(The House of Representatives was called to order at 11:04 o'clock a.m., Speaker Joe Aresimowicz in the Chair.)

SPEAKER ARESIMOWICZ (30TH):

Will the House please come to order. Will the members, staff, and guests please rise, direct your attention to the Dais where Representative Porter will lead us in prayer.

GUEST CHAPLAIN, REP. ROBYN PORTER:

Let us pray. Lord, the work before us echoes the needs of Your people. We ask You to bless the leaders we have elected, and grant that through their decisions and discussions we may solve our problems effectively and enhance the well-being our State. And I ask Lord that you give us the strength
for this day to do what needs to be done and we ask
and pray these things in Jesus’ name. Amen.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, Representative.

Representative Barry is with me on the dais already.
She is going to lead us in the Pledge.

REP. BARRY (31ST):

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

SPEAKER ARESIMOWICZ (30TH):

Thank you. Is there any business on the
Clerk’s desk?

CLERK:

Yes, Mr. Speaker. Good morning.

SPEAKER ARESIMOWICZ (30TH):

Good morning, sir.

CLERK:

We have Favorable Reports, Senate Bills to be
tabled for the Calendar.
SPEAKER ARESIMOWICZ (30TH):

Representative Ritter of the 1st District.

REP. RITTER (1ST):

Mr. Speaker, I move that we waive the reading of the Senate Favorable Reports, and the bills are tabled for the Calendar.

SPEAKER ARESIMOWICZ (30TH):

Without objections, so ordered.

CLERK:

And the daily Calendar.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Are there any announcements or introductions? Calendar for Thursday, April 28, 2016, is on the clerk's desk.

SPEAKER SHARKEY (88TH):

Thank you, Mr. Clerk. Before we begin our business of the day are there any announcements or introductions? Representative Doucette of the 13th District, sir you have the floor.

REP. DOUCETTE (13TH):
Thank you, Mr. Speaker. I rise for an announcement to ask my colleagues for a moment of silence. Joe Diminico, State Representative who represented the 13th District of Manchester lost his daughter, the services are today in Manchester. It was a sudden death, she was just 39, leave behind a young daughter, Julia who was a classmate of my son’s at Highland Park School in Manchester. So I just ask the Chamber to take a moment of silence for former Representative Diminico’s family.

SPEAKER ARESIMOWICZ (30TH):

The members and staff will please rise. We are going to do a moment of silence and expression of our sympathy for a former Representative.

[Gavel] Thank you, Representative.

Ladies and gentleman the Republican members are just finishing up their caucus, we are going to have the Chamber stand-at-ease before we start business for the day. Chamber will stand-at-ease [Gavel].

[Gavel] The Chamber will come back to Order.
Ladies and gentlemen I would ask you stop the conversations and please return to your seats. We now have a very short time left in the Chamber. Representative’s again, can we have an end [Gavel] [Gavel]. All conversations, all Representative please take your seats. We have a very few short days left here in the Chamber. We are all gonna be tired, we are all gonna be emotional, we are debating very important issues to the State of Connecticut. In a few moments you will be hearing from both the Minority Leader and the Majority Leader. This Chamber is a special place to all of us. We all signed up to serve, go out there and knock on doors and put ourselves on the line, every two years, because we believe the State of Connecticut can be a better place, that our actions here can help that happen. We cannot have adverse actions in this Chamber effected also. There is certain amount of decorum that it is expected of all of you and when we disagree on the issues, we can disagree without being disagreeable, and it is not
personal. And it should be handled with respect for not only ourselves as individuals but ourselves as elected leaders. With that being said, Representative Klarides of the 114th, madam you have the floor.

REP. KLARIDES (114TH):

Thank you, Mr. Speaker. You heard me speak in this Chamber, out of this Chamber about many things that we are doing, may be doing, have done and you’ve heard me do it in a very heated way, you’ve heard me do it in a very angry way, passionate way, any adjective you’d like to use. That is our job when we run for office. We feel strongly about the things we feel strongly about and that means that we argue, that means we fight. That means we don’t talk to each other at times. Mr. Speaker you and I have done that many times, the Majority Leader and I have done that many times, I’m sure we’ll do it many times down the road. And sometimes we say things we don’t mean. I would hope that we never cross a line but we do it in a very strong, passionate aggressive
way. That’s who we are. We are elected officials. If we were wallflowers we wouldn’t be here and that means that many times we are not going to agree and not just on substance, not just on substance, but process. We are not going to agree with how a Bill is called, we are not going to agree that we may not get information given to us sooner and we have to debate a Bill that we know nothing about. We may not agree with the policy that’s being put forward but that means you may not all agree that we are going to debate a Bill for 24 hours. You may not all agree that it is taking a little longer than you would like and you know what? Tuff. Because there is a majority and a minority in this Building and in the minority we have certain things at our disposal, certain tools in our toolbox and the majority has certain tools in their toolbox and you certainly use them. You certainly use them on a daily basis to pass stuff that I think is reprehensible to this State but the only thing we have in the minority is the ability to talk about things and talk about
things maybe longer than you would like. But what happened last night in this Chamber, I have to tell you was one of the most disgusting things I’ve seen. We are all members of caucuses and we fight within our caucuses, right. Just because we both have the same letter after our name doesn’t mean we all agree but we must agree and respect this process, we must. And what happened last night to Representative Dubitsky is shameful. The people in this Chamber that took part in whatever we’re calling it, a prank, a joke was just straight disrespectful and I happened to be looking at somebody who was part of that yesterday and I had a conversation, a very heated conversation about that. I will tell you whether it is me or my predecessors that sat in this seat, the one thing I will never ever accept on behalf of myself or any member of this caucus is disrespect. And what happened last night was disrespect and if it happens again, no body in this Chamber will want to be here after they see the ramifications of that. I will not accept it, I will
never accept it and I have never accepted it. I would hope that moving forward we all understand that we are not here to agree on everything but we’re here to serve our districts, our State and to serve in this amazing Building that frustrates us, and angers us, and pisses us off at times but if we can’t take pride in what we do and what we are then we have no business here. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Ritter of the 1st District.

REP. RITTER (1ST):

Thank you, Mr. Speaker. And I will start by saying that I am wearing some ridiculous blue pants [Laughter] today that my wife will probably say something to me when she sees a photo.

SPEAKER ARESIMOWICZ (30TH):

I think you look good, Mr. Majority Leader.

REP. RITTER (1ST):

Thank you, I look better than Frank in his red pants [Laughter]. My thought when I was dressing myself today was that we’re here for the dress down
day because Representatives Abercrombie and Zupkus have a many year tradition of raising money for a great cause and we all do it, everybody seems appropriately dressed today, some years I’m not so sure. And it’s a reminder in this Chamber of what we do when we work together and the friendships that we have and to be successful in this Chamber if you can’t go there or can’t go here you will fail. You could be the Speaker, the most powerful person in here if you don’t have relationship that go this way it won’t work and so every member, all 151, have been elected to have the same rights and powers of anybody else and we have to make sure that in this Chamber we never forget that in the decorum. We have members on this side who at times this session felt equally frustrated or felt that something went too far, right, and so I’ve got to call over there and make my point and you guys see erupt, I’m not quite as good as Cafero used to erupt but I’ll do that to because I’m gonna protect my members too and I understand entirely what is going to happen on
that side and so clearly we have to make sure that decorum in this Chamber never goes away, that we respect one another and it may take a longtime, it may take a longtime to get a Bill done and those questions when they are in support of a concept or a notion that someone feels strongly should always be protected. And so, Mr. Speaker thank you for setting the tone. Madam Minority Leader it is duly noted and we will just remind everybody that if we cannot do that, if we cannot treat each other with respect and avoid, you know, behavior that is not becoming of a State Legislator we will lose this Chamber and the respect that we all have for it. We will become something we don’t want to become and so let’s keep that in mind as we go forward and my guess is that we will be here late again tonight. It is a good reminder during that debate, lets all do the same for all of us on both sides. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):
Thank you very much, sir and before we go any further part of the position that I have here that many of you in this room have given me is I am the Judge of Decorum here in this Chamber. I will be meeting with my deputies today and we will be taking a serious note on the overall decorum and insuring that it happens for the next few days, that is from A to Z, no pun intended, [Laughter] how we go about the debate on the floor, how the questioning goes, how the responses go and how everything else is and it’s not for punishment it’s just to insure that we are continuing to do the business of this State in a way that we would all be proud to do it. So again, I usually give this speech on Monday before the last three days, it seems its come a little bit early but remember we are all here for the same reasons. We may have different views on how to get there but we are all here for the same reason so let’s make sure we keep it respectable. If you have an opportunity today please go to visit a neighbor from the other party, the other side of the Chamber to say hello
and get to know them a little bit. I think it will go a long way. With that being said, the Chamber will stand-at-ease [Gavel].

DEPUTY SPEAKER COOK (65TH):

[Gavel] Will the Chamber please come back to Order. [Gavel] Will the Chamber please com back to Order. Representative Ritter.

REP. RITTER (1ST):

Madam Speaker I move that we take Calendar 88 off the Foot of the Calendar, leaving us with one Foot as opposed to two Feet.

DEPUTY SPEAKER COOK (65TH):

If there is no objection, so ordered [Gavel].

Will the Clerk please call Calendar No. 88.

CLERK:


DEPUTY SPEAKER COOK (65TH):
[Gavel] Ladies and gentlemen we are getting ready to start our day. We have Bill that has been called, we need to be able to hear each other in the debate. If you have conversations that need to continue could you please take them outside.

Representative Winkler.

REP. WINKLER (56TH):

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 Acceptance of the Joint Committee's Favorable Report and Passage of the Bill. Representative Winker, you have the floor, sir.

