in 2017 and 2019. We are not presented with specific, a significant number of specific examples were people had been effected by this nor were we provided examples where the policy and procedures that are currently in place under the Department of Consumer Protections had proof to be
inadequate. To that end my suggestions early on where we just be sure that places providing these services be straightforward with the folks they are serving and provide them with some listening. So what this amendment seems, attempts to do is strike section 2 in its entirety and inserts the following, “in lieu thereof” Lines 2 through 11 remain the same but now is inserted no limited service pregnancy centers may post or disseminate, or cause to be made, a list of all services it provides, a list of services it does not provide, a list of services for which it makes referrals and a list of services for which does not or will not make referrals. We then in Line 16 strike subsections (a) and (b) of section 3 in their entirely and insert back, the Commission of the Consumer Protection where people can apply for “competent jurisdiction for injunctive relief to compel compliance.” So again to state the case I don’t feel we really received any complaints that made a case for changing the policy as it stood and that we had a mechanism in place and it wasn’t clear
to me why we are attempting to change the policy that we had. So therefore, Mr. Speaker, I move adoption of the Amendment to the prior Amended Bill, sir.

DEPUTY SPEAKER RYAN (139TH):

Question before the Chamber is adoption of House Amendment Schedule “B”. Will you remark further on the Amendment?

REP. PETIT (22ND):

Mr. Speaker may I also ask for a roll call vote, sir? Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

The vote is to be taken by roll. Will you remark further on the Amendment before us? There are a list of names. Representative Steinberg did you want to remark further? Please proceed, sir.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I thank the good Representative for this Amendment. I believe it is well intentioned and is an attempt to get to the heart of the matter. A question for the proponent
of the Amendment, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Please proceed, sir.

REP. STEINBERG (136TH):

I believe I understand it correctly that in the revised sections this shift the onus of responsibility for pursuing action to the Department of Consumer Protection. Is that correct, Mr. Speaker?

DEPUTY SPEAKER RYAN (139TH):

Representative Petit.

REP. PETIT (22ND):

Yes, sir that is correct.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I have not had an opportunity to check the fiscal note on this Amendment but does the good Representative know whether or not DCP has sufficient staff to
administer this change and whether that is in the budget?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Petit.

REP. PETIT (22ND):

Through you, Mr. Speaker.

The fiscal on this was a no cost and given the fact that we were unable to find any cases where people had submitted complaints presumably unless there is a rash of complaints, the cost would be quite limited and obviously if any actions were taken and fines were levied there would be some positive effect but the fiscal analysis showed no significant cost to the State.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. Whereas I do agree
this is well-intentioned and is an attempt to put the responsibility on DCP I would ask my colleagues not to support this Amendment. I believe strongly that this needs to be within the prevue of the Attorney General’s Office in order to pursue deceptive advertising and DCP would not be in a position to do more than address this specific complaint. So Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Gilcrest did you want to remark on the Amendment or the underlying Bill. Okay, thank you.

Representative Dubitsky, sir.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Mr. Speaker the Department of Consumer Protection is the proper place for complaints about deceptive advertising. There have been no complaints, there is no fiscal note. Currently if there were an issue those complaints would go to Consumer Protection. I have not heard any compelling or even reasonable argument
why this needs to be put under the jurisdiction of the Attorney General. There is not a problem here that we’ve been told about so why would we, why would we give this, why would we give this the full power of the Attorney General’s Office when Consumer Protection can easily handle any complaints that come through. So I support this Amendment. Thank you.

DEPUTY SPEAKER RYAN (139TH):

Thank you, sir. Representative Lavielle, legend of the 43rd. Representative Betts of the 78th.

REP. BETTS (78TH):

Thank you, Mr. Speaker. Would I be allowed to ask the Co-Chair of the Public Health Committee a question about this Amendment even though he is not the sponsor?

DEPUTY SPEAKER RYAN (139TH):

He is willing to be asked a question. Please proceed, sir.

REP. BETTS (78TH):
Thank you, very much.

Through you.

When I was at the hearing I was not aware or made aware of any complaints or either from consumers or the Department of Consumer Protection about their ability to follow up or do the job that’s statutorily is assigned to them dealing with false advertisement. Is my understanding of that accurate and true?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. To my recollection from the testimony provided before the Committee and this hearing there was not a mention of a specific complaint brought before DCP. But as I do believe I stated earlier that does not necessarily mean that there were not individuals who perhaps were the subjects of deceptive advertising but were unaware of their ability to lodge such complaints with DCP.
These are often quite likely young women who may not have a broad support network or a lot of knowledge of what their options are so I would just emphasize that the absence of such a complaint is not necessarily proof that there was no deceptive advertising.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Betts.

REP. BETTS (78TH):

I thank the good Chairman for the answer to that. I would like to respond by commenting. I think if the legislature has assigned its responsibility which they’ve done many, many years ago, they did so with the specific purpose and with the belief that that agency could do the job and as the good Chairman said he had no heard any testimony to the contrary and to now go and assign a new responsibility to the Attorney General or to have more than one agency undertaking the responsibility, I think can create confusion as well as conflict.
Certainly if I were the Department of Consumer Protection I would be very unhappy with this effort to say, no, because why did you give me the responsibility if you are going to pass it off onto somebody else. To me it just does not make sense. I was also at the Public Hearing. I did not hear any complaints whatsoever or any need quite frankly for doing it and I strongly support this Amendment. Nothing was wrong, everybody has been doing their job and frankly I think it sends a very mixed message to have something like this assigned to a different body when in fact the current one was doing it very well and that is the reason why I support very strongly this Amendment. I thank you so much.

DEPUTY SPEAKER RYAN (139TH):

Thank you, sir. Will you remark further on the Amendment before us? Will you remark further on the Amendment before us? If not will the Staff and guests please come to the Well of the House. Will the 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.

DEPUTY SPEAKER RYAN (139TH):

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

Will the Clerk will please announce the tally.

CLERK:

House Amendment “B”

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DEPUTY SPEAKER RYAN (139TH):
The Amendment fails. [Gavel] Will you remark further on the Bill as Amended? Will you remark further on the Bill as Amended? Representative Gilcrest of the 18th, ma’am you have the floor.

REP. GILCHREST (18TH):

Through you, Mr. Speaker. I rise in strong support of House Bill 7070. Women across this country and in the State of Connecticut should have access to accurate information about their reproductive health and as we’ve seen in recent days women’s reproductive rights are under attack in this country. The anti-choice movement has a strategy. They have a strategy in the courts, they have a strategy at the federal congressional level and they have a strategy at the state legislative level. They also have a strategy regarding crisis pregnancy centers. Crisis pregnancy centers have been in existence for quite a while now that their strategy includes opening crisis pregnancy centers in low income communities and closely located next to full range reproductive health clinics. Their strategies
include having materials that resemble full reproductive health clinics in order to deceive women. And most recently their strategies include mobile GO fencing where they are actually pinging women on their phones when they are sitting in a full reproductive health clinic to send them deceptive advertising. Crisis pregnancy centers do have the right to exist but Connecticut must stop them from deceiving women through their advertising. I want everyone to imagine for a minute, you’ve made the decision that you don’t want to have a child. So you start to Google, you start to research where can I get reproductive health care. You do your research, you call a reproductive health clinic closely located next to you, you make your appointment. You then take off time from work. You take that unpaid time off of work a few days later and you make it to your appointment. You get to your appointment and when you come in there are folks in white medical jackets who had your paperwork and you sit down to start filling out your
paperwork. Your name is called, you head into your appointment and instead of the provider starting to talk to you about your procedure the provider tells you that you’ve made a wrong decision and that getting a vasectomy is going to give you cancer. Hard to imagine, right? Because this wouldn’t happen to men. This is happening to women because nonprofits designed to look like fake health clinics are uniquely targeting women in Connecticut and across this country. I’ve heard from colleagues on the other side of the aisle that they haven’t heard about this happening in the State of Connecticut. I don’t serve on the Public Health Committee and so I was not there for the full Public Hearing but if you go on to cga.ct.gov and you look at the testimony posted from the Public Hearing on House Bill 7070 you will see that there is testimony identifying that this is happening. There is testimony from Dr. Lyles who tells the story of Mary, her patient who was deceived by a crisis pregnancy here in the State of Connecticut and when she was deceived both
entering, so she was trying to get a full service clinic, she was deceived and brought into a crisis pregnancy center and told her only option was to keep her child and in that testimony by Dr. Lyles she explains how Mary was confused and how she was shaken up and Dr. Lyles had to go through all of Mary’s reproductive healthcare options with her.

There is also the testimony of Ms. Gustafson who explains eight separate different occasion here in the State of Connecticut where women were deceived by crisis pregnancy center. Again, I’ll say if crisis pregnancy centers want to exist, they have that right. But deceptive advertising should not be permitted in the State of Connecticut. Connecticut has always been a leader on women’s reproductive healthcare and I hope we remain a leader today.

Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

    Thank you, Representative. Will you remark further on the Bill as Amended? Representative Lavielle of the 143rd, ma’am you have the floor.
REP. LAVIELLE (143RD):

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

DEPUTY SPEAKER RYAN (139TH):

Good evening.

REP. LAVIELLE (143RD):

I think there is something that needs to be said and I am not going to dance around it, I am just gonna come right to the point and say it and then I’ll explain a couple of things. I am and have always been and always will be pro-choice and I am voting against this Bill. And I want everybody to know that because the way politics works is sometimes people vote on something one way and then they get a label because of it. Let there be no question in anybody’s mind. I was raised by very conservative parents who raised me pro-choice. It happens folks, it happens. It happens every day and it happened to me and would happen to anybody I would raise. That’s the way it goes. So I think it is important that when I initially heard about this
subject I was very disturbed by it because not only do I think it isn’t the government’s business to get into any of our personal lives it is not anyone else’s business either, no matter what their beliefs are. Whatever they are, I respect them but don’t tell any of us what to do. So I heard, you know, hey if there is an organization that is out there trying to deceive people I’m all against that. I don’t want anything to do with it, stop them. This is unacceptable and I still believe that is unacceptable. Nobody should engage in false advertising, in deceptive things, deceptive operations. So initially I was like, my god, and I was on record saying that. And then come to find out it isn’t clear. We don’t know, there hasn’t been a formal complaint. There is a process for dealing with this and okay, one can argue that maybe a couple of people didn’t know about it but there had to be somebody with tens of thousands of customers or clients or whatever we want to call them, somebody would have lodged a complaint but
nobody did and then there’s the fact that no this recourse isn’t enough, we have to get the Attorney General involved which is pretty ironic given what we did yesterday. I believe that if any, any business, any organization is found to have deceived someone intentionally or through negligence they should be stopped. I think my colleague the Ranking Member of the Public Health Committee, his suggestion that pregnancy centers should display what they do, what they don’t do as should any other business, not just these people but anyone else who takes it upon themselves to deceive people they are claiming to serve, ought to do that. But to structure this entire new statute and focus on one activity when we don’t even yet have the clear evidence that there is a problem simply goes against the grain. But I am going to say it again, that’s the way I feel about this Bill, I don’t think this is a good Bill. But that is what this conversation is about. It’s not about how I feel about anyone’s right to do what they want to do in a pregnancy
because I think they should have whatever right they want and I will stand up for that as long as is live but I’m still gonna vote against the Bill, I just don’t want to see anyone putting a label on somebody because of the way they vote on this Bill because that would be dead wrong. So I hope that was clear and I will not be voting for the Bill this evening. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative France of the 47th District, ma’am. Sir, excuse me, you have the floor.

REP. FRANCE (42ND):

Thank you, Mr. Speaker and I’ve been listening to the debate especially between the good Ranking Member of the Public Health and the fine Chairman and two things brought out in that debate of concern. One is what I call despaired treatment, we’re calling out one type of pregnancy service center and defining it differently than another and in that implication implies that the other could be
deceptive, we’re only gonna call one out. And the second is the attorney’s fees or the Attorney General being able to assess fines and I am very concerned about the fact that gives the power to government and if you look at that process, the government having the power over the individual and then expecting the individual to defend themselves against a relatively infinite power and I’m concerned that in that light, the Clerk is in possession of an Amendment to deal with these two issues. It is LCO 8932. I ask that the Clerk call the Amendment and I be allowed to summarize.

DEPUTY SPEAKER RYAN (139TH):

Will the Clerk please call LCO 8932 which will be designated House Amendment Schedule “C”.

CLERK:

House Amendment Schedule “C” LCO No. 8932 offered by Representative France, Representative Fusco, etal.

DEPUTY SPEAKER RYAN (139TH):

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

REP. FRANCE (42ND):

Thank you, Mr. Chairman and as I opened up with the two concerns that I have listening to the debate this Amendment does two very straightforward things. It eliminates the title of limited service pregnancy center and essentially in fairness applies the same set of practice rule to all pregnancy service centers which I think is appropriate. If we have a pregnancy services center no matter whether they are limited by definition of some people or not they ought to all follow the same guidelines. The second thing it does is it adds to a counter that if upon finding of a court that a pregnancy service center has not violated the provisions in this Bill that they are entitled to recover reasonable attorney fees and costs. Very simple Bill, makes conforming changes in the definition of Sec. 1 to
align with that and I ask when the Amendment is voted on it be vote on by roll.

DEPUTY SPEAKER RYAN (139TH):

Thank you, sir. When the Amendment is voted on it will be taken by roll. Will you care to remark further?

REP. FRANCE (42ND):

Move passage of the Bill, I mean Amendment rather.

DEPUTY SPEAKER RYAN (139TH):

Will you remark further on the Amendment before you? Will you remark further on the Amendment before us? Representative France you all set?

REP. FRANCE (42ND):

I think I summarized the substance. It basically deals with those two issues that I think are of concern of despaired treatment by, there is really an arbitrary definition of what limited is and insure there is equal treatment of all pregnancy service centers related to deceptive advertising and secondly that if the Attorney General brings a case
and he has found that it was unwarranted and it does not prevail that the attorney’s fee and reasonable costs would be provided to the prevailing party.

DEPUTY SPEAKER RYAN (139TH):

Thank you, sir. I have a few names here on the board if you wish to remark on the Amendment, please raise your hand. Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Mr. Speaker it is a basic premise of our democratic society that everyone is supposed to be treated equally. We don’t treat people differently based on their religious beliefs. Now this Bill doesn’t mention religion or faith but it is not fooling anyone. This Bill is directly and squarely directed at religion. This is directly attacking faith-based pregnancy centers. People who deeply believe that the way the world should work under their deeply held religious beliefs is that they should go out, talk to women who are pregnant and explain to them certain options that fit within their religious
beliefs. In our society, under our Constitution the government, the state must not burden or restrict religious conduct. This specifically does, this Bill, conduct where people of a given faith have established a facility where they invite people in, invite women in to discuss options for pregnancy. In our society we must, the state must not burden or restrict religious speech. Well that is what we are talking about doing, telling people that even though it is based on their faith they cannot talk to people and they cannot say certain things because we don’t like it, we don’t like a given religion is saying. In our society under our Constitution we may not, we must not, we shall not burden or restrict nonreligious conduct when it is based on the religion of the person engaging in such conduct. That is exactly what this Bill does. Even if you say putting up a banner on a window or talking to a pregnant woman about how she is, what she is going to do in the next few months is nonreligious. The whole premise of the conduct is that it is being,
that that information is being shared by a religious person for a religious purpose.

It is a basic tenant of our Constitutional Law and it is protected by multiple provisions in our Federal Constitution, our State Constitution and under Connecticut State Law. Those premises that the State shall not burden religion or religious speech or religious conduct. The First Amendment of the United States Constitution we all know protects the right of speech. “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof or abridging the freedom of speech or the press or the right of the people peacefully to assemble and to petition the Government for redress of grievances.” That is the First Amendment. We all learned it in high school, or middle school or even elementary school if we were lucky. And that simple statement protects a lot of the different rights and it’s protected those rights for well over 200 years and it is up to this body not to infringe on those
rights that are protected by that Amendment.

The establishment of religion. What is the establishment of religion and why is it important here? It is important here because what we are doing in this Bill is we are trying to choose which religion is better and we are trying to burden one over the other. Under this Amendment it makes everybody the same. It doesn’t matter what your religion, it is based on your conduct. It is based on what kind of facility you have. Now this Bill tries to pick little things and make it look like it’s choosing nonreligious conduct but I don’t think there is anybody in this Chamber and I’m sure there is nobody in this State who believes that this isn’t directed squarely at religious conduct.

Now the Establishment Clause of the First Amendment wanted to make sure under the establishment clause, the founders wanted to make sure that people could exercise their religion and believe as they wished without oppression. They wanted to make sure that the government couldn’t
chose a religion and couldn’t choose nonreligion over religion. There is also the Free Exercise Clause and under the Free Exercise Clause the state may not restrict or burden the exercise of religion without being subject to very extensive legal scrutiny. So there are reasons why a religion can be burdened. There are instances but it is very, very narrowly tailored and there are rules to it. Rules that don’t exist under this Bill and under this Amendment we don’t need to go through those rules because under the Amendment religion is not called out and is not specifically burdened. So under the Establishment Clause the right to free exercise of religion, the clause not only forbids the government from establishing an official religion which obviously this Bill does not do but it also prohibits government actions that unduly favor one religion over another and specifically it prohibits the government from unduly preferring nonreligion over religion. That’s key because in this instance you could say well people who are, who have
pregnancy centers that are limited service pregnancy centers well they are not engaging in religious belief, they are engaging in nonreligious belief. Fair enough? There are those that would argue that both of them are religions that one is a religion based on a supreme being and one is a secular religion and there is caselaw on that as well. But let’s assume for a second that people who are operating pregnancy centers that provide contraception and abortion. Let’s assume for a minute that they are not religious. That’s fine, they are still an entity that the State under this Bill is preferring to a religious entity. That is a violation of the Establishment Clause. Now originally the Establishment Clause only applied to Congress that when the Constitution was put in place originally the First Amendment only limited the Federal Governments actions but the 14th Amendment was put in place after the Civil War and in 1940 the Supreme Court incorporated through the 14th Amendment the Establishment Clause of the First
Amendment. So now it applies to the State to. So the State of Connecticut under the U. S. Constitution may not burden religious conduct without a level or scrutiny. Now we also have our own State Constitution. And our own State Constitution Article I, Section 3 states, “The exercise and enjoyment of religious profession and worship without discrimination shall forever be free to all persons in this State.” “The religious profession without worship and discrimination shall forever be free to all persons of this State.” That includes the operators of what we are calling limited service pregnancy centers. They have a Constitutional right under both the Federal Constitution and the Connecticut Constitution to freely exercise their religion.

Now there is a right to abortion in this State. We know that. There is also a right to the free exercise of religion. Both competing rights. Neither one of them takes precedent. Neither overrides the other. So to protect the right of
abortion this State may not burden the right to the free exercise of religion and the other way around. So how do we avoid this? How do we prevent one right from taking precedent over the other? We say, treat everybody the same. If we are worried about deceptive advertising say anyone of these places that advertises deceptively is under the same guidelines, follows the same laws and is subject to the same penalties. If you say only the people who are religious are subject to these penalties then we are unfairly and illegally burdening the exercise of religion. Even if it is to protect another Constitutional right, this State must not do so. Now that section of the Connecticut Constitution is further amplified under Connecticut State Law specifically Connecticut General Statues 52-571 (b), 52-571 (b). I didn’t see anything in the underlying Bill, anything about that but it essentially says the state or any political subdivisions of the state shall not burden a person’s exercise of religion under Section 3 of Article First, of the
Constitution of the State even if the burden results from a rule of general applicability except as provided in subsection (b) of this section. So even it burdens, even if the burden results from a rule of general applicability. So even if we pass a law that applies to pretty much everybody, general applicability but it specifically burdens the free exercise of religion in this State under Connecticut State Law that burden would be illegal and this Bill, the underlying Bill does exactly that. This Amendment would prevent that from happening because it would apply equally to everybody.

Now what the State law says is that it is subject subsection (b) of this section. So you look down the next section how is the state allowed to burden the religion? Section (b). The state or any political subdivision of the state may burden a person’s exercise of religion only if it demonstrates that application of the burden to the person (1) is in furtherance of a compelling governmental interest. Compelling governmental
interest. That is the first thing that has to be proven.

DEPUTY SPEAKER RYAN (139TH):

Excuse me, Representative could we at least stick to the Amendment that we’re discussing currently on the floor? You’re running a wee bit afoul of that. We would appreciate if you would go back to the Amendment and discuss that. Thank you.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Mr. Speaker the second part of this which relates directly to the Amendment is that the action has to be the least restrictive means of furthering that compelling that governmental interest. So the Amendment says that everybody is treated equally and it provides a means for the State that is less restrictive than the underlying Bill. That is what’s necessary in order to make this Bill constitutional. So two things, one is furtherance of a compelling governmental interest and two is the least restrictive means possible. Under the Amendment we have that. Under
the underlying Bill we do not. Now another thing that the Amendment does is it changes the definition of pregnancy center and by doing so it eliminates the ambiguity as to what a pregnancy center is. That is important because with that ambiguity what we have is a due process violation and the due process problem is that a limited service pregnancy center would not be able to tell based on the language on the underlying Bill whether it fits under that definition, how it fits within that definition or when it fits within that definition. Without a clear indication to the people who are being burdened of how that Bill, how that law applies to them, they have no way to tell whether their due process rights are being infringed on. We’ve also got the biggest problem is equal protection under the 14th Amendment of the Constitution. This Amendment fixes that problem. This Amendment would fix the inherent 14th Amendment violation of this Bill. Now the First Amendment secures the free exercise of religion, the 14th
Amendment prohibits discrimination including on the basis of religion by securing equal protection of the law for every person. The underlying Bill does not provide for equal protection. This amendment does. This Amendment says we are going to treat everybody the same, everybody who engages in this similar conduct we’re gonna treat the same regardless of their religion. Under this Bill we have a 14th Amendment due process, I mean 14th Amendment Equal Protection problem. Under the Amendment we do not. If we pass this Amendment we can resolve that Constitutional Equal Protection problem. The basis of the equal protection is that under the 14th Amendment, “nor shall any state deny to any person within its jurisdiction the equal protection of the laws” and that’s exactly what the underlying Bill would do. It would deny what we are calling the limited service pregnancy centers equal protection under the law because they would be subject to different penalties and a different procedure through a completely different department
based on their religion. That is illegal and unconstitutional under the U.S. Constitution because under the U.S. Constitution everybody is guaranteed the right to equal process regardless of their religion or regardless of nonreligion. And this Amendment would resolve that. Now when we are trying to determine whether or not there is an equal protection problem on the Bill that would be fixed by this Amendment we need to look at the Supreme Court’s levels of scrutiny. How they look at a given law. So if this Bill were to become law, the underlying Bill to become law, and it were challenged in Court without the Amendment how would it be addressed. How would the Supreme Court look at this? And they would look at it based on certainly levels of scrutiny that the Supreme Court has created. A basic level of scrutiny is that the challenge statute be reasonably related to a legitimate government interest. Would the underlying Bill meet that? Perhaps. We heard testimony that there were, in the Public Hearing we
didn’t hear any testimony of anybody who claimed to have been deceived. Chairman Steinberg numerous times said they are not familiar with anybody who has come forward or any complaints that anyone has been deceived. So perhaps rational basis, perhaps not because the state would still have to prove that there was a legitimate government interest. Under this Amendment that would not apply. We would not have to worry about that if this Amendment went through. The court may also apply intermediate scrutiny. Intermediate scrutiny the state would have to show that the law or policy being challenged furthers and important governmental interest by means that are substantially related to that interest. We don’t have to do that under the Amendment. Would it satisfy that? Perhaps. The problem is that under this Bill, without the Amendment, we would be looking at strict scrutiny. Under strict scrutiny, strict scrutiny is applied whenever a fundamental right is involved. The freedom of religion, the free exercise of religion
is under the U. S. Constitution and under the State Constitution a fundamental right. So without this Amendment this underlying Bill were to become law would have to satisfy strict scrutiny meaning that it must be narrowly tailored to serve a compelling government interest and it must not have, it must be the least restrictive alternative. So narrowly tailored for compelling government interest and the least restrictive alternative. Well the Amendment clearly is a less restrictive alternative. It just says everybody’s treated equally. Doesn’t infringe on a fundamental right so the underlying Bill without this Amendment would not pass strict scrutiny plus the State would still have to show that this Bill was narrowly tailored to serve a compelling government interest, compelling government interest. There have been no recorded complaints. So what is the compelling government interest? There’s no epidemic, there’s no huge rash of people being deceived, there’s not even any complaints. So what’s the compelling government
interest that would survive strict scrutiny without this Amendment. So far I haven’t heard it. By targeting a small group of faith based and religious based entities this State would be in violation of multiple constitutional rights, constitutional amendments. It would not survive; I don’t think even moderate scrutiny by the courts and this Amendment simply makes the provisions and limitations apply to all groups equally. It prevents targeting based on religious beliefs and the Amendment, and with this Amendment the Bill would be constitutional. Without the Amendment this Bill is simply a political attack against a specific group based solely on their religious beliefs.

DEPUTY SPEAKER RYAN (139TH):

Thank you, sir. Will you remark further on the Amendment before us? Will you remark further? If not the Staff and guests please come to. Oh you did want. I’m sorry, sir. I thought you were waving me off. But I would love to hear from you [Laughter]. Please proceed, sir.
REP. STEINBERG (136TH):

I’d very much enjoy the opportunity to waive to the speaker but I would like to comment on this Amendment. Thank you, Mr. Speaker. I vehemently oppose this Amendment. I brought out this Bill as the Chair of the Public Health Committee. My understanding is that this is a Public Health Bill. My understanding is this refers to limited service pregnancy centers because we’re concerned about access to healthcare and in this instance abortion and contraceptive services. I know I’m a little tired, I’ve been through this Bill many times since Amendment was brought forward. I still can’t find any reference at all to religion anywhere in this document. I also want to correct the statement that was made that I have stated over and over again that nobody has had a problem with limited service pregnancy centers. I’ve answered direct questions about whether I’m aware if there have been complaints before DCP which I am not aware. But has been said, there have been a number of people who
have testified before the Public Health Committee in Public Hearing who said they believed they were deceived by the practices of limited service pregnancy center. So I would like to make that clear on the record. Most importantly I believe that this Amendment would fundamentally change the entire intent of the Bill. This has not been about the First or 14th Amendment to this point but I believe this Amendment would make this about the First and 14th Amendment. No one here has in anyway challenged the freedom to religion, freedom of religion but I believe this Amendment would be all about an interpretation of religion that from my point of view has nothing to do with the access to abortion care services which is what this Bill is about. It is a Public Health Bill, it is not a Bill about a religion and I suggest all my colleagues read the Bill carefully and the Amendment carefully and make a determination for themselves what this Bill is about and what its intended to address. This is about Public Health access. I urge my
opponents to oppose this Amendment. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, sir. Will anyone care to remark about the Amendment, House Amendment “C”? Any further remarks about House Amendment “C”? Representative Piscopo. Are you done? Will the Staff and guests 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 RYAN (139TH):

Have all members voted? Have all members voted? Will the members please check the board to insure that their 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:

LCO 8932 as Amended by Designated House “C”

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DEPUTY SPEAKER RYAN (139TH):

House Amendment “C” fails. [Gavel] Will you remark further on the Bill before us as Amended? Will you care to remark further on the Bill before us as Amended? Representative Lanoue of the 45th, sir you have the floor.