REP. WINKLER (56TH):

Yes, Madam Speaker. This clears up a small anomaly in Statutes for historical reasons, single town districts and multitown districts had different dates by which party primary petitions had to be available. In single towns it was a range from 77
to 84 days before the primary, in multitown
districts it was 77. Madam Speaker this Bill simply
makes the date in advance by which primary petitions
might be available 77 days in all cases. There is
no know opposition and I move passage.

DEPUTY SPEAKER COOK (65TH):

Will you remark further on the Bill?

Representative France I see that you are motioning
are you having difficulty hearing? Representative
France please proceed, sir.

REP. FRANCE (42ND):

Thank you, Madam Speaker. I join in the
summary as well. I think this is the beginning as
the Secretary of State talked about a few other
things to make consistent how our legislative
candidates are treated essentially in the process
currently as was summarized. In multitown districts
are candidates treated differently as part of the
process of ballot access and petitioning and I think
this is the beginning of standardizing that
treatment so everybody has equal opportunity to seek
petition to primary and get on the ballot. I think it is a good step in the right direction so I recommend adoption.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Will you remark further on the Bill? Will you remark further on the Bill? 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 COOK (65TH):

Have all members voted? Have all members voted? Will the members please check the board to determine if your vote has been 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. 7212

Total Number Voting 127
Necessary for Passage 64
Those voting Yea 127
Those voting Nay 0
Absent not voting 24

DEPUTY SPEAKER COOK (65TH):

The Bill passes [Gavel] Will the Chamber please stand-at-ease.

[Gavel] Will the Chamber come back to Order.

Are there any announcements or introductions? The Chamber will go back to standing at ease.


CLERK:

On Page 33, House Calendar 501, Senate Bill Number 5 AN ACT ESTABLISHING A WORKFORCE PIPELINE AND JOB CREATION TASK FORCE. Favorable Report of the
Joint Standing Committee on Labor and Public Employees.

DEPUTY SPEAKER COOK (65TH):

Representative Hall.

REP. HALL (7TH):

Yes, good morning Madam Speaker. I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill.

DEPUTY SPEAKER COOK (65TH):

The Question is Acceptance of the Joint Committee's Favorable Report and Passage of the Bill. Representative Hall, you have the floor, sir.

REP. HALL (7TH):

Yes, the Bill establishes a task force to study a workforce pipeline and job creating task force to prepare the State’s future workforce for well-paying manufacturing and technical jobs located in Connecticut. I move adoption.

DEPUTY SPEAKER COOK (65TH):

The Question before the Chamber is adoption of the Bill. Will you remark further? Representative
Polletta.

REP. POLLETTA (68TH):

Good morning, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Good morning, Representative.

REP. POLLETTA (68TH):

With that just one quick question.

Through you.

To the proponent of the Bill.

DEPUTY SPEAKER COOK (65TH):

Please proceed, sir.

REP. POLLETTA (68TH):

Through you, Madam Speaker.

Was there a fiscal note on this Bill?

DEPUTY SPEAKER COOK (65TH):

Representative Hall.

REP. HALL (7TH):

Through you, Madam Speaker.

This Bill has no fiscal impact as PA 17-236 prohibits transportation allowances for task force members.
Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

Thank you, Madam Speaker. I do rise in support of this Bill. I believe it came out of our Labor and Public Employees Committee unanimously and I urge adoption. Thank you.

DEPUTY SPEAKER COOK (65TH):

Representative Hall.

REP. HALL (7TH):

Yes, Madam Speaker I have an Amendment LCO No. 7467. I would ask the Clerk to call and I be granted leave of the Chamber to summarize. Thank you.

DEPUTY SPEAKER COOK (65TH):

Will the Clerk please call LCO 7467 Senate Amendment Schedule "A".

CLERK:

Senate Amendment Schedule "A" LCO No. 7467 offered by Senator Looney, Senator Duff, etal.

DEPUTY SPEAKER COOK (65TH):
Representative seeks leave of the Chamber to summarize the Amendment. Is there objection? Is there objection? Hearing none, Representative Hall you may summarize the Amendment.

REP. HALL (7TH):

Essentially there is slight technical change where it is just entering, inserting the word “jobs” and “and to study the availability and location of apprenticeships.” I move adoption.

DEPUTY SPEAKER COOK (65TH):

Will you remark further? Will you remark further? It not, I will try your minds. All those in favor please signify by saying, aye.

Representatives:

Aye.

DEPUTY SPEAKER COOK (65TH):

All opposed, nay. The aye’s have it [Gavel].

The Amendment is adopted. Will you remark further on the Bill as Amended? Will you remark further on the Bill as Amended? Representative Candelora.

REP. CANDELORA (86TH):
Thank you, good morning, Madam Speaker. Madam Speaker if I may, just a quick question?

Through you.

DEPUTY SPEAKER COOK (65TH):

Please proceed, sir.

REP. CANDELORA (86TH):

Madam Speaker in this Bill I notice that the Department of Consumer Protection and the Staff the General Law Committee is charged with, sort of overseeing this task force and I was just wondering why we are charging DCP with this as opposed to the Department of Labor, if there was discussion on that or the rationale for it.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Hall.

REP. HALL (7TH):

I thank the gentleman for the question. My understanding is that it was a decision made by the Senate.

DEPUTY SPEAKER COOK (65TH):
Representative Candelora.

REP. CANDELORA (86TH):

Thank you, Madam Speaker. I guess, you know, I was just thinking of what that intent is and, you know, I’m sure the Department of Consumer Protection, you know, sort of deals with certain industries where it may be appropriate, where they may have the expertise to address these issues. I would think maybe when we are dealing with apprenticeships the Department of Labor might be a more appropriate department to look at and I think going forward maybe we should have that conversation. I think, you know, generally speaking these task forces certainly are good when we talk about job development and I made the remarks before on different studies and task forces that we’ve created that I’m more concerned about the other substantive Bills that we are passing through this Chamber and the impact that we are going to be having on our economy. And so while the task force are good I think this Chamber should recognize the
fact that these votes have consequences and I think about all those with tax increases and paid family medical leave and things of that nature of what that is going to end up doing on our work force and job creation for the State of Connecticut. You know now studies have already come out saying that the minimum wage may cost 15,000 jobs in this State so that is obviously something that these kinds of task forces are going to have to end up looking at. And so that is certainly my frustration and I am going to put on the record over this Bill and I also just feel like generally speaking that if we want it to be meaningful that we should be looking at other agencies like DECD and Department of Labor weighing in on this. When I see language here that puts it in the Department of Consumer Protection, I’m just scratching my head because Consumer Protection deals with sort of some of the retail aspects of our laws. I mean they do deal with general contractors but I’m not sure they have a lot of work addressing manufacturing. To me, when I think of manufacturing
I think of the Department of Economic and Community Development. When I think of apprenticeships I think of the Department of Labor and so I just feel like frankly there is not a lot of effort that goes into this type of legislation that could be very meaningful and could be bringing jobs for the State of Connecticut that could be helping our businesses but we seem to put a lot of effort into other legislation that the businesses are saying please stop, don’t pass this Bill, you are going to be hurting job creation so I think going forward maybe that we should be putting a little bit more effort into these task forces to make sure that if we’re gonna do them we have the right expertise behind them to make sure that we are maximizing our ability for job creation in the State of Connecticut. Thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Will you remark further? 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, 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 COOK (65TH):

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

CLERK:

Senate Bill No. 5 as Amended by Senate Schedule “A” in concurrence with the Senate.

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DEPUTY SPEAKER COOK (65TH):

The Bill as amended is passed [Gavel]. Are there any announcement or introductions?

Representative Lopes.

REP. LOPES (24TH):

Thank you, Madam Speaker. I rise for an introduction and an announcement.

DEPUTY SPEAKER COOK (65TH):

Please proceed, sir.

REP. LOPES (24TH):

I have with me here the New Britain delegation and Attorney Adrian Barron. Adrian was the moving force for the creation of the New Britain Little Poland Festival eight years ago, was his first festival with sparse attendance, a couple hundred people and as some of you know last year we had approximately 19,000 people show up and we are expecting possibly 25,000 people this year which would be making it the largest Polish Festival in New England, period. It is volunteer run, it is self-funded. We are looking at 126 vendors this
year, carnival rides, folk dancers, food, strange costume characters but a whole bunch of different things, also the attendance of Heavy Weight fighter Adam “Babyface” Kownacki, so he’s an undefeated heavy weight fighter. Broad Street as many of you know, some of you may know, is you know, the street I moved to in New Britain when I moved there, it was a tough neighborhood and the good news it’s seen one heck of revitalization and renaissance to one of the most, probably most active street in New Britain and a destination location. But I just wanted to introduce Adrian and more importantly I wanted to say the festival this year will be Sunday, opening p at 10:00 a.m. and with the opening ceremony at noon on Broad Street in New Britain. Free admission. But give Adrian here our normal House welcome.

[Applause].

DEPUTY SPEAKER COOK (65TH):

Adrian welcome to our Chamber. Thank you for the great work and I hope we are all out of here by noon on Sunday [Laughter]. Representative
REP. SREDZINSKI (112TH):

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

DEPUTY SPEAKER COOK (65TH):

Please proceed, sir.

REP. SREDZINSKI (112TH):

Thank you, Madam Speaker. I am joined today by Silas Avila, Jr. He is an International Editor from Rio de Janeiro, Brazil. He is a United Nations correspondent as well, he is very interested in the way government works. He has experience in the Brazilian Government and is here today to learn a little bit about Connecticut State Government. So I ask the Chamber to join me in welcoming him to our Chamber. [Applause] Thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative and welcome to our Chamber. I hope you enjoy your visit.

Representative Currey.

REP. CURREY (11TH):
Thank you, Madam Speaker. Madam Speaker I move to suspend the Rules for the immediate consideration of Calendar 683.

DEPUTY SPEAKER COOK (65TH):

If there is no objection, so ordered. [Gavel] Will the Clerk please call Calendar 683.