REP. LANOUE (45TH):

Thank you, Mr. Speaker. I rise today to comment on HB 7070 and I want to tell a little story. This is a story about a young woman, starting to make her way in the world. She’s young. She moved to the state, had no family with her. Starting out and she then had an unplanned pregnancy.
She was scared, she was nervous, a lot of anxiety rushing to her all at once, a million questions, what do I do, who do I turn to, where can I get help. Questions were very, very natural for a young woman in that situation. Then she heard of a place. That place was called the Women’s Center of Eastern Connecticut. The Executive Director is Jeremy Bradley a constituent of mine. This was that shining facility on the hill if you would, the place she turned to, that she went to. They gave her the pregnancy test to confirm her pregnancy, an ultrasound, offered her parenting classes, had a beautiful wonderful experience. The reason I know this Mr. Speaker, is I had the privilege and opportunity to visit this center in January shortly after I was sworn in as a Representative. The reason I know this story is I spoke to that woman. I spoke to many others who had very similar experiences with this women’s center. The caring volunteers, many of them from my district that volunteer at the women’s center. These women aren’t
charged a dime and these caring facilities don’t receive one single taxpayer dollar, not one. This story has been replicated thousands and thousands of times over from this center and others like it throughout the state. I listened to a lot of the testimony before the Committee. In addition to the services the center providers they have community partner, many of them I talked to, they refer these women to assist with WICK and food, energy costs and employment and get these women going. The community partners have expressed how, what a great partner this women’s center is, what a great need it fills in Eastern Connecticut. I heard testimonials during the Public Hearing on 7070 before the Public Health Committee. Many women repeating the testimonials, all good positive, sterling silver recommendations. All the women I talked to they say they heard of the women’s center not through commercials or fancy advertising but through the recommendations and the word of mouth of other women that were in the same situation that they were in that now have a
beautiful baby, beautiful children. That has been again replicated time and time again for over 30 years. So we have those testimonials and it appears this Bill is a solution in search of a problem.

There was 3:1 in the written testimony before the Committee from what I saw that opposed this Bill. In addition to that I have not heard of anybody who said they were deceived or mislead by one of these centers. So I don’t understand why we’re simply all of a sudden carving out one subset of an industry and holding them to this very onerous standard that makes no sense. My concern is beyond even this particular non-profit industry, this particular group of people. Where’s it gonna go. Are we gonna chose at some point GM over Ford, or steakhouses over pizza restaurants or dairy farmers over corn farmers? And what’s considered advertising? As some of the other good Representatives brought that up, a banner in front of one of these centers letting people know where they are, that’s considered advertising.
I am very, very concerned about where we’re heading with this. I think it’s putting a lot of these centers in jeopardy and I strongly encourage all my colleagues lets reconsider this. Let’s put the brakes on and I recommend that we oppose this Bill as currently drafted. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Senator. Representative Dubitsky of the 47th, sir you have the floor. [Loud mic feedback] Oh, maybe the mic doesn’t work. [Laughter] It’s worth a shot.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Mr. Speaker a few questions for the proponent if I may?

DEPUTY SPEAKER RYAN (139TH):

Please proceed sir.

REP. DUBITSKY (47TH):

Thank you. I have been looking through the definition of pregnancy service center and in Lines 37 through 49 of the Bill as Amended. And it appears to me that there needs to be in order to fit
within its definition at least two things, one is that the provide services and either one of a list of other things and my questions are about what those other things are because in order to determine if a facility is a pregnancy services center they need to be able to determine whether or not they fit with this definition. So on Line 41 and 42 one of those things is that the facility has the appearance of a medical facility by virtue of having two or more of the following factors present.

So through you, Mr. Speaker.

Is it prima facia evidence that a facility has the appearance of a medical facility if it has two or more of the listed factors?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky, this question is directed to Representative Steinberg?

REP. DUBITSKY (47TH):

Yes, Mr. Speaker.
Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I’m just reviewing the language to which the good Representative is referred. If I understand the good Representative’s question correctly it is with reference to the legal definition of prima facia which I am not familiar with not being a lawyer so I would answer I don’t know.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Okay well I will not use the word prima facia evidence cause that is a lawyerly term. I will say if a facility was opening, would they be able to tell if they were going to be considered under this Bill a pregnancy services center if they had two or more of the factors listed?

Through you.
DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I believe the Representative is referring to the appearance of a medical facility by virtue of having two or more of the following factors since we explicitly enumerate what those factors are and they could probably figure out whether at least two of them apply. I guess the answer to your question my answer would be yes it would be possible for them to determine that they would be under the definition of a pregnancy service center.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. So if a facility had two or more of those factors but didn’t look anything like a medical facility would it still be a pregnancy service center?
Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. My reading of this section indicates that those factors would contribute to creating the appearance of a medical facility which is why they were explicitly enumerated. So I believe that informs the appearance of a medical facility.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. I can think of any number of places that would fit within this definition that I’m sure nobody would think has the appearance of a medical facility so I just want to walk through. One, staff or volunteers who wear medical attire and uniforms.

Through you.
Do they have to wear both?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I believe medical attire and uniforms are similar in the meaning. Medical attire could be a uniform or it could be something other than a uniform but if you were wearing a uniform you would be wearing medical attire.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. I note that the word “and” so it would appear to me that that the staff or volunteers would need to wear both medical attire and uniforms and the good Chairman just said that uniforms could be medical attire but medical attire is not necessarily a uniform. Did I get that
correct?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

No I don’t believe I actually said that.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. And I will ask again does, do the staff or volunteers need to wear both medical attire and uniforms cause it uses the word “and” in the statement.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. The reading does say “and” so there for medical attire loosely described would be part and parcel of that definition.
Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Okay and the next one is one or more examination tables. Is there any definition anywhere in this Bill of what an examination table is?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I don’t believe there is a definition explicitly of examination table in this Bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. If there were any other types of examination furniture would that
qualify or do they need to be tables?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I am trying to envision another version of furniture to which this would apply and examination sofa doesn’t seem to be what we’re looking for here so I would say probably a table like piece of furniture would be what we’re talking about.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Now also the next one says a private or semi-private room or area containing medical supplies or medical instruments. So my bathroom has medical supplies and medical instruments and so do most locker rooms. Neither of those could be possibly confused for having the
appearance of a medical facility so if that is one of the factors that makes up the appearance of a medical facility how do we explain areas containing medical supplies and medical instruments that clearly have no appearance of a medical facility? Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Steinberg.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I take the good Representatives point which is why we require two of these factors to define it because it is possible that one might be insufficient.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Okay once again the locker room scenario would come into play in the next one, staff or volunteers who collect health information from clients. Locker rooms that happen
all the time. It just seems like these factors are identified in a way that doesn’t necessarily create the appearance of a medical facility and it seems to be that it would be very difficult for somebody to, even if they saw, two of these elements, even if two of these elements were present then it would be difficult for somebody to determine whether or not they were exuding the appearance of a medical facility. So it seems to me that this section is very vague, so vague that there are a number of examples that would clearly fit within it that have nothing to do with the appearance of a medical facility and it would not make then pregnancy service centers and that is one of the problems with this Bill. It is very vague. So vague that a person of reasonable intelligence would not be able to tell whether or not they fit within this definition. And I go back to Justice Sutherland and statement that, “Statutes must be sufficiently explicit to inform those who are subject to it what conduct on their part will render them liable to its
penalties.” This Bill does not do that. A person of reasonable intelligence could come up with a dozen different scenarios that would fit within these criteria but would have appearance of a medical facility and therefore couldn’t possibly fit within the definition of pregnancy service centers. Now, Mr. Speaker, this Bill should, this law should be under the jurisdiction of Consumer Protection. We have procedures in place that have been in place for decades under Consumer Protection. We have decades of caselaw on deceptive advertising complaints. Everyone knows how that process works. Nobody today so far has given any justification for giving this over to the Attorney General’s Office. In my opinion that decision to put it with the Attorney General is completely political.

Yesterday we have the Attorney General’s Office very broad powers. I don’t know if it’s gone through the Senate yet but it might. We gave the Attorney General’s Office very wide description to investigate and to bring suit against anybody that
it felt was violating somebody’s civil rights. Now yesterday when we talked about the AG Bill I warned that we were giving the Attorney General’s Office political power that it should not have. And now we’re talking about limiting faith based conduct. Now it may not be your preferred faith and it may not be conduct that you approve of based on faith but this Bill will give the AG the power to make that decision. Now the current Attorney General obviously will not be in power forever. The next one might be hostile to your Constitution rights. The next Attorney General might be hostile to your faith. The next Attorney General might seek to limit your ability to engage in conduct that is important to your faith. Yesterday we gave the Attorney General’s Office a great big stick. This Bill gives the Attorney General’s Office the power to beat up a small group with strongly held religious beliefs. If we start giving away our Constitution liberties the next Attorney General might be swinging at you.
DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Palm of the 36th, ma’am you have the floor.

REP. PALM (36TH):

Thank you, Mr. Speaker. Since 1965 we in Connecticut with the enactment of Griswold versus Connecticut have been slowly but inexorably moving toward a day when women have free and full reproductive rights. Amid the discussion of the definitions of examining tables and the numbers of footage from a door and how many people have testified, I personally am getting dozens of e-mails in favor of this Bill, so we could argue all day long about what our constituents want or how many people testified this way or that. My belief is that if even one person is helped by shutting down deceptive advertising practices then we have done our job as lawmakers. This Bill is not about curtailing free speech. It is not about shutting down businesses, it is not about preventing women from getting religious counseling. It is simply
about truth. It is about ending deceptive practices which business whether nonprofit, profit making, volunteer should all abide by. So I stand strongly in support of this Bill so that we do not start marching backward in time because we have come a very long way and I would like to see us continue to go into the future. Thank you, Mr. Chair.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Johnson of the 49th District. Ma’am, you have the floor.

REP. JOHNSON (49TH):

Through you, Mr. Speaker. And I just rise in strong support of this Bill and I want to thank the Chairman and the Committee for working so hard and all the support from the public. It is really important for women who are trying to find out what the right answers are for their, whether they’re pregnant or not. Those kinds of things are really, really important to have the actual facts, to have the truth and again I have to say this really has
absolutely nothing to do with anything but making sure people find out what the truth is. In our society when we have, we put something out there we want to make sure that we are putting out information about health care that is factually based and so for those reasons I really appreciate the good work and I will be voting for this Bill.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Will you remark further on the Bill before us? Representative Hennessey of the 127th, sir you have the floor.

REP. HENNESSY (127TH):

Thank you, Mr. Speaker. Mr. Speaker I just want to rise in support of the Bill. Being a member of the Public Health Committee I sat through a lot of poignant testimony in support of this Bill to protect a vulnerable population that at the time of their lives they need to have solid information and sometimes this doesn’t work out. So I think this is a good Bill and I want to thank the Chairman for his hard work on it.
DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Klarides of the 114th, ma’am you have the floor.

REP. KLARIDES (114TH):

Thank you, Mr. Speaker. Mr. Speaker we’ve heard a lot from all of our colleagues tonight in regard to this Bill and I certainly understand that it is an emotional Bill and it is something that is very near and dear to a lot of people’s hearts. I’ve been very involved with a lot of these issues for many years, in and out of this Building, and I certainly believe and feel strongly about the fact that we should allow women to have as much information as possible in the safest way possible. One of my colleagues talked about pigeonholing certain parties in regards to certain issues and unfortunately we are, we are guilty of that in this State and I am sure in many other states. But unfortunately in Connecticut our political parties don’t exactly correspond with certain issue as they may in other states. So no one should take a no-
vote on this Bill as being anti-woman, as being
anti-choice as quite frankly being anti-anything.
We heard two Amendments today, one of them kept the
control and enforcement of deceptive practices for
these particular centers within the Department of
Consumer Protection. And what it did was took all
the ability that we are trying to bestow upon the
Attorney General for what reason I don’t know with
Consumer Protection. The other Amendment said if we
really care about deceptive practices in this State
then we will make sure every one of these types of
organizations are covered, not just one, because we
want to make sure women are protected and that would
mean by definition that any group that is involved
in any of these types of issue should be subject to
this Bill.

Another very serious concern in this Bill is
moving this type of enforcement from Consumer
Protection to the Attorney General’s Office. After
yesterday’s Bill what else are we gonna give the
Attorney General to do. He is gonna make us dinner
next? What else does he want to do? We have different responsibilities in this Building and throughout State government. I don’t really understand what the big push to add to his responsibilities are when it is being sufficiently handled in Consumer Protection and there was an Amendment called today that would have made sure that was the case. I still do not understand the reason for not making this a comprehensive Bill. If this Bill were going to go forward there is no reason it needs to go into the Attorney General’s auspices and there is no reason that if we really care about protecting women and deceptive practices and I don’t know anybody, anybody regardless of party, gender, religion that doesn’t wholeheartedly agree if somebody is being deceptive they should be notified, they should have to fix it and if they don’t they should be punished. But this Bill is addressing one group. Why is it not addressing all groups? One of our colleagues mentioned if we are to get rid of these deceptive practices, we have
done our jobs. I couldn’t agree more. Then why are we not including all groups in the deceptive practices group? This group is pigeonholing and it is changing the control of enforcement for no reason. If you want to protect women in this State and make sure people have the proper information, the accurate information and not be deceptive make this a comprehensive Bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Madam Minority Leader. Representative Ritter of the 1st District, sir you have the floor.

REP. RITTER (1ST):

Thank you, Mr. Speaker and I will be very brief in my remarks. I will just say that this issue really came to light in the City of Hartford that I represent. There is actually a lawsuit that has taken place because of that, because of an ordinance the City felt was necessary and the bottom line was that women were being deceived in many cases women for which English might have been a second language,
relatively new to the City, perhaps not the same resources as other people and the feeling was that they were not getting proper medical treatment, care and information and so there was response to that both at a local level and that grew into a state level. My last parting thought on all of this is there is an underlying theme to a lot of this discussion and we see it across the country, we saw some shocking things last night and we continue to see laws. So I would sum all this up with saying that I thing the most important, at least from my personal opinion that underlines all the things that we are sort of talking about even though we are talking about centers it relates back to one thing and in my opinion that’s a woman’s choice. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, sir. Would Staff and guests please come to the Well of the House. Will the Members 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.

DEPUTY SPEAKER RYAN (139TH):

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

The Clerk will announce the tally.

CLERK:

House Bill No. 7207 as Amended by House “A”

Total Number Voting 144
Necessary for Passage 73
Those voting Yea 81
Those voting Nay 63
Absent not voting 7

DEPUTY SPEAKER RYAN (139TH):

The Bill as Amended is passed [Gavel]. Are
there any announcements or introductions? Hearing none will the Clerk please call Calendar 115.

CLERK:

On Page 9, Calendar 115 Substitute House Bill No. 7226, AN ACT ESTABLISHING A PILOT PROGRAM TO PROVIDE INCENTIVES FOR EDUCATORS TO LIVE IN CERTAIN MUNICIPALITIES. Favorable Report of the Joint Standing Committee on Housing.

DEPUTY SPEAKER RYAN (139TH):

Representative McGee you have the floor, sir.

REP. MCGEE (5TH):

Good evening, Mr. Speaker. Mr. Speaker I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill.

DEPUTY SPEAKER RYAN (139TH):

Question is Acceptance of the Joint Committee's Favorable Report and Passage of the Bill.

Representative McGee you continue to have the floor.

REP. MCGEE (5TH):

Thank you so much, Mr. Speaker. Mr. Speaker the Clerk has an Amendment LCO 8750 I would ask the
Clerk to please call the Amendment and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER RYAN (139TH):

Will the Clerk please call LCO 8750 which will be designated House Amendment Schedule “A”.

CLERK:

House Amendment Schedule “A” LCO 8750 offered by Representative Currey, Senator Anwar and Representative McGee.

DEPUTY SPEAKER RYAN (139TH):

Representative seeks leave of the Chamber for summarization. Is there objection to summarization? Is there objection, hearing none, Representative McGee you have the floor.

REP. MCGEE (5TH):

Thank you so much, Mr. Speaker. The Amendment strikes the underlying Bill and its associated fiscal impact. The Amendment allows municipalities to establish as well as implement programs to address the housing needs of teachers and other school employees. A municipality that choses to
establish such program would incur a cost to administer the program however any other impact to the municipality would vary based on implementation of the program. Move adoption.

DEPUTY SPEAKER RYAN (139TH):

Question before the Chamber is adoption of House Amendment Schedule “A”. Will you remark on the Amendment? Representative Ackert of the 8th, sir you have the floor.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. I though the Ranking Member might speak on the Amendment prior. I’m sorry if I pushed my button out of turn. To the good gentleman, I read the testimony and the intent of the original Bill and it seemed to focus on areas that we would like our teachers to have the opportunity in certain municipalities to move into. Does the term “any” seem to fulfill the original intent of the legislation?

Through you, Mr. Speaker.
DEPUTY SPEAKER RYAN (139TH):

Representative McGee.

Through you, Mr. Speaker.

And I appreciate the good gentleman’s question in regards to the original intent of this Bill. To answer your question directly we are really seeking to take a look at alliance districts in addition to any other district that might be interested in taking advantage of this particular initiative. And one might say what is an alliance district? An alliance district invests in Connecticut’s 33 lowest performing districts which is available in the Connecticut General Statute section 1026-2u. It establishes the processes for identifying the alliance districts and allocating an increased ECS funding to support district’s strategies to increase student outcomes.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Ackert.

REP. ACKERT (8TH):
Thank you, Mr. Speaker and I appreciate the answer by the good gentleman. And I would think that instead of the term “any” that we would say “alliance districts” because I believe the original intent was to try to have that focus be on districts that we would encourage teachers to live in that district that to me was, I thought, the original intent of the legislation was and I’m in a manner disenchanted with what we came up with here because I know we have similar processes that we had in law enforcement that we would encourage to live in similar districts that would, you know, kind of have that feel of community and understanding of those areas and so I can say from all the testimony I heard and the original intent of the Bill that I think that this does not reach the original intent of the Bill and I’m sorry to see that this is how the language is.

Through you, Mr. Speaker.

Thank you though to the good gentleman for the answers and he is welcome to respond, please to that
comment. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Do you wish to respond to that comment, Representative McGee?

REP. MCGEE (5TH):

No.

DEPUTY SPEAKER RYAN (139TH):

Okay. 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.

DEPUTY SPEAKER RYAN (139TH):

Opposed. Nay. The Ayes have it. The Amendment passes. [Gavel] Will you remark further on the Bill as Amended before us? Representative Dauphinais of the 44th, ma’am you have the floor.

REP. DAUPHINAIS (44TH):

Thank you, Mr. Speaker. A few comments to the proponent of the Bill.
DEPUTY SPEAKER RYAN (139TH):

Please proceed.

REP. DAUPHINAIS (44TH):

Thank you. I do believe that initially it was for alliance districts and I believe that the Amendment changed it to expand it to any municipality but it took out the piece for alliance districts. So I would have preferred that the alliance district maintain in the original Bill so for that reason I won’t be supporting the Bill. Thank you.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Will you remark further on the Bill before us, yeah on the Amended Bill before us? Excuse me. Representative Smith of the 108th, sir.

REP. SMITH (108TH):

Thank you, Mr. Speaker.

Just through you.

To the good Chairman of Housing. I’m wondering why the change was made from the alliance districts
to any municipality.

DEPUTY SPEAKER RYAN (139TH):

Representative McGee.

REP. MCGEE (5TH):

Through you, Mr. Speaker.

We realized that it had, carried a huge fiscal note and so what we wanted to do was really take a look at what is currently being done in municipalities like Bridgeport, like Hartford and other places where they are welcoming what we are calling Teacher’s Corners.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Smith.

REP. SMITH (108TH):

And does the current Amendment as proposed also have a fiscal impact to the State?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative McGee.

REP. MCGEE (5TH):
Through you, Mr. Speaker.

It does not.

DEPUTY SPEAKER RYAN (139TH):

Representative Smith.

REP. SMITH (108TH):

And would the current, would the municipalities have the right to do what is being proposed in this Bill without his legislation?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative McGee.

REP. MCGEE (5TH):

Through you, Mr. Speaker.

If you don’t mind, please repeat the question?

DEPUTY SPEAKER RYAN (139TH):

Representative Smith would you please repeat the question.

REP. SMITH (108TH):

Would the municipalities have the ability to do what is being called for under this Bill without this legislation?
Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative McGee.

REP. MCGEE (5TH):

Through you, Mr. Speaker.

No.

DEPUTY SPEAKER RYAN (139TH):

Representative Smith.

REP. SMITH (108TH):

So I’m wondering why then a municipality would not be able to promote public and private partnerships, foster innovative financing opportunities, what’s prohibiting the municipalities currently from doing that?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative McGee.

REP. MCGEE (5TH):

Through you, Mr. Speaker.

I’m not certain that anything is prohibiting any municipality from creating these opportunities
to and engage with teachers who are interested in moving in certain municipalities. However it creates more of an opportunity if you would for municipalities to take advantage of concepts, models, etc. that’s already been taking place in certain areas and as a State we look forward to many opportunities where we can create and I had that I am using opportunity, but it creates opportunities for us to engage, attract talent to areas throughout the State in addition to addressing blighted property in many neighborhoods and, you know, quite frankly we know that most schools or school districts in certain areas lack the talent needed and this is a great opportunity to take advantage of that.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Smith.

REP. SMITH (108TH):

I thank the Chairman for his answers. Mr. Speaker, I don’t necessarily agree that this Bill
accomplishes that. I think that the Bill we actually heard in Committee targeted certain districts and were we identified a need to encourage our teachers to go into our inner-cities, incentivize them to provide housing so that they would live there and teach there and be role models to our students. I thought that was a good idea. I actually supported the Bill in Housing based on that idea. Today’s Bill seems to get away from that concept. It just says to municipalities if you would like to do this, you can do this, but without any real promotion behind it, any real reason behind it. Perhaps this should have been a study to look at how else we could have done it even though we do too many studies, but I think the original concept was good. I supported the original concept. I’ll listen to the debate and decide whether we actually get there with this Bill but I think currently what is being proposed in this Amendment, with all due respect, can’t currently be done by our towns and cities. So thank you, Mr. Speaker and thank the
Chairman for his answers.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Will you remark further on the Amended Bill before us? Will you remark further on the Amended Bill before us? Representative McGee.

REP. MCGEE (5TH):

Yes, sir. I would have to slightly pushback on the good colleague. I think by supporting such a measure with its Amendment would help to facilitate these opportunities on a municipal level. I don’t actually see it, it’s not being done currently so I do think this would be a great opportunity for us to engage municipalities and really to recruit great talent to move into many of our most neediest areas.

DEPUTY SPEAKER RYAN (139TH):

Thank you, sir. Will you remark further on the Bill as Amended? Will you remark further on the Bill as Amended? 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.

DEPUTY SPEAKER RYAN (139TH):

Have all members voted? Have all members voted? Will the members please check the board to insure that their vote is properly cast. If all members have voted, the machine will be locked. And the Clerk will take a tally.

The Clerk will announce the tally.

CLERK:

House Bill No. 7226 as Amended by House "A"

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DEPUTY SPEAKER RYAN (139TH):
The Bill as Amended is passed. [Gavel] Will the Clerk please call Calendar No. 131.

CLERK:

On page 61, Calendar 131, Substitute House Bill No. 6291 AN ACT CONCERNING PROTECTIONS FOR CERTAIN GROUP CHILD CARE AND FAMILY CHILD CARE HOMES. Favorable Report of the Joint Standing Committee on Planning and Development.

DEPUTY SPEAKER RYAN (139TH):

Representative McGee you have the floor, sir.

REP. MCGEE (5TH):

Good evening, Mr. Speaker. I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill.

DEPUTY SPEAKER RYAN (139TH):

The Question is Acceptance of the Joint Committee's Favorable Report and Passage of the Bill. Representative McGee you have the floor.

REP. MCGEE (5TH):

Mr. Speaker the Clerk has an Amendment LCO 8819, I would ask the Clerk to please call the
Amendment and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER RYAN (139TH):

Will the Clerk please call LCO 8819 which will be designated House Amendment Schedule “A”.

CLERK:

House Amendment Schedule “A” LCO NO. 8819 offered by Representative Lemar, Representative McGee.

DEPUTY SPEAKER RYAN (139TH):

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

REP. MCGEE (5TH):

Thank you, Mr. Speaker. The Amendment eliminates the potential loss of State aid to municipalities in the underlying Bill. The Amendment also does so by eliminating the penalty that was established by the underlying Bill for
failing to comply with specified zoning statues. The Amendment also requires municipalities to submit to the Office of OPM Policy and Management Statement that either certifies compliance with certain zoning regulations or to describe or describes the timeline in which the municipality expects to be in compliance with such regulations. This has no fiscal impact and it also provides an opportunity for municipalities to sort of redirect and do some good work. I move adoption.

DEPUTY SPEAKER RYAN (139TH):

Question before the Chamber is Adoption of House Amendment Schedule “A”. Will you remark on the Amendment? Will you remark on the Amendment? Representative Dauphinais of the 44th, ma’am you have the floor.

REP. DAUPHINAIS (44TH):

Thank you, Mr. Speaker. I want to say the Amendment does improve the underlying Bill and I’ll save my further comments for the Bill when it comes up. Thank you.
DEPUTY SPEAKER RYAN (139TH):

Will you remark further on the Amendment before us? Will you remark further on the Amendment before us? If not, I would try your minds. All those in favor signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER RYAN (139TH):

Opposed. The Ayes have it. The Amendment is passed [Gavel]. Will you remark further on the Bill as Amended? Will you remark further on the Bill as Amended? Representative Dauphinais.

REP. DAUPHINAIS (44TH):

Thank you, Mr. Speaker. I have a few questions for the proponent of the Bill.

DEPUTY SPEAKER RYAN (139TH):

Please prepare yourself Representative McGee.

REP. DAUPHINAIS (44TH):

Through you, Mr. Speaker.

Has the Department of Housing weighed in on this?
DEPUTY SPEAKER RYAN (139TH):
Representative McGee.

REP. MCGEE (5TH):
Through you, Mr. Speaker.
Yes.

DEPUTY SPEAKER RYAN (139TH):
Representative Dauphinais.

REP. DAUPHINAIS (44TH):
Thank you, Mr. Speaker. Why are we requiring annual certification?
Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):
Representative McGee.

REP. MCGEE (5TH):
Through you, Mr. Speaker.
This annual recertification essentially just allows movement toward municipalities on their own right to address whatever items that are not in compliance with respect to this underlying Bill. And there is no real mandate, again it is allowing for municipalities to just say, hey this is what
we’re doing, this is what we plan to do and.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dauphinais. Excuse me.

REP. DAUPHINAIS (44TH):

Thank you, Mr. Speaker.

And through you.

Do we require a municipality to submit similar sworn statements to the State regarding other provisions of Chapter 124?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative McGee.

REP. MCGEE (5TH):

Through you, Mr. Speaker.

I am not aware.

DEPUTY SPEAKER RYAN (139TH):

Representative Dauphinais.

REP. DAUPHINAIS (44TH):

Thank you, Mr. Speaker.

And through you.
Can you please describe the difference between a family child care and a group child care?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative McGee.

REP. MCGEE (5TH):

Through you, Mr. Speaker.

Definitely a great question and one I had to get an answer on as well. So the difference between a family child care home and a group child care home is a family child care home is for one to six fulltime children. And a group child care home is for seven to twelve fulltime children. The caregivers own children are ordinarily included in the maximum number of children.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Dauphinais.

REP. DAUPHINAIS (44TH):

Thank you, Mr. Speaker. And just a few comments. Current law prohibits zoning regulations
from prohibiting family daycare centers. This Bill will prevent them from prohibiting group day care centers as well. Landlord and homeowners will be unable to prevent a tenant from operating a family daycare if they chose. This is an expansion of current mandate and a further erosion of local and individual control and I urge my colleagues not to support the Bill. Thank you.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Smith of the 108th, sir you have the floor.

Representative Smith.

REP. SMITH (108TH):

Thank you, Mr. Speaker. You know I was reminded by the good Chairman of Housing that I haven’t complimented him on the great job that he did as the Housing Chairman and I want to commend him for this Bill especially striking sections 5, 6 and 8 which I found to be a little onerous with our municipalities. So I want to commend the Chairman for listening to some of the comments at the
Committee level and bring this Amendment out which I strongly support. So thank you, Mr. Speaker and thank you to the good Rep for doing a fine job in Housing. How was that?

REP. MCGEE (5TH):

That was perfect. [Laughter]

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Will you remark further on the Bill before us as Amended? Will you remark further on the Bill before us as Amended? 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.

DEPUTY SPEAKER RYAN (139TH):

Have all members voted? Have all members voted? If all members have voted please check the
board and 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 No. 6291 as Amended by House “A”

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DEPUTY SPEAKER RYAN (139TH):

The Bill as Amended is passed. [Gavel] Will the Clerk please call Calendar No. 395.

CLERK:

On Page 34, House Calendar 395, House Bill No. 5820 AN ACT ESTABLISHING A TASK FORCE TO STUDY RANKET-CHOICE VOITING Favorable Report of the Joint Standing Committee on Government Administration and Elections.