CLERK:


DEPUTY SPEAKER COOK (65TH):

Representative Conley.

REP. CONLEY (40TH):

Thank you, Madam Speaker. I move to Acceptance of the Joint Committee's Favorable Report and Passage of the Bill in concurrence with the Senate.

DEPUTY SPEAKER COOK (65TH):

The Question is Acceptance of the Joint
Committee's Favorable Report and Passage of the Bill in concurrence with the Senate. Representative Conley, you have the floor, madam.

REP. CONLEY (40TH):

Thank you, Madam Speaker. The Clerk is in possession of LCO 8124. I would ask the Clerk to please call the Amendment and that I be grated leave of the Chamber to summarize. It’s 8127, I’m sorry.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative before we all scramble up here. Will the Clerk please call LCO 8127 Senate Amendment Schedule “A”.

CLERK:

Senate Amendment Schedule “A” LCO No. 8127 offered by Senator Kushner.

DEPUTY SPEAKER COOK (65TH):

Representative seeks leave of the Chamber to summarize the Amendment. Is there objection to summarization? Is there objection? Hearing none, Representative Conley, please proceed madam.

REP. CONLEY (40TH):
Thank you, Madam Speaker. This LCO was adopted by the Senate as Senate Amendment “A”. This Senate Amendment “A” was then referred to the Appropriations Committee. When the Bill came out of Committee, a Strike-All Amendment which we will be discussing later, Senate “B” was then put forward and that is the meat of the Bill that we will be discussing shortly. I move adoption.

DEPUTY SPEAKER COOK (65TH):

Will you remark further on the Amendment before us? Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Madam Speaker. I support the Amendment and will reserve comments for the underlying Bill.

DEPUTY SPEAKER COOK (65TH):

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

REPRESENTATIVES:
Aye.

DEPUTY SPEAKER COOK (65TH):

Opposed, nay. The aye’s have it [Gavel], the Amendment is adopted. Will you remark further on the Bill as Amended? Representative Conley.

REP. CONLEY (40TH):

Thank you, Madam Speaker. The Clerk is in possession of Amendment LCO 9712. I would ask the Clerk to call and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER COOK (65TH):

Will the Clerk please call LCO 9712 which is designated as Senate Amendment Schedule “B”.

CLERK:

Senate Amendment Schedule “B” LCO No. 9712 offered by Senator Looney, Senator Duff, etal.

DEPUTY SPEAKER COOK (65TH):

Representative seeks leave of the Chamber to summarize the Amendment. Is there objection to summarization? Is there objection? Hearing none, Representative Conley you may proceed with
REP. CONLEY (40TH):

Thank you, Madam Speaker. I rise in support of LCO 9712 as adopted by Senate “B”. This Amendment today boldly addresses an unfortunate fallout of psychiatric injuries that stem from violence and death in the workplace. As members of the General Assembly we are entrusted with a sacred privilege of being stewards of the Workers’ Compensation Act. As our evolving society impacts workplace injuries we are in charge of keeping this Act relevant. In the past this legislative body has made adjustments to the Act extending benefits to dependents of killed workers, acknowledging occupational diseases and extending cost of living adjustments. With these and other changes the Act has been around and made Connecticut more relevant over the last 100 years.

Today is another such moment for injured workers. Despite our best efforts deaths in the workplace are a rising phenomena and workplace violence is become all too common in Connecticut.
Connecticut has had its share of violence. We received National attention for horrific deaths in Sandy Hook but there were many less known and equally tragic events. The terrifying death of a New London social worker, the Lottery and Hartford Distributors shootings, the collapse of L’Ambiance Plaza and the explosion at Clean Energy. While the deaths and injuries associated with these events were compensated scores of employees and first responders who witness these tragedies were afforded no protection under the current Act. This Bill takes a step forward and properly acknowledges that police, firefighters and parole officers who suffer real viable posttraumatic stress by witnessing the death and mayhem while doing their jobs receive coverage for wage loss and medical treatment.

Technical issue resolved?

DEPUTY SPEAKER COOK (65TH):

Please proceed.

REP. CONLEY (40TH):

Thank you, Madam Speaker. So this Bill takes a
big step forward to acknowledge that workers who
witness death can be compensated for wage loss and
medical treatment. Let’s be clear that no one can
argue that these losses for posttraumatic stress
disorder and psychological needs are real and
necessary needs and should be addressed. Some say
that this Bill goes too far. Others say that it
doesn’t go enough. But today this Bill is a good
start to compensation our injured workers. I move
adoption.

DEPUTY SPEAKER COOK (65TH):

The Question before the Chamber is Adoption of
Senate Amendment “B”. Will you remark? Will you
remark on Senate Amendment “B”? Hearing none, I
will try your minds. All those in favor please
signify by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER COOK (65TH):

All those opposed, nay. The aye’s have it.

The Amendment is adopted [Gavel]. Representative
Madam Speaker. The Clerk is in possession of LCO 10183. I would ask the Clerk to please call the Amendment and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER COOK (65TH):

Will the Clerk please call LCO 10183 which will be designated Senate Amendment Schedule “D”.

CLERK:

Senate Amendment Schedule “D” LCO No. 10183 offered by Senator Looney, eta.

DEPUTY SPEAKER COOK (65TH):

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

REP. CONLEY (40TH):

Thank you, Madam Speaker.

This LCO and Senate “D” acknowledges that there
are more workers who are in need of posttraumatic stress disorder treatment and have dealt with trauma in their workplace. This Amendment does forms a feasibility study to expand the benefits that’s in Senate Amendment Schedule “B” to discuss in the future through the Labor Committee expanding these benefits to emergency medical workers and Department of Correction workers. It does allow the study group to return back to the Labor Committee in hopes that we will continue not work next session on expanding the Bill to these two groups of workers and many hope to continue to expand the Bill as time allows to cover all workers in the State of Connecticut that have dealt with trauma and death in their workplace that has resulted in posttraumatic stress disorder. I move adoption.

DEPUTY SPEAKER COOK (65TH):

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

Aye.

DEPUTY SPEAKER COOK (65TH):

All opposed, nay. The aye’s have it. The Amendment is adopted [Gavel]. Will you remark further on the Bill as Amended? Representative Polletta.

REP. POLLETTA (68TH):

Good afternoon, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Good afternoon, Representative.

REP. POLLETTA (68TH):

Madam Speaker I rise this afternoon in strong support of this Bill. I while I am new to this legislative body over the last three years understand from colleagues of mine and from talking to those Representatives from many groups such as the Connecticut Conference of Municipalities, this Bill has been a longtime coming. There has been quite a bit of time and effort put into the negotiations of this Bill to truly make it
affordable to municipalities across the State of Connecticut. Before I make anymore comments on the Bill I just have a question to the proponent.

Through you.

DEPUTY SPEAKER COOK (65TH):

Please proceed, sir.

REP. POLLETTA (68TH):

Through you.

To the proponent of the Bill, how has the scope of a qualifying event been defined in this Bill?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Conley.

REP. CONLEY (40TH):

Through you, Madam Speaker.

The scope of qualifying event has been defined very limitedly do a listing of events that a police officer, firefighter or parole office may witness which includes death of others, mayhem of others and some serious trauma that they may have witnessed in the course of their employment.
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And Through you, Madam Speaker.

Could the good proponent just list those?

Thank you.

DEPUTY SPEAKER COOK (65TH):

Representative Conley.

REP. CONLEY (40TH):

Through you, Madam Speaker.

Those start on line 85 of Senate Amendment “B” and that would be witnessing a deceased minor, witnessing the death of a person or an incident involving a death of a person, witness of an injury of a person who subsequently dies before admission to a hospital, physical contact and threats of an person who subsequently died before admission to a hospital, bear with me, carries an injured person who subsequently dies before admission to the hospital, witnesses the traumatic physical injury
that results in the loss of a vital body part or vital body function.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

Through you, Madam Speaker. And thank you to the good proponent for her explanations of these qualifying events. So it brings me to my next point, we obviously sat through some Public Hearing testimony on this Bill and again as I eluded to before, it’s been a while and there has been multiple negotiations on this Bill because I think that what the good proponent just said was what was in so much dispute over these last several year, you know, what really qualifies as an event under this Bill and that it what was giving some pause to municipalities across the State of Connecticut. But now with this narrowed scope I can stand here and say that I support what was written and what was ultimately agreed upon and brought before this body.
So, you know, we all have our first responders in our districts. Everyone goes back home and speaks to police and fire personnel and often times there are horrendous stories that we, you know, generally don’t hear of unless we have some sort of intimate with someone that’s on let’s say a police force. Well I have that specific, I don’t want to call it a privilege but I am very close to an individual who spent 37 years on the Watertown Police Force, many of which were spent as a head of the detective bureau so when I spoke with him about this Bill, boy did he have a lot to tell me about what he encountered over his many years as not only a police officer but the head of the detective bureau of the Watertown Police Department. Horrific and heart wrenching stories, talking about a child dying in his arms when he was doing CPR, talking about a person that he knew on a very intimate basis that happened to have a heart attack and he was the first one to arrive at the house and his children watched as he tried to give this induvial CPR and ultimately
he died. And it brings me to another point, the L’Ambience Plaza disaster in Bridgeport. While it was before I was born I am fortunate enough to be a member of an Italian America club in Waterbury that lost tens of workers in that horrific plaza collapse in Bridgeport. These were folks that left their families, went to work, hard working men, everyday in and out, concrete construction, brick layers, you name it, provided for their families and yet when that building collapsed I don’t think, and I certainly don’t know, cause again I wasn’t around, but I don’t think anyone could put a pulse on what those first responders saw when they walked in to a building when slab after slab after slab of concrete fell and crushed these individuals many of which were related to many close friends of my parents and members of this organization in Waterbury. It was a horrific day, it’s still commemorated to this day, but one can only imagine what these folks had to see heading into that collapse. I think it is fair to say with this Bill and my colleague, Representative
Sredzinski will outline a little bit more in just a moment, but I think it is fair to say that it isn’t a perfect Bill, I think it is fair to say that it is a work in progress and it certainly is fitting to say that there were folks that wanted to be included in this Bill that unfortunately were not. That is why I think we as a Chamber have to make a promise to them that folks like EMT’s that are often times the first responders will be looked at and possibly brought into this piece of legislation next session because they do the work that police and fire do just as well if not better. So there is room for improvement here but this is a good first step. This is a bipartisan first step something that was signed on to by both leaders of both chambers, supported almost unanimously to give these folks some sort of know, that we are listening to them, that they are not just, you know, casted off to the side that after something like this happens that changes their life they are not forgotten about because I could never do that line of work, I admit
it. And I would venture to guess that many people in this Chamber could not ever do that type of work. But for those brave men and women that head into burning buildings that try to save a choking child, or someone that’s having a heart attack, or someone that was in a bad accident or a bad fall, they deserve some sort of protection and I think that this Bill gives it to them. And one final point I’d like to make, I want to thank those prior to me that worked on this Bill, the members of the Labor and Public Employees Committee, the members of the Public Safety Committee, I want to thank CCM, Mayor Neal O’Leary of Waterbury who worked diligently on this and bringing it to us today. I hope it will be adopted, maybe unanimously today and that we can get Governor Lamont to sign this Bill to give these folks the protection they need. Thank you.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Will you remark further? Representative Sredzinski.