DEPUTY SPEAKER RYAN (139TH):
Representative Elliott, sir you have the floor.

REP. ELLIOTT (88TH):

Thank you, Mr. Speaker. I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill.

DEPUTY SPEAKER RYAN (139TH):

Question before the Chamber is Acceptance of the Joint Committee's Favorable Report and Passage of the Bill. Representative Elliott you continue to have the floor.

REP. ELLIOTT (88TH):

Thank you, Mr. Speaker. The Clerk has Amendment LCO 8793. I would ask the Clerk to please call the Amendment and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER RYAN (139TH):

Will the Clerk please call Calendar, I’m sorry. Will the Clerk please call LCO 8793 which will be designated House Amendment Schedule “A”.

CLERK:

House Amendment Schedule “A” LCO No. 8793
offered by Representative Fox, Representative Elliott.

DEPUTY SPEAKER RYAN (139TH):

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

REP. ELLIOTT (88TH):

Thank you, Mr. Speaker. This Bill is just a task force, there is no cost. It would last for about one year going up to March 1st of next year. The whole idea is they will be studying a whole new way of voting in Connecticut. This would be for both Federal, State and municipal elections. Essentially the way that would work is that we would be voting on people not passed on plurality but based on majority. So you would be voting not just one person but for people based on a rank. Essentially what would happen is if somebody does not hit 50 percent plus one the person who is in
last place would lose all those votes and if you voted for that person, your next vote would go and be counted. Essentially what is going to happen is we are going to keep on doing this for enough voting until we have one person with 50 percent plus one and that way we would make sure that whoever actually gets elected would have a mandate by the voters and we would avoid the spoiler effect to it and ensure that we would have better elections in terms of people not being hypercritical of each other and it’s already been passed in Maine. They successfully saw this done federally in 2018 and our machines are ready for this and as soon as we figure out some various implementation issues in terms of constitutionality and terms of whether or not this is going to work with CEP, in terms of fusion voting that is the whole point of this task force and I move for adoption.

DEPUTY SPEAKER RYAN (139TH):

Question before the Chamber is adoption of House Amendment Schedule “A”. Will you remark on
the Amendment? Will you remark on the Amendment? If not, I would try your minds. All those in favor of the Amendment signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER RYAN (139TH):

Opposed, nay. The ayes have it.

REPRESENTATIVES:

Nay.

DEPUTY SPEAKER RYAN (139TH):

[Laughter] The Chair is in doubt. We will have a roll call vote. 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 RYAN (139TH):

Have all members voted? Have all members voted? Will members please check the board to
insure that 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 announce the tally.

CLERK:

House Amendment Schedule “A”

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DEPUTY SPEAKER RYAN (139TH):

The Amendment passes. Will you remark further on the Bill as Amended? Will you remark further on the Bill as Amended? Representative France of the 42nd, sir you have the floor.

REP. FRANCE (42ND):

Thank you, Mr. Speaker. A few questions for the proponent of the Bill.

Through you.

DEPUTY SPEAKER RYAN (139TH):
Please proceed, sir.

REP. FRANCE (42ND):

Thank you. And I understand the proponent gave a rather short abbreviated definition of the rank-choice voting. If he could kind of elaborate on that so that the members who didn’t have the benefit of the Public Hearing to understand it is a relatively new concept and can kind of elaborate on how the process would work and how it would be implemented.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Elliott.

REP. ELLIOTT (88TH):

Through you, Mr. Speaker.

The way this would work is if you imagine that you have three candidates in the race. Instead of voting for one of those candidates you would vote for all three of them in different order in a ranked order so, you have A, B and C and you rank them in that order, it turns out that you want to get to 50
percent plus one. So let’s say A got 40 percent, B got 40 percent but C got that 20 percent, all the people that voted for C all their votes would then go to that second person that they voted for, so then you would eventually get to let’s say 55 percent and 45 percent for A and B and then the election would be over. The whole goal of this is that you cannot win by plurality, you have to win by over 50 percent.

DEPUTY SPEAKER RYAN (139TH):

Representative France.

REP. FRANCE (42ND):

I thank you for that answer. That kind of gives the concept and I think that kind of provides some context for it. And I think that the proponent mentioned the State of Maine, where else has rank-choice voting been used in the United States?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Elliott.

REP. ELLIOTT (88TH):
This has mainly been used by parties and by various municipalities across the U. S.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative France.

REP. FRANCE (42ND):

I thank you for that and I can see the benefit in local municipalities where you have a large number of candidates and then you want to not have the ongoing vote in the process. You mentioned the State of Maine, what was the outcome of that process in the State of Maine?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Elliott.

REP. ELLIOTT (88TH):

I believe the rollout wasn’t as clean as it could have been, I think there were some issues but by-in-large across the U.S. when rank-choice voting is used people find that it is up to what they desire.
Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative France.

Thank you for that. As I recall the one candidate was ahead but didn’t reach the 50 percent and then the other candidate ended up with the above 50 percent and as I recall there was a challenge, legally but it was not pursued beyond that so I think in the opening remarks the proponent made was a question of constitutionality and.

Through you, Mr. Speaker.

Has the constitutionality of his concept been addressed?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Elliott.

REP. ELLIOTT (88TH):

Unless I misunderstood the question, the point of this task force is to determine whether or not this would be constitutional.

DEPUTY SPEAKER RYAN (139TH):
Representative France.

REP. FRANCE (42ND):

Thank you for that. I’m not certain the task force would have the authority to determine constitutionality. I believe by our process that would be done in the Court System. I guess I’m asking has it ever been presented before a court and ruled on, the constitutionality, whether it has gone through the Supreme Court or not?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Elliott.

REP. ELLIOTT (88TH):

Through you, Mr. Speaker.

Could you repeat the question?

DEPUTY SPEAKER RYAN (139TH):

Representative France, can you repeat the question?

REP. FRANCE (42ND):

Absolutely. What I was asking was has this ever been tested in the Courts to determine whether
it is constitutional. I don’t believe a task force has the authority, they can opine on whether something is constitutional or not, they could give, you know, their feeling or sense or make a supposition but the Courts are really the rulers if something is constitutional or not and I am asking has there ever been a court case to determine the constitutionality of this method of voting?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Elliott.

REP. ELLIOTT (88TH):

Through you, Mr. Speaker.

I would be perfectly fine with this task force just opining and not making a hard and fast rule as to constitutionality.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative France.

REP. FRANCE (42ND):

I guess I will take that as there has not been
a constitutional assessment of this as of yet as I pointed out the election in the State of Maine did not read rise to that and was not pursued through its full recourse and the winner was installed and sworn in. As we move on through one of the changes in one of the previous amendments where we got to this final one, was to be more specific to some of the appointments that were made from the legislature and in section (b)1 Lines 18 through 22 they talk to the speaker of the house, one of the Representatives that will appointed will be from the Center for Voting Technology Research at UConn. What experience does the Center of Voting Technology Research have in rank-choice voting?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

 Representative Elliott.

REP. ELLIOTT (88TH):

 Through you, Mr. Speaker.

 I imagine they have experience through a wide range of different types of voting so I can’t image
this would be too much different.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative France.

REP. FRANCE (42ND):

Thank you for that answer and I guess more specifically have they issued any research papers, studies that you’re aware of, any written correspondence or any pontificate at all on rank-choice voting as to its merits or not?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Elliott.

REP. ELLIOTT (88TH):

Through you, Mr. Speaker.

Not to my understanding but I believe that since what the do is specifically look at different types of voting that this is directly in line with what they are trying to accomplish.

Through you, Mr. Speaker. .

DEPUTY SPEAKER RYAN (139TH):
Representative France.

REP. FRANCE (42ND):

I thank you for the answer, I think the proponent is accurate. I think they could certainly rise to the challenge and pursue this endeavor. As we move on to Lines 27 through 29 and we’re looking for the majority leader of the Senate and one that has been involved with implementation of rank-choice voting in a jurisdiction outside of this State, the proponent made the statement that other than the State of Maine the only places that its been used is in municipal elections and I would argue that municipal elections are substantially different from state or federal elections. So given that there is only one State that has implemented this I am curious as to where we think we are going to get a representative individual who is I guess quality experience in rank-choice voting since even the proponent acknowledged that the rollout in the State of Maine was not optimal is how I would put it?

Through you, Mr. Speaker.
DEPUTY SPEAKER RYAN (139TH):

Representative Elliott.

REP. ELLIOTT (88TH):

Through you, Mr. Speaker.

Because this task force is looking at both federal, state and municipal elections I believe that anybody who is involved with any sort of rank-choice voting on any level could be involved with it, that would include Maine but it could also include places in California. It is more likely than not we would be going through someone in Maine because it is so close but I believe we will leave that up to the majority leader of the Senate.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative France.

REP. FRANCE (42ND):

Thank you for that answer and while I agree that is experience in rank-choice voting at the local level I see that if we look at our municipal elections even in our own state, they are
substantially different in structure and operation that, you know, state and federal elections and there is great latitude in many cases across the country for local municipalities to run their elections how they chose to. Some run them by the traditional voting methods, some run them you know literally be a caucus process. But when we get to state and federal elections we not intersect with you know, both state law and federal law and I guess the question I would have is we brought somebody in that only had municipal experience how would we expect them to be familiar with the state or federal law with respect to this?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Elliott.

REP. ELLIOTT (88TH):

Through you, Mr. Speaker.

Because this is only one person of the entire group of people that would be on the task force. I don’t believe they would have to have full
understanding of every aspect of this, it’s just bringing what they own expertise is.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative France.

REP. FRANCE (42ND):

Thank you for that answer and I agree I think there is some merit there. I just, the challenge like I said, we’re trying to roll it out at a higher level and we didn’t roll it out in Maine in an optimal way that there is a lot of experience to understand some of the ideocracies to make sure we get it right. I’ll move on just finally in closing, I would like to thank the proponent for this final amendment that actually set a date certain, as on the last Bill, last line of the Bill we have set when the report is issued or March of 2020 which is ever earlier and such that if the task force is unable to complete it task by the assigned time it would come back to the Committee and make the case for an extension and I want to thank the proponent
for considering that and with that, that’s all the questions I have. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, sir. Representative Carney of the 23rd District, sir you have the floor.

REP. CARNEY (23RD):

Thank you very much, Mr. Speaker. Just a couple of questions to the proponent of the Bill.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Please proceed

REP. CARNEY (23RD):

Thank you. My first question, I’m just curious if within this task force there will be any discussion about potentially making rank-choice voting a Constitution Amendment so we would actually give the people of this State and opportunity to vote on the question?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Elliott.
REP. ELLIOTT (88TH):

Through you, Mr. Speaker.

This is a fairly broad expanse of what the task force can be looking at so I imagine that the answer would be yes to that question.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Carney.

REP. CARNEY (23RD):

All right, thank you very much. I appreciate that answer because that is how they did actually implement rank-choice voting in Maine and so I would hope that, you know, whatever this task force develops that it would be the same way they would attempt them to do it here in Connecticut as well to give the people of the State an opportunity to weigh in.

And through you.

Just as a second question, regarding the appointments by the speaker of the House, I am just curious why we need an advocate for the adoption of
rank-choice voting, why is it specific in there, why can’t we just have various people, why we have somebody already who wants it on the task force? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Elliott.

REP. ELLIOTT (88TH):

Through you, Mr. Speaker.

The concern would be that if we don’t have an advocate there might not be a driving force to ensure that there are timely meetings and people get their work done.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Carney.

REP. CARNEY (23RD):

I appreciate the response to my question. I would suggest possibly that maybe have a balance on their that we may also have somebody who may not support it or may want to go about a different strategy for this. I do appreciate the good
proponent of the Bills responses to my questions.

Thank you very much, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

    Thank you, Representative. Will you remark further on the Bill as Amended? If not 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.

DEPUTY SPEAKER RYAN (139TH):

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

    The Clerk will announce the tally.

CLERK:

    House Bill No. 5820 as Amended by House "A"
Total Number Voting 145
Necessary for Passage 73
Those voting Yea 75
Those voting Nay 70
Absent not voting 6

DEPUTY SPEAKER RYAN (139TH):

The Bill as Amended is passed. [Gavel] Are there any announcements or introductions?
Representative Hall of the 7th, sir you have the floor.

REP. HALL (7TH):

Yes, Mr. Speaker I would like to change my vote to the affirmative.

DEPUTY SPEAKER RYAN (139TH):

Sir, there will now be a transcript notation, you can note if for the transcript.

REP. HALL (7TH):

Thank you.

DEPUTY SPEAKER RYAN (139TH):

Representative Gibson.

REP. GIBSON (15TH):
Mr. Speaker, do to a quick trigger finger up there, I would like to change my vote to the affirmative.

DEPUTY SPEAKER RYAN (139TH):

Okay, there will be a transcript notation, sir. And Representative Winkler.

REP. WINKLER (56TH):

Yes, Mr. Speaker I would like to change my vote to the affirmative.

DEPUTY SPEAKER RYAN (139TH):

Again it will be a transcript notation. Thank you, sir. Are there any other introductions or announcements? Hearing none will the Clerk please call Calendar No. 292.

CLERK:


DEPUTY SPEAKER RYAN (139TH):

Will the Clerk please call Calendar 292. Oh,
you did, I’m sorry. Okay, Representative D’Agostino. You have the floor, sir.

REP. D'AGOSTINO (91ST):

Thank you, Mr. Speaker. I believe I’m moving for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill that was previously called. [Laughter]

DEPUTY SPEAKER RYAN (139TH):

The Question is Acceptance of the Joint Committee's Favorable Report and Passage of the Bill. Representative D’Agostino you have the floor.

REP. D'AGOSTINO (91ST):

Thank you, Mr. Speaker. This Bill, I would like to thank our Ranking Member Representative Cheeseman for bringing this to the attention of the Committee as we try to move everybody into the 21 Century with respect to commerce in this State. Obviously there are some members who are being left behind, there is a significant portion of the population that is unbanked. They don’t have access to credit cards or debit cards so this Bill insures
that in retail, in person transitions only in the State you cannot refuse a cash paying customer. It is as simple as that and does exclude obviously the types of transactions that you wouldn’t expect to be able to handle in cash such as internet commerce transactions, etc. Again only retail, in person transactions in State so that if somebody doesn’t have a credit card, doesn’t have a debit card, doesn’t have a check, doesn’t have an alternative way of paying and there are significant members of our population who are in that situation, they can pay by cash. And I do urge my colleagues to support the Bill.

DEPUTY SPEAKER RYAN (139TH):

Thank you, sir. Will you remark further on the Bill before us. Will you remark further? Representative Cheeseman of the 37th. Ma’am you have the floor.

REP. CHEESEMAN (37TH):

Thank you, Mr. Speaker. And the good Chairman
did a very apt description of the Bill. The Clerk has in his possession an Amendment LCO No. 8955. I would ask the Clerk to please call that Amendment and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER RYAN (139TH):

Will the Clerk please call LCO 8955 which will be designated as House Amendment Schedule “A”.

CLERK:

House Amendment Schedule “A” LCO No. 8955 offered by Representative Cheeseman.

DEPUTY SPEAKER RYAN (139TH):

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

REP. CHEESEMAN (37TH):

Thank you, Mr. Speaker. It is a very simple Amendment. It strikes Lines 18 through 20 inclusive which outlined a possible violation of the Consumer
Unfair Trade Practices Act. It was viewed that this might be a business unfriendly part of the Bill and so that is removed and the other change is subsection (c) is then relabeled as subsection (b). And I move adoption.

DEPUTY SPEAKER RYAN (139TH):

The question before the Chamber is Adoption of House Amendment Schedule “A”. Will you remark on the Amendment. Representative D’Agostino.

REP. D'AGOSTINO (91ST):

Thank you, Mr. Speaker. I just again thank Representative Cheeseman. This is a friendly Amendment. I urge my colleagues to support it.

DEPUTY SPEAKER RYAN (139TH):

Will you remark further? Will you remark further on the Amendment before us? If not I would try your minds. All those in favor say, Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER RYAN (139TH):

Opposed, nay. The Ayes have it and the
Amendment is adopted. Will you remark further on the Bill as Amended? Will you remark further on the Bill as Amended? Representative Fishbein of the 90th District, you have the floor, sir.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker and good evening. If I may just a few questions for the proponent.

DEPUTY SPEAKER RYAN (139TH):

Please proceed, sir.

REP. FISHBEIN (90TH):

Thank you. I know in Lines 21 through 23 of the original Bill which I expect is going to get moved up because of the Amendment, that we are empowering the Commission of the Department of Consumer Protection to adopt regulations to implement the provisions of this section and I must ask, what regulations are gonna be necessary to implement this?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative D’Agostino.
REP. D'AGOSTINO (91ST):

Through you, Mr. Speaker.

I would say that I can’t speak for the Department and will obviously go through the Regs review process but since we’ve taken out the CUTPA section, we want this to have some sort of teeth at the end of the day. There is no penalty in their right now with the CUTPA part removed so I think we leave it to the department to police this is some fashion. You know my guess is we’re not talking about significant penalties but I am sure they will come up with some sort of monitoring system or at least a complaint tracking system so that we can find out if people are complying with it or not. We leave it to the Department to come up with that and through the Regs Review Process.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Fishbein.

REP. FISHBEIN (90TH):
Thank you, Mr. Speaker. Why I must ask are we empowering the Department to put the teeth into this new law, why is it not appropriate for this body to determine as we do with just about every law that I can think of, what the penalty would be if you violated this?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative D’Agostino.

REP. D'AGOSTINO (91ST):

Through you, Mr. Speaker.

I don’t mean to suggest that they are going to come up with the penalty and certainly if they do come up with a penalty the General Law Committee has the ability to review that and put it in Statute. I think one of the first things they would want to do is make sure you had adequate monitoring of it and then we can determine what if any type of penalty is needed. But I don’t if I suggested that they were gonna come up with a penalty I didn’t mean to do that. They can come up with a range of options that
were proposed and of course as the Representative knows all regs go through the process that is subject to legislative oversight and approval as well through a bipartisan Committee.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. And that is of some assurance and I guess for legislative history am I to understand that we are not empowering the Department to create any penalty that would be tied to this new law?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative D’Agostino.

REP. D'AGOSTINO (91ST):

Through you.

Not without legislative approval.

DEPUTY SPEAKER RYAN (139TH):

Representative Fishbein.
REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. So then we are left with a law that has no penalty, I guess.

Through you, Mr. Speaker.

If that could just be confirmed that we have a, we’re saying that something shall occur but we are not saying that if it does not occur that there is any penalty, any well penalty for not abiding by this law, is that true?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative D’Agostino. Do you understand the question?

REP. D'AGOSTINO (91ST):

I do, Mr. Speaker thank you. Yes, look there’s no penalty set forth, there is no fine for example in this Statute. Again we’re gonna, we do this all the time with statutes and let the department come up with regs that may speak to enforcement mechanisms that we can then review and then look there is a law on the books without a specific
statutory fine in it but a private litigant may be able to court and say, even though for example I know as Attorney Fishbein is aware you cannot, you may not be able to get damages for this but you can seek injunctive relief for statutory violation if somebody is not complying with the law. So there are different mechanisms available to enforce the law the doesn’t necessarily have a fine imbedded in it.

Trough you.

DEPUTY SPEAKER RYAN (139TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. And you know I come to the Chamber, I don’t’ have all the answers but I seem to recall that at some point in my life I had learned that cash was legal tender for all purposes and I forgot where than emanates from. Why is it necessary that we even have this new law?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):
Representative D’Agostino.

REP. D'AGOSTINO (91ST):

Through you, Mr. Speaker.

So again as we heard and as we investigated this and again I want to thank Representative Cheeseman for bringing this to our attention and the Committee to look into it, as we move forward with it, a digital 21st Century economy, we are starting to hear about different types of vendors who want to move to a cashless transition only. We’ve seen that across the country develop and this is a way for us to make sure that those in our society who are not quite there yet, who we want to be there, we want to be banked and using debit cards and credit cards, etc. but if they are not quite there yet that they still have the opportunity again to rely on as the Representative mentioned you know, Cash is King, cash is legal tender, we still want that to be the law of the land.

Through you.

DEPUTY SPEAKER RYAN (139TH):
Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker but I must ask isn’t that the law presently that cash is king, that cash can be used for all purposes. I’m a little puzzled here cause I never heard of that ever being repealed or removed.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative D’Agostino.

REP. D'AGOSTINO (91ST):

Through you.

In fact it is an issue that is starting to pop up across the country where different vendors, different retailers are going completely cashless or would like to go completely cashless and its certainly up to a vendor if we did not pass this law, they could preclude somebody from paying in cash and advertising on the front of the establishment, “credit cards only” or “debit cards only” and this is what that law is designed to
prevent.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Fishbein.

REP. FISCHBEIN (90TH):

Thank you, Mr. Speaker. That’s all I have for questions. Thank you.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Godfrey of the 110th. Sir, you have the floor.

REP. GODFREY (110TH):

Thank you, Mr. Speaker. While I understand and actually sympathize with the underlying intent and motivation for this Bill I must point out that Article I, Section 10 of the Constitution of the United States specifically prohibits states from making anything other than gold and silver coin a tender in payment of debts. So I will be voting no on this because it is on its face unconstitutional. Through you, Mr. Speaker. [Laughter]

DEPUTY SPEAKER RYAN (139TH):
Thank you, Representative Godfrey.

Representative Frye from the 111th, sir. Okay.

Will you remark further on the Bill as Amended before us. Will you remark further on the Bill as Amended before us? Representative Cheeseman.

REP. CHEESEMAN (37TH):

Thank you, Mr. Speaker. I want to thank the Chair of General Law for his questions and I will point out that it says in payment of debt. Until you have incurred a debt, a business is entirely able to say, I won’t take cash and this was brought to my attention by a constituent whose daughter encountered this problem in New York. It is also a problem in terms of for the civil libertarians here if every transaction is by credit card that leaves a record so nothing you do will be secret and what finally decided it for me, I had conversations with people who work with the domestic violence, if you’re in an abusive relationship it is common for the person who is abusing you to look at your credit card statement and say, what the hell was, sorry,
what the heck was this spent on [Laughter]? So in view of that although some members may not deem this something we should address, I do believe it is our job as legislators to protect those, the unbanked, the underbanked who make up more than 25 percent of our population, the civil libertarians here and protect people who may be in an abusive relationship. So I would urge everyone in the Chamber to protect the citizens of Connecticut and let them pay cash. Thank you very much, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Will you remark further on the Bill as Amended before us? Will you remark further on the Bill as Amended before us. If not If not will the Staff and guests please come to the Well of the House. Will the Members take your seats and 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 RYAN (139TH):

Have all members voted? Have all members voted? If all members have voted, I ask the members to check the board to make sure their vote is properly cast. If all members have voted the machine will be locked, the Clerk will take a tally.

The Clerk will announce the tally.

CLERK:

House Bill No. 5703 as Amended by House “A”

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DEPUTY SPEAKER RYAN (139TH):

The Bill as Amended is passed. [Gavel] Will the Clerk please announce Calendar Number 448.

CLERK:
On Page 39, House Calendar 448, House Bill 6055

AN ACT CONCERNING CERTAIN UPDATES TO ELECTION ADMINISTRATION LAWS, Favorable Report of the Joint Standing Committee on Government Administration and Elections.

DEPUTY SPEAKER RYAN (139TH):

We call upon the Chairman of the General Election, the Administration and Elections Committee, Representative Fox, sir you have the floor.

REP. FOX (148TH):

Thank you, Mr. Speaker. Mr. Speaker I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill.

DEPUTY SPEAKER RYAN (139TH):

The Question for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill. Representative Fox you have the Floor.

REP. FOX (148TH):

Thank you, Mr. Speaker. The Bill makes technical revisions to the various election related
statutes. Most of all these changes impact the lower charges who support the underlying Bill. The Bill does a few different things. First it allows registrar of voters to provide notice of voter registration session on their town’s website. Want to acknowledge the comments and concerns raised by the ranking member, Representative France as this section, in that his concern was a valid one in that the registrars may go from posting the information in newspapers to just online. To that point it may be the intent of the underlying bill that ideally, they will post on both the website and in the newspaper for those who may not have access to the internet. Secondly the Bill does it repeals obsolete provision concerning municipal boards for permission of electors as well as other outdated provisions. And thirdly the most significant change in the perspective of the writer is that this Bill simplifies the statues that address the training requirements, verifies that this training is eight hours per year. There is no fiscal impact. I urge
DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Will you remark further on the Bill before us? Representative France, sir you have the floor.

REP. FRANCE (42ND):

Thank you, Mr. Speaker and I appreciate the summary the good Chair of the Committee. The Clerk is in possession of Amendment LCO 8930. I would request the Clerk to call the Amendment and that I be allowed leave of the Chamber to summarize.

DEPUTY SPEAKER RYAN (139TH):

Before we do that I just ask the Chamber to quiet down, we’re getting a little noisy, it’s difficult to hear the discussion that are ensuing on the floor. Representative France has called an Amendment. Will the Clerk please call LCO 8930 which will be designated House Amendment Schedule “A”.

CLERK:

House Amendment Schedule “A” LCO No. 8930
offered by Representative France, Representative Fox.

DEPUTY SPEAKER RYAN (139TH):

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

REP. FRANCE (42ND):

Thank you, Mr. Chairman. This is a very simple Amendment. It strikes Section 13 which was the last section of the Bill starting on Line 228. And in that section is allowed for the voting tabulator and the checkers shall be selected, the two electors could be from anywhere in the State as opposed to the town and one of the benefits of having monitors of election that come from your own town is you are able to keep and understand the people that are coming in to vote and help in insuring the integrity of the vote. And so, I appreciate the good Chair accepting this Amendment. Really we need to
maintain the integrity of the people that are working the polls within the town so that they are aware of who is coming to vote. And I move the Amendment.

DEPUTY SPEAKER RYAN (139TH):

Question before the Chamber is Adoption of House Amendment Schedule “C”. Remarking further on the Amendment, Representative Fox.

REP. FOX (148TH):

Thank you, Mr. Speaker the Amendment is a friendly Amendment and I acknowledge the Ranking Members efforts on this Bill and thank him for his input on the Bill. I urge my colleagues to vote in favor of the Amendment. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

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

REPRESENTATIVES:
Aye.

DEPUTY SPEAKER RYAN (139TH):

Opposed. Nay. The ayes have it, the Amendment is adopted. Will you remark further on the Bill as Amended? Will you remark further on the Bill as Amended? Representative France.

REP. FRANCE (42ND):

Thank you, Mr. Speaker. And I appreciate the summary the good Chair offered from it and it does make predominately technical changes to some archaic language, and organizations and boards that no longer exist from when this Statue was last updated. And I just want to emphasize what the Chair pointed out in the first section, Line 6 where it says, or the intent is not to exclude the printing of the notice within the newspapers allowing another alternative vehicle to have that information passed out and.

Through you, Mr. Speaker.

I just have a couple of questions for the proponent.
Representative Fox prepare yourself.

Representative France please proceed.

REP. FOX (148TH):

Thank you, Mr. Speaker. And in pointing to Line 116 to 127 under Section 6, in there we’re striking a number of language and other parts of that related to specific dates and times that the registrars have to complete certain tasks. What I am really focused on is starting on Line 120 where we’re talking about sessions and other things related to notification. What is the impact of removing that requirement for the registrars?

Through you, Mr. Speaker.

REP. FOX (148TH):

Thank you, Mr. Speaker. The impact is that in practice registrars maintain these lists on the statewide voting registration systems and so these timeframes are not necessarily required anymore.
Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative France.

REP. FRANCE (42ND):

Thank you for that. Once again I think that even though it’s a large section, not just a few simple words, it is really cleaning up the Statute to bring it in line with some of the things that we are doing today. And there is another section, I’ll pull it up here, related to Section 6 and 7 of the Bill related to voter registration list and just want to clarify, a lot of things have changed over time and one of these since most of the work is done through a centralized voter system that is online and maintained and is continually maintained and therefor the changes there are really dealt with a manually based system. I think it updates the Statute and I recommend adoption. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, sir. Will you remark further
on the Bill as Amended before us? Will you remark further on the Bill as Amended 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.