REP. SREDZINSKI (112TH):
Thank you, Madam Speaker. As someone that has served on Public Safety for the past five years we have seen and heard testimony from many, many individuals, officers, fire fighters, emergency medical responders and more and there is a clear need that we need to do better of taking care of our first responders when it comes to mental health. Further as someone who as served in the public safety community for the last 24 years I’ve seen it with my own eyes. I have close friends and some friends I consider family that have seen unspeakable horrors, unspeakable traumas and this Bill as the Ranking Member from Labor said, is not perfect. It’s a compromise. Rarely do we have perfection come out of this Building. That is something that is very difficult to achieve however I think that this compromise strikes the best possible outcome at this point between labor unions, municipalities and the State of Connecticut. Again it is not perfect, there are a lot of questions and I just wanted to kinda go through some of the Bill that I was a part
of negotiating early on, had discussions and I think it is important to highlight some of those concepts.

Under current law workers' compensation for PTSD is not covered for any first responder unless it is a firefighter who has witnessed the death of another firefighter while engaged in the line of duty. And this Bill would change that and expand it to the qualifying events that were listed and those qualifying events are important because they are limited. It is not just driving by a traffic scene where someone had a fatal motor vehicle accident, it is not going to a call where someone who had a heart attack. The proponent of the Bill listed the qualifying events, I’m not going to repeat them, but they’re significant major events and while there are questions as far as witnessing a traumatic event that results in a loss of a vital body part, well that is in there for a very specific reason. There was an animal attack in Stamford and during an animal attack the chimpanzee or gorilla, I forget exactly what it was, attacked the owner and
literally chewed off her hands, chewed off her face, horribly disfigured. The officers that were there had to deal with that and they had some issues with that, understandably so. That is why this is in the Bill. And this whole Bill really got more attention after Sandy Hook and we had officers responding to that school to see horrific unspeakable trauma that they had to carry with them for the rest of their life. I cannot blame one officer for not wanting to put that uniform back on after seeing the things that they say. These qualifying events are important because they make this specific, this is not just doing your regular job, it is not conducting traffic duty, this is very specific, again, it was negotiated that way for a very good reason. The PTSD must be diagnosed. This isn’t something that can just be handed out at a walk-in clinic. You need a board certified and license psychiatrist or psychologist who has experiencing diagnosing PTSD. This would be an expert in the field that can say for certain that PTSD is
occurring in this first responder and then to go further, they have to make the connection to that qualifying event. It can’t just be something that happened five years ago, it needed to be something specific that triggered this event. And I have the privilege of knowing many people in the field, firefighters, police and emergency medical technicians and paramedics. Some of them have 30 plus years in the business, one that comes to mind is paramedic Bill Ackley from Stamford, he was a paramedic in Hell’s Kitchen in New York City during some of the most difficult times in that neighborhood. He saw things that you can’t even imagine. He was able to deal with them, then an event occurs and he has to respond and he goes to that event and he gets triggered. Something affects him, hasn’t happened to Bill, he is a very strong person, but it something that happens and when it happens the State of Connecticut and municipalities should be there to say we got you. You’ve had our back, you keep us safe, we’re gonna keep you safe
and we are gonna do that with limited benefits. This is not a forever benefit, 52 weeks. If this first responder experiences PTSD, meets that qualifying event, gets diagnosed that first responder has 52 weeks to figure out what to do, either get better or figure out a new career path. I would imagine that most of them would recover, go through the therapy, go through their treatment and get better and go back to work, but some may need some time to find something else to do to support their families which is completely understandable. One question I have to the proponent of the Bill.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Conley please prepare yourself. Representative Sredzinski please proceed, sir.

REP. SREDZINSKI (112TH):

Thank you, Madam Speaker. Volunteer firefighters are they included in this Bill? Through you.

DEPUTY SPEAKER COOK (65TH):
Representative Conley.

REP. CONLEY (40TH):

Through you, Madam Speaker.

Yes.

DEPUTY SPEAKER COOK (65TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Madam Speaker. And as we all know volunteer firefighters are not compensated.

So through you.

What is the plan to compensate a volunteer firefighter for wage loss as a qualifying event occurs in this Bill?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Conley.

REP. CONLEY (40TH):

Through you, Madam Speaker.

The other sections of the workers' compensation act to address compensation for firefighter who have physical injuries, they do look at the standard rate
for firefighters in the area and that will be used for this posttraumatic stress disorder section as well. Again there is 100 years of case law and statutes in the workers' compensation act that do address a multitude of issues that may arise that folks would not see in the specific language.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Madam Speaker. And I appreciate the answer and also appreciate the proponent’s experience in the workers' compensation process, it is much appreciated. Moving on to some other parts of the Bill that I think are important to highlight, this prohibits law enforcement agencies from disciplining or penalizing officers that seek mental health treatment. While it may seem like something that is unheard of but we know it happens and we also know the stigma attached to it. And what that results in is that results in police officers not
seeking mental treatment for fear of being penalized in some way. So instead of dealing with the issues and addressing their problems they bury them. So develop substance abuse problems, others develop anger problems and I think it is important to realize this has a real, real personal touch. I was extremely moved last year at the Public Safety Public Hearing when Naugatuck police office Rebecca St. George came and testified before us. She had been working with her partner office Robert Tommy Byrne, they all realized his depression, they saw him breaking down. He was afraid to seek treatment. He attempted to seek treatment at some point, went on medication, it wasn’t enough. In her testimony she included the note that he left for his son when he took his own life. He wrote, “Tell Tyler I’m sorry. I love him immensely. My depression is too great and it would rub off on him. He is young enough to get over the memory of me and will be okay without me. I’m sorry I failed my family.” Madam Speaker I think it is important that today the State
of Connecticut doesn’t fail our first responders and that we standup, make a tough decision and have their backs. Thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Will you remark further? Representative McGorty.

REP. MC GORTY (122ND):

Good afternoon, Madam Speaker. I rise today in support of this Bill. I’ve been here for five years now and it has been five years in the works. I’m a first responder, got 20, excuse me, 39 years in the fire service. I’ve been to a bridge collapse in Greenwich, the Mianus Bridge I’ve seen carnage there, numerous fatal fires as a deputy fire marshal and I’ve seen what it’s like and the police officers and the firefighters that first respond. But on the other side of the job we go to false alarms and EMS does not go to a false alarm. Every time they are going out they are going out to help somebody, somebody at their worst and I am glad to see that there is going to be a study to include them, but
I’m a little disappointed that they were not included in this to go. They didn’t have a seat at the table, they didn’t have a spokesman. So going forward with this Bill as a study for them, I hope that the people in the Building work with the Fire and EMS Caucus, include us in the discussions with it so we can have it working for everybody, EMS, fire, police and all. Thank you very much.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Will you remark further on the Bill? Representative Perillo.

REP. PERILLO (113TH):

Good afternoon and thank you, Madam Speaker. If I could just ask one question of the proponent?

DEPUTY SPEAKER COOK (65TH):

Please proceed, sir.

REP. PERILLO (113TH):

I know that EMTs and paramedics were originally left out of this Bill in their entirety and there has been a study put in place. Could the proponent just answer me what the rationale behind that was
and quite frankly why were EMTs and paramedics weren’t included in the first place?

DEPUTY SPEAKER COOK (65TH):

Representative Conley.

REP. CONLEY (40TH):

Through you, Madam Speaker.

Well I was not involved in the original negotiation of the Bill. When I did become involved the Bill became arose out of 31-294(h), 31-294(h) specifically does apply to police and firefighters. There are benefits on the workers' compensation statute that only police and firefighters get that other injured workers do not receive and I believe that as the statute that gave birth to this 294(h) started with just police and firefighters, that’s were the language continued. B does have a new section for PTSD that is no in 294(h) so those issues of only including the original definitions will not be going forward and we can add the very important EMS workers, discuss DOC workers and not to mention the other scores of workers that deal
with trauma in their daily lives.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Madam Speaker and I thank the Representative for her answers to the questions.