DEPUTY SPEAKER RYAN (139TH):

Have all members voted? Have all members voted? If all members have voted please check the machine to make sure your vote is properly cast. I’m sorry, 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. 6055 as Amended by House “A”

Total Number Voting 146

Necessary for Passage 74
Those voting Yea 146
Those voting Nay 0
Absent not voting 5

DEPUTY SPEAKER RYAN (139TH):

The Bill as amended is passed. [Gavel] Will the Clerk please call Calendar No. 531.

CLERK:


DEPUTY SPEAKER RYAN (139TH):

The Chair of the Judiciary Committee, Representative Stafstrom 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.

DEPUTY SPEAKER RYAN (139TH):

Question is Acceptance of the Joint Committee's
Favorable Report and Passage of the Bill.

Representative Stafstrom you still have the floor.

REP. STAFSTROM (129TH):

Thank you, Mr. Speaker. Mr. Speaker what this Bill does it gives the Commissioner of the Department of Labor the discretion to issue a higher fine when someone has violated a Stop Work order and there has been an order issued to cease all business operations. Currently there is a flat penalty of $1,000 dollars with no discretion for the commissioner to go above that amount. This Bill would give discretion to impose a higher fine of $5,000 dollars per employee. I urge support.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Will you remark further on the Bill. Will you remark further on the Bill? Representative Rebimbas of the 70th. Ma’am, you have the floor.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker I do not rise in support of the Bill before us. It has a
very high penalty and I believe humbly that is not a very good business Bill.

Through you.

Some questions for the good Chairman of the Judiciary Committee.

DEPUTY SPEAKER RYAN (139TH):

Please proceed, ma’am.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker.

Through you to the good Chairman previously there was a flat fee of $1,000 dollars. We are going all the way up to $5,000 dollars for penalties. What is the purpose of such a large jump?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Before you answer, sir. Could I ask the Chamber once again to bring down the noise levels so these two folks can communicate with each other.

Representative Stafstrom.

REP. STAFSTROM (129TH):
Thank you, Mr. Speaker. Mr. Speaker the purpose is that right now this is an instance where a Stop Work Order has been issued. Where an employer has been told that they are not in compliance with our Workers’ Compensation requirements. They are told to cease doing business and even after being told to cease doing business they continue to operate in violation of an order issued by the Department of Labor. This is not a the fine for the underlying violation. This is the fine for violating the Order to Stop and correct the violation. Currently that fine is only $1,000 per day and what has been noticed in certain instances most notably an instance at a construction project of the West Farms Mall is that sometimes it is cheaper for a contractor simply to pay the violation and to continue to work in violation of a Stop Work Order rather and pay the $1,000 fine and that is cheaper than delaying on construction of the project. This Bill is intended to up the amount of the fine and to make it so that someone will in fact
comply with a Stop Work Order when issued.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker did the good Chairman give an example of a project at the West Farms Mall?

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you, Mr. Speaker. That was the one that was referenced in the testimony before the Committee.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

I thank the good Speaker and the Chairman for
that response but I have to think of all the projects in the State of Connecticut I imagine actually, I actually know that one doing a project in the West Farms Mall or any large type of mall facility like that, that might be the case that there may be a business or so throughout the State of Connecticut that may think, woah, a thousand dollars per day, per employee may not be a lot to them but when we’re applying such a hefty fine like this to a small business, you could essentially put the individual out of business without them even having a proper hearing yet. Under the proposal before us, Mr. Speaker it does allow within ten days of the Stop Work Order for a hearing but let’s be realistic, if we have construction going on, it could be on a family home, it could be on a variety of different things. Time is money and a family is trying to get in, there’s a lot of provisions. If someone took out a construction loan, that construction loan, the interest is still running. I mean this is a serious consequence for small type of
construction versus a large one. And just to clarify, Mr. Speaker.

But through you.

This indeed is up to $5,000 dollars per employee and each day that they are in violation of the Stop Work Order would be a new expense? Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you, Mr. Speaker.

Yes, in fact that is is what is called for under this and it is “up to” being the operative word. There is a lot of discretion built into this Bill for the Commissioner of Labor to issue a fine, less than $5,000 dollars or even less than the current fine of $1,000 dollars per day should the situation warrant it. And the idea again is based on the number of employees so that if it is larger scale project where there are a number of employees working the fine for violation an order to cease
working would be higher than in the small residential home construction project that the good Ranking Member referenced to.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker.

Through you, Mr. Speaker.

Because of that one bad actor, one example we have, we are now doing a proposal that is up to $5,000 dollars that can have a negative impact on a variety of different projects. Through the public testimony before the Judiciary was there any other examples that were provided?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you, Mr. Speaker.

I don’t recall any other testimony being
submitted before the Committee. I do know that there was testimony that other states certainly have higher penalties for violating Stop Work Orders than Connecticut does.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker and that was my recollection. This is a very steep request, very bad business Bill based on one potentially bad actor in the entire State of Connecticut that took the opportunity obviously to have a Public Hearing, hear from people who have been grieved but one bad actor and this is essentially doing. The hearing before the Department of Labor is with the Commissioner, is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):
Through you, Mr. Speaker.

That’s correct.

DEPUTY SPEAKER RYAN (139TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

And what type of, I believe there is also some type of felony provision if the good Chairman could highlight that.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you, Mr. Speaker.

I want to be clear. There’s two offenses here. The first offense would be for violating our Workers’ Compensation requirements. If someone is found to have violated our underlying Workers’ Compensation requirements that under current law and unchanged by the Bill is up to a Class D felony and a $5,000 dollar fine or both. If somebody’s issued a Stop Work Order for being out of compliance with
our Worker’s Compensation requirements, before any type of penalty can be imposed they can request a hearing before a Department of Labor hearing officer. During the pendency of waiting for that hearing and a final determination, a Stop Work Order is issued and the contractor generally is told they cannot work during that period of time. If they work anyway, under the Bill before us, that is where this subsequent penalty which we are discussing today would kick into effect is for that secondary violation of violating the order to stop working.

Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker.

Through you, Mr. Speaker.

Who determines the violation of the Workers’ Compensation?

Through you.

DEPUTY SPEAKER RYAN (139TH):
Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you, Mr. Speaker.

The Department of Labor.

DEPUTY SPEAKER RYAN (139TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

And who issues the Stop Work Order?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you.

The Department of Labor, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

That is a lot of power for the Department of Labor has and that is a hefty fine.

Through you, Mr. Speaker.

Where does the fines go to. What type of fund
does the fines go to?

DEPUTY SPEAKER RYAN (139TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you, Mr. Speaker.

I believe they would be payable to General Fund.

DEPUTY SPEAKER RYAN (139TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. To the General Fund of the State of Connecticut. One bad actor can potentially that we’re hearing of throughout the State of Connecticut yet, what we’re doing is doing a hefty fine that a commissioner can make determinations on their own and fine a business that essentially puts someone either homeless, bankrupt and out of business. I rise in opposition to the proposal before us, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative
Smith of the 108th, sir you have the floor.

REP. SMITH (108TH):

Through you, Mr. Speaker. This is another example of the business policies that we are adopting here in the legislature that are poor for our business community. I’m surprised it didn’t come out of Labor actually but actually came out of the Judiciary Committee. So, if you think about a small employer of five, just has five employees at $5,000 dollars per day, per employee or $25,000 per day, one week is $100,000 dollars. Think about that, $100,000 dollars in one week. Now you may say he shouldn’t be violating or she shouldn’t be violating the order. But there could be a situation where the order was issued because of an alleged violation of a Workers’ Compensation Statute when in fact the person could have been an independent contractor and there was no violation. So in that scenario you have a fine being issued for, we’re just talking about a week, of $100,000 without any recourse. I ask my colleagues what are we doin?
Why are we doing this to our business community? It hasn’t been an issue. Now we had one bad apple as was indicated through the dialogue with the Ranking Member and the Chairman, I’m sure it was addressed. But to put this onus over the reset of the entire business community when there could be a legitimate reason or a defense of the action and yet still be subject to a $100,000 fine for one week with just five employees. Make it ten employees, you could do the math. I’m just asking my colleagues to consider that. If you owned a business, and you were in this situation, how would you feel to be subject to this type of a fine? I don’t think it’s fair, I don’t think its good policy for Connecticut and I urge my colleagues to reject it. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Fishbein of the 90th District.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. I rise for a comment. You know, many of us including myself ran this last
election on a business profile. We said that Connecticut is open for business and we wanted to do what we could to try to bring business to our State. I did review this Bill on the Judiciary Committee and I have yet to learn why this penalty is increasing so drastically cause presently its $1,000 dollars and I think it is $1,000 dollars, never mind the number of employees and we’re taking it out exponentially. Five times the present fine and it’s per employee which exponentially we are increasing it. If I was a business in another state looking to come to this State or to look at whatever state I was to come to, when I saw that Connecticut’s legislature was passing a Bill like this, as well as others that we’ve addressed during this session, I would certainly think twice and probably three times about coming to this State. I certainly recognize there may be a problem here and I certainly would be in support of some sort of incremental penalty but that is not what this is. This says to businesses, don’t bother with Connecticut, don’t come to
Connecticut, don’t even thing about it. We’ve closed the door on expanding business in this State. So I just, I’m vehemently opposed to this Bill. I don’t think it does anything really to help, it’s punishment, improper punishment. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, sir. Representative Kupchick of the 132nd. Ma’am you have the floor.

REP. KUPCHICK (132ND):

Thank you, Mr. Speaker. I own a small heating and air conditioning company and we work with tradesmen all the time on contracting jobs, electricians, plumbers, carpenters, painters. I can’t even begin to tell you how many times the Department of Labor, the Department of Insurance all of these organizations that regulate our business and business just like mine make mistakes on Comp, they didn’t get it or they didn’t apply the credits or you have a sub on the job and now they don’t think this sub has comp insurance. There are
mistakes made all the time with small businesses just like mine with three, four, five employees. That kind of fine would put a business like mine out of business and the little guys work with my company out of business too. I mean honestly, $5,000 dollars per employee and you don’t even get a chance to try to get this hearing. I mean we’re talking about small mom and pop contractors across the State. I don’t know who came up with this Bill but I can’t imagine why anyone would want to do this to a small mom and pop business. These aren’t some big corporations who are, you know, doing something wrong and hiring people illegally. You’re talking about hurting small mom and pop businesses and this State lost 1,300 jobs last month. I mean we should not be picking on our small contractors and I am one of those companies and I’m telling you these departments made mistakes. They do. I can’t tell you how many hours I sit on the phone trying to explain to them that was a sub who worked for a couple of days, he has his own Comp. I have to
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can shrug off a $1,000 fine day after day, after day when our local good businesses cannot shrug off $1,000 dollar fine day after day. Those are the ones we’re trying to protect here. We are trying to protect not just workers but the businesses that are so big they don’t have to compare, they don’t have to fear, they don’t have to compete on a level playing field. They describe their own playing field. This isn’t the folks we talk to everyday. This is the stinkers who come in, who steal their business, who when the worst happens to them tomorrow they are reincorporated under a different name and they are whacking our local business unfairly again. So for those of us who’ve been thinking this is a good Bill, don’t be discouraged, yes it is. Don’t be fooled into thinking by the big dealers who can do anything and afford any fine that we presently have that what we’re doing is going after the folks who live in our neighborhoods and earn their living working very hard driving a truck with their name on it hoping to keep it in the
family. Those are the folks that we’re trying to save with this Bill as well as the workers. I think this is a good local business Bill. I am proud to be supporting it on the basis of its good for local business. Thank you for bringing it forward.

Through you, Mr. Speaker.

Thank you for the time.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Dubitsky of the 47th, sir you have the floor.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Mr. Speaker in this State a lot of us, a lot of Representative around the State would love to see construction projects in their district but the policies of the legislature have driven out so much business that just seeing anything built in this State is, you know, just a wonder and one of the things that a lot of people would love to see happen in their district is a little construction, maybe like a shopping center, or a factory, or maybe an apartment building or an
office building. Well, ever see one of those built? When they start pouring concrete they often have to pour 24 hours a day, all night and they just have truck, after truck, after truck coming in. They can’t stop. If they stop the project could be completely ruined. They have to keep pouring because they have to keep it wet. Where they’re pouring they have to keep it going. So if the get a Stop Work Order while that concrete is pouring, they can’t stop because if they stop that entire project may be ruined and they could have dozens or hundreds of people depending on the size of the project working on that project 24 hours a day until that pour is done. Under this Bill $5,000 dollars per day, per person, so if a project has let’s just say for round numbers 100 people working on it, and they go one day, that’s $500,000 thousand dollars just in penalties, just because they couldn’t stop. What if that pour goes two or three days? There’s your project right there. If it’s in your district you’re gonna have a hunk of concrete sittin there
and that project is gonna be bankrupt. Right now $1,000 dollars for each day. Doesn’t matter how many people you have, 1,000 bucks. Okay you want to raise it make it something reasonable but $5,000 dollars for each person on the job site for each day. This is why businesses are streaming out of this State in droves.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative Dubitsky.

Representative Perillo of the 113th. Sir, you have the floor.