I’ll be honest though I’ve been involved in the emergency medical services for my entire adult life and I got to tell ya I don’t know what we need to study. I don’t know what study needs to be done to convince members of this Chamber and those who were involved in this Bill that we need to include EMTs, we need to include paramedics. The Representative to my left said it very, very clearly they are on the frontlines every day and I want to just share a story. It involves someone in this Chamber and I think when we involve individuals in the Chamber it just resonates a little more clearly for us. So before I was elected I was the chief of my hometown’s ambulance service, volunteer ambulance
service and in May, I want to say about 2004, it was actually a day very much like today, it was the morning and things can get very busy in the morning folks going to work, folks, you know, taking their kids to school and one particular day the police department received numerous 911 calls about a motor vehicle accident, a two car motor vehicle accident. Of course, the police department responded right away, officers were on scene and called for an ambulance, called for the fire department. The fired department and the ambulance arrived right about the same time and they found, and they responded to find a car with four individuals a mother and three children. That car, mom in her rush to get the kids to school collided with a truck and the passenger side of her car essentially enveloped her and her toddler who was in the seat behind. And the fire and EMT’s, my EMT’s who volunteered for me, were on the scene. They were able to take her two children from the passenger side of the vehicle, they were able to get them out
of the car but they couldn’t access mom and they
couldn’t access, I want to say he was her four-year-
old son who was in a car seat behind her. And so of
course they had to take the car apart to get to
them. And I don’t know if you’ve ever been, and I
know there’s some folks with fire department
experience, I don’t know if you’ve ever been inside
a car when it is being cut apart. It is very, very
loud. You feel the car shaking as saws and other
equipment is used to take the car apart. And of
course you are in the car so it’s happening all
around you and you need somebody in the car with the
patients, they can’t just be there by themselves.
In this particular case both mom and her son were
very badly hurt and so in the front of the car was
one of the most experienced members of the volunteer
fire department in Shelton, a veteran who had been
doing this all of his adult life as well and in the
back of the car with mom’s four-year-old son was a
great guy volunteering for me, his name is Dave, he
is stalwart. He’s still volunteering and this again
was back in 2004-2005. He’s still volunteering and the firefighter spent the better part of the time, again, you’re huddled under blankets because you don’t want debris to fall on you or your patients. So the firefighter in the front, in the dark with all the noise was obviously making sure that mom was doing well but also trying to make sure mom wasn’t looking behind her to the backseat because her son wasn’t doing very well. And my guy Dave was in the backseat with her son trying to help him breathe and encouraging him to stay strong and eventually the firefighters were able to cut the car apart and were able to get the patients out of the vehicle and do of course what the EMTs and paramedics needed to do for both of them. Mom eventually lost her left arm. Her son died that day and I want to know what study is going to explain to us why the veteran firefighter in the front, well deserved, the veteran firefighter in the front gains these benefits, the police officers who arrived on scene and say this gain these benefits but my guy Dave in the backseat
of that car with the four-year-old who died, why we have to study that. I need an explanation why. Dave needs an explanation why and EMTs and paramedics need an explanation why and they need to know what we need to study. [Sighs] Madam Speaker, I’m certainly going to support this Bill. I think it does something very, very important for firefighters and police officers here in Connecticut but to echo my friend’s comments here, and by the way the gentleman to my left was the veteran firefighter in the front seat of that car, he wouldn’t tell you that. We shouldn’t be having this discussion and I’ll be honest it’s shameful that we’re having this discussion. A study is just not enough. I appreciate the effort. I know EMTs and paramedics in Connecticut appreciate the effort but in my eyes advocates at the table we’re just trying to get theirs. And I say this because I’ve been here long enough to have heard we’re gonna study it, we’re gonna work on it over the winter, we’re gonna make it better, we’re gonna fix it. We’ll come back
next year. I’ve heard it but I’ve heard it too many times and seen it now followed through on too many times. So I share this story and I say what I’m saying now just to simply let you know that there is a reason why we have to do this. This can’t just be lip service here in the Chamber that we’re gonna do a study and it’s gonna go on a shelf and nothing is gonna happen. There needs to legislation next session to fix this because it’s just not right, it’s just not right and I’m asking here right now for that commitment that we’re gonna do this next session and do it right because guys like my EMT Dave and guys like him, what were doing to them is horrible and I again am going to support the Bill because I think what’s in it is good but what’s not in it is terrible and I do want a commitment that we are going to address that. Thank you.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Representative Conley.

REP. CONLEY (40TH):
Through you, Madam Speaker. The body of workers' compensation law is very complicated. EMS workers and DOC workers and many, many other groups of workers experience horrific trauma on a regular basis. I want to know why not just that EMS worker wasn’t compensated. Why wasn't the medical staff that attended to that child at a later place wasn’t compensated? Why can’t we compensate the teachers who saw the tragedy at Sandy Hook, why can’t we compensate the other workers who see tragedies every day? Unfortunately with the complexities of the insurability of workers' compensation when we look at private EMS companies we need to have a variety of folks at the table and while those folks were not there they need to be brought to the table. We need to figure out how to ensure these workers how to ensure the coverage and that does include, in the State of Connecticut, a variety of third party insurance companies, the Second Injury Fund, the State of Connecticut, the municipalities and we need to make our table larger to include all the workers
who do experience posttraumatic stress disorder and I will commit to my good friend across the aisle to continue to work with him and others on this as there are many workers who need coverage because without treatment for posttraumatic stress disorder our society crumbles.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Will you remark further? Representative Hayes.

REP. HAYES (51ST):

Thank you, Madam Speaker. No questions, just a few comments if I could?

DEPUTY SPEAKER COOK (65TH):

Please proceed, sir.

REP. HAYES (51ST):

Madam Speaker, I don’t talk very much and I’m not the type of person that jumps in front of a camera and I guess that is kind of unusual for a politician but I felt the need to get up and make some comments on this. I did 33 years in law enforcement and the last 12 years as Chief of Police
for the Putnam Police Department. Ten years before
that I did the volunteer fire department in the Town
of Putnam and EMS as well. I received by first
lifesaving award from Governor Rowland and that was
the result of me responding to a small auto repair
shop where a mechanic was removing a gasoline tank
from a car forgetting he had a wood stove burning in
the building that resulted in a massive explosion
and fire. I went into that building as a
firefighter and I found him, his name was James and
I took him out of the building and I still can see
his burnt face to this day and I rode with him in
the ambulance to the hospital and he died and I
received two lifesaving awards in the next 33 years
and I couldn’t go to a ceremony because I couldn’t
understand why I was getting a lifesaving award when
someone died. And it wasn’t about awards. I was
sent to the Connecticut Police Academy in 1986 and
one of the first things we did we introduced
ourselves to the class, I think there we 33 of us in
the class, and the biggest question that came up is
where the heck is Putnam? [Laughter] Putnam is in the quite corner in the northeast that nobody knows that and it was so bad that the instructors for the next 17 weeks joked about how they had to add to the curriculum of how to get cows out of the road because I was there [Laughter]. But I can tell you what they didn’t teach us is there is no officer wellness programs, there we no courses to tell us how to take care of our minds. What we were told is be tough and don’t let ‘em know you’re scared. And that’s how I served my next 33 years on the Department and when I got off on-the-job training, my first day in a cruiser by myself the first call I went to what was a motor vehicle accident, a motorcycle versus a pickup truck. And I was about the second car to arrive in that scene and that person was being loaded into the ambulance when I got there. The impact of the motorcycle and the car amputated his leg just below the knee and as I was walking to the scene from my cruiser, I realized that the person they were loading into the ambulance
was someone that I went to high school with. We didn’t know each other real well but we knew each other and they took him in the ambulance and they drove him away and the sergeant on the scene, “Rookie, go pick up that leg” and I still remember how surprised I was that the leg was still warm and it had a sock and a work boot on it. And I took that leg to the hospital and to this day I don’t know why, because that is what they told me to do. Later in that shift that same sergeant met up with me and he said, “Kid are you okay?” And I said, yea I’m okay and he said you need to suck it up and you need to let it go. In that same night, you know what we did? I went to my first choir practice. Choir practice is something that cops did at the end of the shift. We got together and we drank beer and we talked and we laughed and that’s how we handled things. Probably about a year-and-a-half later I responded to another car accident, I was the second car to the scene, EMS wasn’t there yet, the fire department wasn’t there yet. It was right before
Thanksgiving and we noticed right away that there were four people in the car, all teenagers, three were deceased. There was a forth teenager in the backseat, a girl, 16 years old, she was alert, she was awake, she was crying for help. Fire department wasn’t there yet. I went in through the back window and I held her and promised we were going to get her out of the car and she died in my arms. I don’t know whether on that day, watching that happen or being sent to her mother to make that notification, I don’t know which one was worse but they both stick in my head to this day and that night we drank beer. After that I was promoted to the position of detective and I handed all of the major investigations for the Putnam Police Department. What I did learn really quickly was Windham County has one of the highest rates of child sexual assault in the entire state and I investigated dozens of child assault cases and I get sent to Seattle where I was presented with an award from the American Prosecutor Research Institution and I took it but I
said, I’m curing anything, I’m not stopping anything, I’m just doing my job. One afternoon I was sitting at my desk and I got a call from the local paramedic and he said, “Detective we need you to come to the hospital.” He said, We have a SIDs death up here and I don’t feel right about it”. So I went to the hospital and after persuading the ER doctor to let me examine the baby and I found a couple of bruises which I felt were unusual and I asked the doctor if he was going to do an autopsy and he said, “No leave it alone, the family doesn’t need that.” I called out to the prosecutor and I got them to order an autopsy and this is a local hospital that I hung around at as a police officer for many, many months and they were so upset with me that I was doing this to this family that they stopped talking to me that day. The next morning I was assigned to do the autopsy or go to the autopsy while it was being done which wasn’t unusual, it is unusual that I was going to one for a five-month-old child. And I watched that autopsy and during that
autopsy they found that there were 13 bone fractures all in different stages of healing and that baby’s death was ruled a homicide and not a SIDs death. We had a conviction and we arrested that father and we put that father in jail and I got promoted to Senior Detective at the time and Putnam has a methadone clinic and probably about two months later I was sent to the methadone clinic because one of our offices had been sent there and while trying to figure out what was happening one of the clients at the methadone clinic stole his cruiser and ran over the officer and when I got there the officer was okay, the ambulance was there, his cruiser was gone but I got notification on the radio that the cruiser was found about a mile down the road smashed up in the woods. So I went to that location and I spoke with a lady who was standing in the road who told me a story about how she saw the cruiser crash, so being a good person she stopped to see if she could help except for it wasn’t a police officer in the car. It was our client from the methadone clinic
and he took her out of the car and he stole her car, problem being her baby was in a car seat in her car. So as we started to look, I found that car and that car took off on me. At this point the only thing I could think of was the baby in the car seat. I didn’t think about procedure and all the rules that we have to pursue and whether or not I should chase that car or do I have the right to chase that car? I chased the car and that chase ended when I saw the car seat come out of the car into the road. The baby was okay and that was probably the best day of my career giving that baby back to it’s mother. That individual was caught a while later after he assaulted a 75-year-old lady and he was held at the Putnam Police Department, my job the next day was to transport him to court. As we drove down the road me in the front seat, him in back I noticed that he was fidgeting in the car. Didn’t know what he was up to until I felt him come over the front seat. At that point I reached down for my gun, only to find out that my holster was empty. My gun was now
pointed at my head. As I reached up to grab his hand I pushed away and he pulled the trigger. I don’t know if anybody could imagine what it’s like to be sitting a foot away from a gun that goes off in a car with the windows closed. We fought in the front seat, I don’t know how he got in the front seat, but as we fought he opened the door and the two of us went out of a moving car onto the road and that car continued about 500 feet down the road and crashed into a telephone pole and the two of us wrestled in the road. I was able to get my gun back and by that time other cruisers were arriving and they helped me subdue this person. It wasn’t until one of the other cops that arrived said to me, “Officer, you’re bleeding.” I’d been shot through the hand and I didn’t know it at the time because of all the adrenaline that was flowing through. But that was one day, it was March 15, 2001. I remember that day like it was yesterday. After that I got promoted to captain and the Chief of the Putnam Police Department, figured all my road time was
done, I’d take care of the guys that were not working for me until one afternoon the dispatcher came in and said, “Chief, EMS is responding to your father’s house.” I went there to find my 33-year-old nephew who died of an overdose of heroine while my family were giving each other condolences and carrying for each other on the front lawn, my job was to help the undertaker take my nephew out of the house. I went 33 years without a problem and in 2009 I was getting ready to take office as President of the Connecticut Police Chiefs Association which, if you are police chief that is the biggest honor in the State you can get. And I started having nightmares, I mean the kind that you see in a movie, where you jump out of bed and you’re sweating and they were more and more frequency. I went 33 years without a nightmare and now all of a sudden here they are. So I went to the doctor, try to get some help to see what was going on, my doctor suggested that I go to a psychiatrist. I cried that day, the first time in 33 years, 33 years and I never let
myself cry. I cried not because of emotion, I cried because I was going to lose my job, that’s the way it was. You didn’t let this stuff go because if you did you weren’t strong enough, you weren’t emotionally stable, they took your gun and they took your job. I begged that doctor not to tell anyone, I got treatments in another state and other than being overly emotional right now, I’ve done pretty well. I’m not telling these stories because I want sympathy or anything like that, I’m not a hero, never wanted to be, never will be. I’m telling you this story because there are police officers and there are first responders in this State that have this stuff locked inside of them and they are afraid to let it go. When I was President of the Connecticut Police Chiefs Association, we put together Officer’s Wellness, the thing I’m most proud of in my life and I think that’s what started where we are right now. These are our heroes. These are people who do what I just told you about every day. They have to know that it is okay to
talk about it. They have to know that it is okay to get help. As you can guess I am going to support this Bill. I truly wish that EMS was included in it and I hope that next year they will be. I ask you for your support to. Thank you.

DEPUTY SPEAKER COOK (65TH):

    Thank you, Representative. Representative Boyd.

REP. BOYD (50TH):

    Thank you, Madam Speaker. And although she is not in the room, I would like to thank the Co-Chairs of the Labor Committee for their work and Representative Conley for bringing it out. I would also like thank my neighbor, friend and colleague Representative Hayes for talking about, you know, his own career. This Bill is an important Bill and one of the things we often forget I think in this Chamber is Connecticut is a really diverse State in a lot of different ways and the way that we handle emergencies although there are similarities, are very, very different and a lot of times in
conversations we hear and rightfully so that a fire will burn in Bridgeport, the largest community in the State the same way that it burns in Union which is the smallest community in the State. And how we work together and get stuff done varies greatly. I joined the fire service ten years ago, not necessarily for any noble reasons, you know, I’m a teacher and school administrator by the daytime and we used to sit at my school and say, man it takes the fire department a long time to get here, and it’s a rural town, less than 4,000 people, volunteer fire department, served by regional State Police Troop and volunteer ambulance, and it takes a while because it takes volunteers to run it and so instead of just complaining about the problem myself and a few other colleagues we tried to do something about it. We joined. And what seemed like a fairly trivial decision to serve the community turned into perhaps the most impactful thing in my life. I have learned more being a volunteer firefighter and emergency medical responder than I have in almost
any other sphere. And in small towns you never know quite where you’re gonna get. The pager goes off and yes, a pager, the ultimate status symbol of the 90s [Laughter] is 80’s is still how we communicate, the pager goes off and if you are available you respond and if you don’t have enough people available this is where the mutual aid system works in Connecticut. Your neighbors, its interagency, it’s not just firefighters, it’s not just police it is not just EMS, they all work together and I appreciate the dialogue early on about continuing this conversation and moving on. We need to get EMS, we need to get others into this Bill, this is important stuff. And just to echo what’s already been said before, you never forget, you never forget when you encounter death on the scene. I will never forget the first time that I responded and in this case it was the death of a minor. It never leaves you and I think that the one part that hasn’t spoken about it is I know at least with the fire fighters and I know with may other first responders, even if there are
programs available, they don’t ask for help, they don’t seek help. And I remember having a colleague of mine, a volunteer in the same town, we had a pretty traumatic scene, there was only a handful of us that responded with the State Police, it was a fatality on Route 44 in Pomfret and I had a colleague of mine who works in manufacturing in the other side of town that the next day sent me a text saying, “How ya doing today, let’s grab coffee” because that was his way of also coping and saying we need to talk about this, you know, because you don’t sleep at night, it’s not something that you can pickup and go over on. This is important that we move this forward and it is important that we keep the conversation going. A paramedic came up here a couple of days ago and brought a petition with over 10,000 signatures of Connecticut residents who want to see EMS included and that is a statement and I think the good Representative has acknowledged that has been heard and we are going to continue on. But it’s not just EMS, it is a big conversation to
be had about corrections and other first responders and teachers and folks that are exposed to this because the worse thing that we can do is nothing. And I understand the legislative process, the advocated know that, you know, when I first saw the limited scope for this, I wasn’t happy about it, but I get that this is the first time this is going to cross the finish line in a very long time and that in itself is important. And it sounds to me like those that have spoken in informal conversations in this Chamber that there is a will to continue it in February when we come back here again because we need to expand it and just to think about my own situation, if I respond to a triggering event in my town, small town on the red firetruck as a firefighter I’m covered. But if it happens to be that day that I’m needed on the ambulance, not the firetruck and I respond in a white ambulance, to the same triggering event, to the same thing that I could get services for, I’m not covered. Nobody in this Chamber thinks that’s right, so let’s pick this
up in February, let's continue the conversation, let's support our first responders and most importantly sometimes the conversation pits us against each other within the community and that is not what we should do, this isn't cops versus firefighters or versus corrections officers, that's not the goal. The goal is to get good help to the people who need it and I want to add my voice to support of this and I want to commit to this Chamber that I want to pick this up in February and continue on. Thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Representative Klarides-Ditria.

REP. KLARIDES-DITRIA (105TH):

Thank you, Madam Chair. I have a few comments to the proponent of the Bill.

DEPUTY SPEAKER COOK (65TH):

Please proceed, madam.

REP. KLARIDES-DITRIA (105TH):

Thank you. This PTSD Bill I support it as
amended, I think it is a start, just a start and it is a very important start. As a wife of a police detective I see daily the horrors that our police and fire see. Sorry. This Bill is written, it protects the people that protect us every day. It enables to get them the emotional help that they need and get them back to work as soon as possible, protecting us. I’m proud to be married to a cop and I encourage all of you to support this Bill today as it is a very important first-step. Thank you, Madam Chair.

DEPUTY SPEAKER COOK (65TH):

    Thank you, Representative. Representative Vail.

REP. VAIL (52ND):

    Thank you, Madam Speaker. If I may, some comments maybe a question for the proponent?

DEPUTY SPEAKER COOK (65TH):

    If the Representative is ready, please proceed.

REP. VAIL (52ND):

    This is my fifth year here and this is an issue
that I dealt with both on the Public Safety Committee and four years on the Labor Committee. It is long overdue. I’m a little frustrated, I don’t think we finished the job and I think we have had plenty of time to do that and I know parole officers were added to this and I think that is a good thing, but I think that is, the parole is the Department of Corrections and if I may, I have a question for the proponent. I was curious what the thought process was to add just the parole officers to this Bill and not the entirety of the Department of Corrections employees.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Conley.

REP. CONLEY (40TH):

Through you, Madam Speaker.

This is just a start and there are many groups that need to be added. I would like to echo the comments of Representative Boyd that just because others are not in, does not mean that those who are
in are not as important as others. This Bill does need to be expanded to many others in my opinion and in many of our opinions across the Chamber.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Vail.