REP. PERILLO (113TH):

Thank you, Mr. Speaker. You know we have a citizen legislature, a part-time legislature that gives us the opportunity to hear from individuals from all walks of life and all careers and that is supposed to be a good things. Everybody brings a different perspective, a different experience, a different expertise. So here is what I heard tonight. I heard a legislator, a small business owner, a family business owner who has been at this
her entire life. I heard her stand-up with her experience and her knowledge. I heard her stand-up and say, this will be bad for small businesses here in Connecticut. That is her expertise. That’s what she knows. You would think we might consider listening to that. But then I heard another legislator who doesn’t own a business, has never owned a business, doesn’t know what it’s like to be a business owner, to work in this State, to put people to work in this State. I heard that legislator say, actually no this is gonna be good for small business. I know better even though I have zero experience doing this. And I think that is one of the reasons why here in the State of Connecticut we have businesses leaving because we are smart and they’re stupid. We know better despite the fact that they have all this experience. Business owners now what they are doing. They know what works, they know what doesn’t. They know what makes their lives easier, they know what makes it harder. They know what helps them hire employees
and forces them to lay employees off. We have expertise in this Chamber, business knowledge in this Chamber saying no. This Bill will be bad for us. It will be bad for businesses but I guess we’re smarter than that. We know better. We are smart, business owners are stupid. I am asking the members of this Chamber listen to our business owners. We don’t do it all the time. Some would argue we don’t do it often. We’ve got a great opportunity here on this Bill where business owners in this Chamber have said, “No, this hurts us.” Why don’t we listen for a change? Why don’t we take that advice? Why don’t we do what’s right for businesses, not something that is punishing for businesses, that is killing businesses, it is scaring businesses. Is the small business owner gonna bid on this project if they know there could be a tremendous penalty? I’m not sure they will, maybe on the only ones left will be the large employers, the big businesses that can afford to take that penalty, who can afford to take that hit. Maybe that’s all that’s gonna be left. So
maybe we’re trying to hurt that big guy. The could be the last guys on the field because the little guy can’t take that $5,000 dollar per person hit. They can’t do it. We are hearing that right now, can’t do it. So who’s left? Just the big guys. We’re driving the small guy out because we are refusing to listen to the small employer. We are refusing to listen and that’s a shame because we really have an opportunity right here, right now before us to actually listen to the individuals who sweat every day on these projects, on these commercial projects right alongside their employees. We have a chance to do that. We have a chance to admit that actually, you know what, maybe we’re not smarter than the guys on the frontlines. Maybe we should listen to what they have to say. It’d be a nice change of pace. I would strongly urge every member of this Chamber, listen to what business owners are telling us at least this one time. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):
Thank you, Representative. Representative Ritter of the 1st, sir you have the floor.

REP. RITTER (1ST):

Thank you, Mr. Speaker. I move that we pass this item temporarily. Thank you.

DEPUTY SPEAKER RYAN (139TH):

This Bill is passed temporarily. [Gavel] Will the Clerk please call Calendar No. 259.

CLERK:

On Page 21, Calendar 259 House Bill No. 6927 AN ACT ESTABLISHING A TASK FORCE TO STUDY DEBARMENT AND LIMITATIONS ON THE AWARDING OF STATE CONTRACTS, Favorable Report of the Joint Standing Committee on Labor and Public Employees.

DEPUTY SPEAKER RYAN (139TH):

The Chair calls upon the hard-working Chairman of the Labor Committee, Representative Porter.

REP. PORTER (94TH):

Thank you, Mr. Speaker. I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill.
DEPUTY SPEAKER RYAN (139TH):

Question before the Chamber is Acceptance of the Joint Committee's Favorable Report and Passage of the Bill. Representative Porter you have the floor.

REP. PORTER (94TH):

Thank you, Mr. Speaker. The Bill established as task force to study Connecticut's debarment procedures and how such procedures relate to other states in the Connecticut Labor Statutes. The task force shall submit its findings, recommendations no later than February 1, 2020. The Bill has no fiscal impact and passed out of Committee unanimously. I have an Amendment and I would ask the Clerk please call LCO 8940 and that I be grated leave of the Chamber to summarize.

DEPUTY SPEAKER RYAN (139TH):

Will the Clerk please call LCO 8940 which will be designated House Amendment Schedule “A”.

CLERK:

LCO No. 8940 designated House Amendment
Schedule “A” and offered by Representative Porter.

DEPUTY SPEAKER RYAN (139TH):

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

REP. PORTER (94TH):

Thank you, Mr. Speaker. The Amendment language makes small changes to the Bill. It removes the Governor as an appointee to the task force per his request. It adds the Attorney General per the request of DAS and it adds UConn per the request DAS as well. I move adoption.

DEPUTY SPEAKER RYAN (139TH):

Will you remark further on the Amendment before us? Will you remark further on the Amendment? Representative Poletta of the 68th, sir you have the floor.

REP. POLLETTA (68TH):

Good evening, Mr. Speaker. And thank you, I
rise in support of the Amendment which ultimately will become the underlying Bill. During our Public Hearing testimony myself along with our good Chair and members of the Labor and Public Employees Committee heard some testimony regarding the debarment of these folks that might have been bad actors in other states so I think it is worth looking into for those in our State that are following the law and to prohibit those who go against the law and to hold them accountable and not have them bidding on the State contracts. Thank you.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Will you remark further on the Amendment before us? Will you remark further? Hearing none, I will try your minds. All those in favor signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER RYAN (139TH):

Opposed. Nay. The Ayes have it, the Amendment
is adopted. Will you remark further on the Bill as amended? Representative Porter.

REP. PORTER (94TH):

Thank you, Mr. Speaker. Good bill, ought to pass.

DEPUTY SPEAKER RYAN (139TH):

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 take your seats and 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 (30TH):

If all the members have voted, please check the board to ensure your votes have been properly cast.
If all members have voted, the machine will be locked and the Clerk will take a tally.

And the Clerk will announce the tally.

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SPEAKER ARESIMOWICZ (30TH):

The Bill passes as Amended.  [Gavel]  Will the Clerk please call Calendar 294.

SPEAKER ARESIMOWICZ (30TH):

Representative Porter of the 94th District, Madam you have the floor.
REP. PORTER (94TH):

Thank you, Mr. Speaker. I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill.

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is on Acceptance of the Joint Committee's Favorable Report and Passage of the Bill. Will you remark? Representative Porter you have the floor.

REP. PORTER (94TH):

Thank you, Mr. Speaker. This Bill extends the deadline for municipality to reject on arbitration awards to the next business day if the deadline falls on a weekend of a holiday. Current law allows municipalities reject arbitration awards within 245 days after receiving the Arbitrator’s decision and I move acceptance.

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is on acceptance. Representative Polletta of the 68th District, sir you have the floor.
REP. POLLETTA (68TH):

Good evening, Mr. Speaker. Good Bill, ought to pass. [Laughter]

SPEAKER ARESIMOWICZ (30TH):

Will you remark further? If not Staff and guests to the Well of the House. Members take your seats and 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 (30TH): Have all members voted? Have all 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.

And the Clerk will announce the tally.

CLERK:
House Bill No. 6346

Total Number Voting 145
Necessary for Passage 73
Those voting Yea 145
Those voting Nay 0
Absent not voting 6

SPEAKER ARESIMOWICZ (30TH):

The Bill passes. [Gavel] Will the Clerk please call House Calendar 441.

CLERK:

On Page 38, House Calendar 441, Substitute House Bill NO. 7368 AN ACT CONCERNING THE USE OF MASS APPRAISAL SOFTWARE, Favorable Report of the Joint Standing Committee on Planning and Development.

SPEAKER ARESIMOWICZ (30TH):

Representative McCarthy Vahey of the 133rd you have the floor, madam.

REP. MC CARTHY 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 (30TH):

Question before the Chamber is on Acceptance of the Joint Committee's Favorable Report and Passage of the Bill. Will you remark?

REP. MC CARTHY VAHEY (133RD):

Yes, Mr. Speaker. Mr. Speaker the Clerk is in possession of an Amendment LCO No. 8812. I would ask the Clerk to please call the Amendment and that I be granted leave of the Chamber to summarize.

SPEAKER ARESIMOWICZ (30TH):

Will the Clerk please call LCO 8812 which will be designated House Amendment Schedule “A”.

CLERK:

House Amendment Schedule “A” LCO No. 8812 offered by Representative McCarthy Vahey and Representative Zawistowski.

SPEAKER ARESIMOWICZ (30TH):

Representative seeks leave of the Chamber to summarize the Amendment. Is there objection to summarization? Is there objection to summarization?
Seeing none, Representative McCarthy Vahey of the 133rd. You have the floor, madam.

REP. MC CARTHY VAHEY (133RD):

Thanks, thank you Mr. Speaker. I certainly can’t keep up with you tonight. Mr. Speaker the legislative intent of this Act is really to ameliorate a serious economic problem in the municipal reval market. And really to preserve the ability of municipalities to perform the essential government functions in a competitive way. And this Amendment allows system providers of Supervised Systems to a town and software to provide access to agents and new systems provider and I move adoption.

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is on adoption of the Amendment. Will you remark on the Amendment? Will you remark on the Amendment? If not, let me try your minds. All those in favor signify by saying Aye.

REPRESENTATIVES:

Aye.
SPEAKER ARESIMOWICZ (30TH):

Those opposed, nay. The Ayes have it. The Amendment is adopted. [Gavel] Will you remark on the Bill as amended? Representative Zawistowski of the 61st District, madam you have the floor.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. A question for the proponent of the Bill if I may?

SPEAKER ARESIMOWICZ (30TH):

Representative McCarthy Vahey please prepare yourself. Representative Zawistowski please proceed.

REP. ZAWISTOWSKI (61ST):

For legislative intent does this apply only to future contract or is it current contracts as well?

Through you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative McCarthy Vahey.

REP. MC CARthy VAHEY (133RD):

Thank you, Mr. Speaker.

Mr. Speaker, through you.
This would apply to current contracts as well as stated in Line 7 of the Amendment or continued on or after the effective date of passage.

SPEAKER ARESIMOWICZ (30TH):

Representative Zawistowski you have the floor.

REP. ZAWISTOWSKI (61ST):

And I thank the proponent for her comments. The Bill should actually result in more even playing field for these businesses and may save taxpayer dollars. I will be supporting it. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, madam. Will you remark further on the Bill as Amended? If not Staff and guests please come to the Well of the House. 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 (30TH):

Have all 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.

And the Clerk will announce the tally.

CLERK:

House Bill No. 7368 as Amended by House “A”

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SPEAKER ARESIMOWICZ (30TH):

The Bill passes as Amended. [Gavel] Will the Clerk please call House Calendar 144.

CLERK:

On Page 11, House Calendar 144 House Bill 7158, AN ACT CONCERING THE REGULATION OF COMMERCIAL

SPEAKER ARESIMOWICZ (30TH):

Representative Demicco of the 21st District you have the floor.

REP. DEMICCO (21ST):

Thank you, Mr. Speaker. Mr. Speaker I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill.

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is on Acceptance of the Joint Committee's Favorable Report and Passage of the Bill. Will you remark? Representative Demicco you have the floor.

REP. DEMICCO (21ST):

Yes, Mr. Speaker the Clerk has an Amendment, it's LCO 8960. I would ask the Clerk to please call the Amendment and that I be granted leave of the Chamber to summarize.

SPEAKER ARESIMOWICZ (30TH):

Will the Clerk please call LCO No. 8960 which
will be designated House Amendment Schedule “A”.

CLERK:

House Amendment Schedule “A” LCO 8960 offered by Representative Demicco, Representative Mushinsky. Representative seeks leave of the Chamber to summarize Amendment. Is there objection to summarization? IS there objection to summarization? Seeing none, Representative Demicco of the 21st, you have the floor, sir.

REP. DEMICCO (21ST):

Okay, Thank you, Mr. Speaker. Mr. Speaker this Bill exempts people who board up to three dogs or cats otherwise know an neighborhood pet sitters from the laws of commercial kennel requirements. And it does so in two ways. So I am looking at the Amendment in Line 12 the words “more than three” will be stricken from the underlying Bill and then according to the Amendment, Lines 31 through 33 “no person who boards three or fewer cats or dogs in his or her residence shall be required to obtain a commercial kennel license pursuant to this
subsection.”

SPEAKER ARESIMOWICZ (30TH):

Will you remark further on the Amendment before us?  Will you remark further on the Amendment before us?  If not, let me try your minds.  All those in favor signify by saying, aye.

REPRESENTATIVES:

Aye.

SPEAKER ARESIMOWICZ (30TH):

Those opposed, nay.  The ayes have it.  The Amendment is adopted.  [Gavel]  Will you remark further on the Bill as Amended?  Representative Harding of the 107th you have the floor, sir.

REP. HARDING (107TH):

Thank you, Mr. Speaker.  I support this Bill.  I urge my colleagues to do the same.  Have a good night.

SPEAKER ARESIMOWICZ (30TH):

All Staff and guests to the Well of the House.  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 (30TH):

Have all members voted? Have all members voted? If all members have voted, please check the board to make sure your vote has been properly cast. If all the members have voted the machine will be locked and the Clerk will take a tally.

And the Clerk will announce the tally.

CLERK:

House Bill No. 7158 as Amended by House “A”

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SPEAKER ARESIMOWICZ (30TH):
The Bill passes as Amended. [Gavel] Are there any announcements or introductions. Representative Abercrombie of the 83rd. Madam you have the floor.

REP. ABERCROMBIE (83RD):

Thank you, Mr. Speaker. For the purpose of an announcement.

SPEAKER ARESIMOWICZ (30TH):

Please proceed, madam.

REP. ABERCROMBIE (83RD):

Appropriations is meeting tomorrow 10:00 a.m. C-2, be there. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Two-C, 10:00 a.m. Appropriations Committee. Thank you very much madam. Are there any other announcements or introductions? Representative Betz of the 78th District, you have the floor.

REP. BETTS (78TH):

Thank you very much, Mr. Speaker. For general notations:

Representative Belinsky, Green, Camillo and Fusco were back in the District. Thank you very
much.

SPEAKER ARESIMOWICZ (30TH):

    General so noted. Thank you, sir.

Representative Reyes of the 75th, sir you have the floor.

REP. REYES (75th):

    Mr. Speaker for purpose of Journal notation also business in district for Lamar, De la Cruz and Gonzales. Sick: Orange, Serra and Rose. Personal Meskers and business outside the Chamber Young, Walker and Rojas. Thank you.

SPEAKER ARESIMOWICZ (30TH):

    The Journal is so noted. Thank you very much, sir. Are there other announcements or introductions? Announcements or introductions. Representative Currey of the 11th District, sir you have the floor.

REP. CURREY (11TH):

    Thank you, Mr. Speaker. First off, Session will begin on Monday at 11:00 a.m. and there being no further business on the Clerk’s desk I move that
we adjourn subject to the call of the Chair.

SPEAKER ARESIMOWICZ (30TH):

Monday, 11:00 a.m. thank you very much, sir.

Without objection we will adjourn subject to the Call of the Chair. Without objection, so ordered.

[Gavel]

(On motion of Representative Currey of the 11th District, the House adjourned at 9:45 o’clock p.m., to meet again at the Call of the Chair.)
CERTIFICATE

I hereby certify that the foregoing 517 pages is a complete and accurate transcription of a digital sound recording of the House Proceedings on Thursday, May 16, 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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