REP. VAIL (52ND):

And I appreciate that answer but again like I said we’ve been at this for five years. Something we’ve been working on, those groups have been in and out of this legislation so I don’t understand why this Bill doesn’t apply to all law enforcement and all first responders and why we are picking certain law enforcement agencies and certain first responders for this to apply to. As many of you know, cause I’ve probably said it way too many times in here, I’m a former correction office and certainly I did 12-1/2 years in the Department, certainly seen my share of things and can definitely say I’m a little bit different today probably than I would have been had I not done that job for 12-1/2
years and a lot of other people that I worked with experienced much more egregious things that you see when you do a job like that, that certainly this should apply to them as well. And I just think that doing a study to pacify those law enforcement agencies and first responders that I don’t think were deemed important enough to be added to his legislation I find that very disappointing. Obviously certainly I am going to support this legislation. I think it’s good but to say that we’re gonna do it next February, we’ve been at this for five years, there is no excuse that this wasn’t done better and I’m disappointed for that. Thank you.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Representative Buckbee.

REP. BUCKBEE (67TH):

Thank you, Madam Speaker. And just a few comments if I may?

DEPUTY SPEAKER COOK (65TH):
Please proceed, sir.

REP. BUCKBEE (67TH):

So we’ve had some incredibly emotional stories. And while I am not active currently in my fire department, I’ve seen my share and I’m not here to tell stories. It’s one thing you can say throughout all these stories, the stories are very similar, so are the reactions. There is a tough-guy thing that is sold to all of us when we start doing this. You don’t talk about it. You do have those, as the good Representative mentioned before, I think he said his choir practice, every close house has those where you sit down and talk about it a little bit but really its’ to dull the pain. What I really want to say with this Bill is the need for it because you truly can’t un-see, you can’t un-smell what you’ve been through regardless of what piece of work you’re doing be it paramedic, firefighter, police officer, it’s all horrific things and we need to make sure we address. Mental Health has always kind of taken a backseat to all of it. I wish this Bill did more,
it deserves to do more, I think get a piece of it that Representative Boyd recently just mentioned on too, is our inability to ask for help. That’s big and again we address that in other areas. We address that mental health in other areas because of that tough guy syndrome that we’re all taught early on you don’t ask for it. Without getting in again to personal details I’ll certainly be supporting this Bill and I’ll certainly be any part I can in making that next step and that next piece happen for every single one of those people who deserve it. Thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

    Thank you, Representative. Representative Case.

REP. CASE (63RD):

    Thank you, Madam Speaker, good afternoon.

DEPUTY SPEAKER COOK (65TH):

    Good afternoon, sir.

REP. CASE (63RD):

    Through you.
Before I make some comments, there’s a few questions to the proponent of the Bill.

DEPUTY SPEAKER COOK (65TH):

Please proceed, sir.

REP. CASE (63RD):

Through you, Madam Speaker.

In the last Amendment that was offered by 36 Senators, when and where do we see in here that the Committee of Cognizance will take this up before February on next year?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Conley.

REP. CONLEY (40TH):

Thank you, Madam Speaker.

The Committee of Cognizance does have to report no later than February 1, 2010 so their work on this Bill can start right away.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Case.
REP. CASE (63RD):

Through you, Madam Speaker.

So does this Bill mandate that the Labor Committee come in and work on this?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Conley.

REP. CONLEY (40TH):

Through you, Madam Speaker.

Yes.

DEPUTY SPEAKER COOK (65TH):

Representative Case.

REP. CASE (63RD):

And through you I it interesting in line 15 the big word “if” the Committee determines its feasibility. Does the good proponent of the Bill as though it should be this body that decides if it has feasibility?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Conley.
REP. CONLEY (40TH):

Through you, Madam Speaker.

The Senate did write this Amendment. I’m sure we may have written a little differently but this was drafted yesterday in the Senate and any work of the Committee does have to be approved by the Committee, the House and the Senate and I look forward to working with many others to expand this Bill.

DEPUTY SPEAKER COOK (65TH):

Representative Case.

REP. CASE (63RD):

Thank you, Madam Speaker.

And through you.

A few years ago there were a few great guys and gals in this Assembly, one I’m looking at right now sitting who just told a story Representative Boyd and our former Representative Oller and now others who serve on the Fire and EMS Caucus.

Through you, Madam Speaker.

Does the good proponent know if this Caucus was
conferred or talked about and brought into the conversation about this Bill?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Conley.

REP. CONLEY (40TH):

Through you, Madam Speaker.

As this is a Senate Bill and I believe we are speaking the Senate Amendment I was not involved with those conversation personally therefore I cannot answer that question.

DEPUTY SPEAKER COOK (65TH):

Representative Case.

REP. CASE (63RD):

Thank you, Madam Speaker.

And having some conversations with one of the Chairs there has not been a conversation. I find that disheartening cause I know the good Speaker is on that and I am sure she would have jumped in to lend some conversation to it.

With that, you know, I find it today, you know,
especially hearing some of the stories, you know, a very heavy heart, yes I did vote for this in Appropriations to get it out of Appropriations. And is speak today because in this Building we work so hard to help our Veterans, to help those with IDD, to help those that are in need. I look at this and I see us picking winners and losers and that’s not what we’re about in this State. Why, why would we decide, and yes we are a body that has to vote on this, I know the Bill was drafted by others but why would we decide to not include all, all first responders. My father, who passed away 23 years ago, was the founder of the Winsted Volunteer Ambulance Association, drove the old station wagon around that they used to have, heard lots of stories as I was growing up about it. Those are the people that respond. I did not take that route to go into be a first responder but, you know what, I saw those first responders give my father his last ride. I saw those first responders tend to my brother three years, a couple of days ago it was three years that
he passed when those first responders attended to him. I saw those first responders when my grandfather didn’t answer his phone to come to Christmas dinner so I went to the house and he was on the floor. First responders weren’t available so we had to go to Mutual Aid. Mutual Aid came. They pronounced him there. Those first responders find more death and they respond to more death in our communities. If we didn’t have our volunteers and a lot of people talk that we are having trouble getting people to volunteer, getting people to our volunteer fire departments, getting people to our voluntary ambulance corps and its things like that, picking winners and losers that really frustrates me. It also frustrates me that if, because the word if, is in this Bill, if the feasibility or if the Committee doesn’t meet between now and February 1st and come out with a report, what is gonna happen to EMS. Is it gonna be that one Committee that is going to decided that EMS is not able to join in with this PTSD and give ‘em some help that they need. I hope
that we look at this very hard as a body. You know, we don’t want to drag this out and amend it again but I don’t like the way on some Bills we pick winners and we pick losers. These volunteers, these EMS people whether you are a first responder, in my town you’re a police officer or you’re a first responder. The ambulance is either first or second and the fire department usually comes along and they also have it. These people all go through majority of the same training. They see the same things; I mean we had a horrific accident not to long ago with four young people in a car. Two passed, two lived. They were all people from our town. All the responders were from our town. I can’t imagine what the families are going through and I can’t imagine what the responders go through. I just really wish in this Body we wouldn’t pick winners and losers that I hope, I hope to God, that we and that our Committee is put into this Bill meet and comes out with a study that we can include all and once again not pick winners and losers. Thank you, Madam
Speaker.

DEPUTY SPEAKER COOK (65TH):

    Thank you, Representative.  Representative Bolinsky.

REP. BOLINSKY (106TH):

    Thank you, Madam Speaker.  I just want to make a couple of remarks and I want to try to be brief because we’ve all heard a lot of very, very compelling stories and reasons why this Bill is the right thing to do.  So to start out with I just want to say that I am looking forward to passage of this Bill bipartisan and I believe that will be overwhelming.  But I am also looking forward to completing the study that leads to the inclusion of the volunteer EMS workers as well.  It is interesting today’s debate began with acknowledgement of this entire subject originating with the atrocities that occurred on December 12, excuse me, December 14, 2012 at the Sandy Hook Elementary School in my hometown of Newtown.  I have a lot of friends who responded to that event.  And a
lot of friends who experienced something that to this day for them is still an unspeakable horror. Some of those folks were State Police, our local police were the first on the scene, EMS and fire followed closely behind but when you think about it, it just completely takes out a whole community when something like this occurs because we had teachers that saw that unspeakable horror that day. There are teachers that guided children out of the school through a labyrinth of horror. We had custodians in the school whose first thought might have been, how do I restore the building, clergy, local politicians, national politicians. It’s hard to describe and much as conversation takes off into different directions on political runs and issues where we piggyback on tragedy the time it takes to heal a community is not measured in days, or weeks, or months or even years. So I really don’t have a conclusion to that thought. So I’m just going to continue on and say that in 2013 it the midst of something that nobody had seen before a evil that
invaded an entire community and an entire State and the entire world I might add. A prior legislator in 2013 which was my freshman year here, stepped up with compassion and our Governor at the time, who most people don’t remember as being a compassionate man, Daniel Malloy, stepped up with incredible humanity and compassion. And together we crafted the Sandy Hooks Worker’s Assistance Fund which was sort of a precursor to this but a little bit broader because of the community needs that I discussed with you a moment ago, Madam Speaker. That was done for obvious reasons, or at least in my mind and I just want to take a second to remind all of my colleagues that S.B. 64 is a codified response to having to react in desperation to future unspeakable acts. To narrow it down and conclude, our police and our firemen they are on the frontlines and they are accustomed to seeing things and acting upon things on a daily basis which are life defining but there are events that require a little bit of consideration, compassion and PTSD and this is an
incredibly important measure the inclusion of our
EMS workers in the next session is every bit as
important. So for those of you are going to vote on
this because it is overwhelmingly going to pass,
thank you. For those of you that are thinking,
should I vote for this, I thank you in advance.
Thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Representative
Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you, Madam Speaker. I do have a, just a
clarification question for the proponent of the
Bill, if you may?

DEPUTY SPEAKER COOK (65TH):

Please proceed, madam.

REP. MASTROFRANCESCO (80TH):

Thank you, Madam Speaker.

I believe Representative Vail might have
touched on it, the definition of a parole officer in
the language can you please clarify that for me.
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Conley.

REP. CONLEY (40TH):

Thank you, Madam Speaker. The definition of parole office may not be parole office that everyone’s thinking. It is a very limited group to 100 DOC parole officers who do fugitive capture and street work.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you. And you had mentioned in Sections 31-294(h) is the reason, that was the basis for including police officers and fire fighters and that’s where it came from and can you again just, and I didn’t hear what you said to Representative Vail, what the purpose was for including parole officers and excluding EMS?

Through you.
DEPUTY SPEAKER COOK (65TH):

Representative Conley.

REP. CONLEY (40TH):

Through you, Madam Speaker.

These specific group of parole officers that are doing fugitive capture are doing what is more looked at policing work and our injured in the line of duty with the same course.

DEPUTY SPEAKER COOK (65TH):

Representative Mastrofrancesco.

REP. MASTROFRANCESCO (80TH):

Thank you, I just needed clarification on that and then just a couple of comments. You know, I really struggled for the past maybe week or so when we had this Bill in Appropriations and I did not vote for it in Appropriations and I really struggled because I needed more information and I kept on thinking, you know, my brother is a police officer and I truly understand this. They are on the frontlines every day and they put their lives at risk to protect us. And then I also looked at many
other professions like nurses and doctors and, you know what they see every day and I almost have to wonder does everybody has some sort of PTSD. You know anything could happen; it could be one event that can trigger in our lives. So I struggled with this in Appropriations and when I voted against it and I actually was losing sleep over it for a couple of days and the other thing I thought about is, you know, I still sit on the Council in my town and I try to, as I’m up here, I try to take anything personal out of it and look at what is the ramifications for my town and what are the ramifications for the person and it is a very difficult choice, so I really had a difficult time making a decision on this. But at the end of the day, you know, our firefighters and our police officers are on the frontlines every day. I am very disturbed that our EMS are not included in this. How a parole officer could be more important that an EMS, not that they’re not important, but EMS on there every day, every single day they go out there,
that’s what they do. They are responding to a tragedy and they are not included with this I found very disturbing. I hope going forward that this is corrected, it should be the opposite in my opinion, the EMS should be included in here and there should be study on parole officers. I’m still not getting a clear answer as to why they were excluded from this, is it cost. And I sometimes wonder are we really, do we really care about what our first responders when things like this happen, it really is unacceptable to me. But at the end of the day, they are on the frontlines for us and they fight for use every single day and in my opinion they are worth fighting for as well and it could be hardship on our municipalities and it could be a tough, tough nut for them to crack at times but they are doing it for us, they are there for us and quite honestly if it wasn’t for them and our Veterans we wouldn’t be sitting here today. So I truly hope that this is fixed going forward and we do make the correct changes. Thank you.
DEPUTY SPEAKER COOK (65TH):

    Thank you, Representative. Representative Hall of the 59th.

REP. HALL (59TH):

    Thank you, Madam Speaker. I realize we’ve heard many, many stories in the Chamber today of how our first responders perform every day and I have a few very short stories of my own. I could stand here all day and tell stories, horrific stories, but I think some of the hardest stories to here are of our children. This was a window of one week in my husband’s patrol days and then detective days but the stories I’m gonna rely right now were within one week when he was a rookie, he was a patrolman, and these standout in my mind because at the time, our children were the same age of all these kids that he responded to. It was a hot summer day, he got a call, he was at home on lunch. He was the closest to the call, so of course he responded. It was to a child who had walked out from behind an ice cream truck and got hit by a car. Enfield was a little
unique because for the last 25 years our police ran our ambulance, so not only were they the police in a small town but they also ran the ambulance. They physically ran the ambulances. So he responded with the ambulance to the little girl laying in the street, she was eight years old, he didn’t have time to grab his protective mask, he got to her as quick as he could and started CPR. He couldn’t save that little girl. As he blew into her mouth, brain matter came out of her ears. That was one of the many calls that week. The second call he went to a few days later he ran into a house, there was a call, a mother went to pickup her child from the daycare. They daycare provider that given the child to the father who wasn’t supposed to have her. He went home and stabbed the two-year-old to death in her crib. My husband was the first in the door to find the baby in her crib and then found the husband hung in the basement. That’s two days after the eight-year-old was hit by the ice cream truck. Later that week a good friend of ours owed a farm,
whose daughter was a great horseback rider, rode all the time. She was 12 years old. We got the call that the horse had reared and crushed her. That was my husband’s call again. Three children in one week that was one week. He’s been doing the job for 33 years. I can’t tell you how many dead children, dead people in car accidents places where he’s pulled people of the cars. I’ve lost count. I’ve lost count. But what I will tell you, he’s about the strongest person I know. He’s the kindest person I know. He does on and sucks it up like so many of our people have said today. He doesn’t drink, he’s a avid cross-fitter so I think that’s where all that energy goes. But we have to do this for our first responders. I’m very, very disappointed like everybody in this Chamber is as I think that our EMS was included in this Bill. I think that is a project that none of us will forget because they do see everything that our policemen and fire see. So we do need to see them in this Bill, we do need to address that first thing next
session and I don’t think any of us will forget. But what I am grateful for is that we are treating our first responders, we are acknowledging that they need this help, they need this help that we’re giving them today in this Bill. So I want to thank all the proponents that have worked on this over the last five years. It’s a shame that it takes a catastrophic event that it takes that long to address something that has been going on forever. But I am grateful that we are doing it now and I just hope that we can add our EMTs to this and other first responders next session. So I stand in support, Madam Speaker and thank you for allowing me to comment.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Representative Rochelle.

REP. ROCHELLE (104TH):

Thank you, Madam Speaker. I rise to make a few comments about the Bill.

DEPUTY SPEAKER COOK (65TH):

Thank you.
Please proceed, madam.

REP. ROCHELLE (104TH):

So first I want to thank all those that worked on the Bill, it’s been a longtime in the making and I think a lot of people recognize that this should have happened a lot sooner and that we still have a lot of work to do. And I thank my colleagues for sharing their stories today, I think that this is something that touches a lot of very closely. I am the daughter of a first responder. My dad has been fire fighting for about 50 years and I have lots of friends and family and people who are like family that are first responders. So, I first became aware of that first responders really do when I was about eight, you know, when you’re a kid you play with the fire gear and, you know, like the firetrucks, but when I was eight there was, you know, the scanner was on in the house and the scanner goes off one night and I’m playing with my friends and I’m not thinking about it, but mom is sitting there listening to the scanner and telling us to quiet
down and go into the other room. Dad took the call and the next day I find out that it was my girl scout troop leader and her little brother, it was her mother, her father and her little brother and dad was out there all night with everyone I knew growing up, all the guys from the town, all the people I spent by holidays with cutting them out of the vehicle and, you know, they had weak pulses and it was touch and go but they got 'em all out and got them to survive. But that was the first time it really came into focus for me about what these folks were doing every day and I can share a lot of stories, we all can about, you know, the things that our loved ones have seen on and live with. I think about asking how their day way, how the call was and they pause and, you know, you can hear them thinking whether they want to say everything about it. My best friend is a volunteer and a paid firefighter and just this past week we were having dinner with his family and his dad said, “How was your week” and he said, “Dad, I just couldn’t keep ‘em alive this
week.” And that’s just one week, we all know how this goes and that this is a starting point for first responders but not the ending point. I got a call shortly after this Bill, this version of the Bill came out, somebody involved with EMS and he said I, kid, I know you’re working on this, but you know, he said I don’t want to see the next generation go through what we went through. And I said, well you know, and he said get this Bill done and then come back swingin harder and get the EMS in. And I said, “Okay no problem, you have my word.” And I hope that everyone in the Chamber, in this Chamber gives their word to that we are going to continue to pursue this for everybody who encounters trauma in their job to make sure that all folks are properly taken care of for the work that they do for all of us. Thank you.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Representative Nolan.

REP. NOLAN (39TH):
Thank you.
Through you, Madam Chair.

Just a few comments in regards to this Bill?

DEPUTY SPEAKER COOK (65TH):

Please proceed, sir.

REP. NOLAN (39TH):

I would like to thank the proponents who put this together. It really resonates personal for me being that I am still a law enforcement officer and have 19 years’ experience and six years ago and I’ve been graced by God to not have to worry about situations that I see my brothers and sister offices and firefighters deal with. Things like trying to revive babies from the water from the beach, accidents where people have literally gone through their car windows and just seeing the things of such danger, overdoses, kids getting hit by cars as some have mentioned. These sights are traumatic. I’d be the first to admit as an office that this will help numerous people and it is sad that it has taken so long for this to come to now to be accepted or
passed by us. But I plead with all of my colleagues and not saying that anyone is not good enough to be included in this just recognize those who are included in it and push hard for it to be accepted and then fight harder for those who are not involved in this Bill to get them into it. So don’t try and say that one person is more important than the other it’s not that way. There is still an opportunity to include those in a Bill but at this time for those that are included in the Bill I ask you to give your full support because it is not an easy task for some of them to wakeup the next day and have a good day because of what they went through the day before and then on top of it to go through something the next day even though they chose that career, that career is keeping you safe and like said I’ve been graced not to have to worry about this, but I know many, many people that are in public service that need a way out, need a way to go and seek help or to get help so I ask you to please be strong for them and support this Bill. Thank you.
DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Madam Speaker. Madam Speaker, a quick question for the proponent if I may?

DEPUTY SPEAKER COOK (65TH):

Please proceed, sir.

REP. DUBITSKY (47TH):

Thank you. Under the definition of police officer excluded are the officers that work for the Tribes and I was just wondering why?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Conley.

REP. CONLEY (40TH):

Thank you, Madam Speaker.

The Tribes have their own workers' compensation system, they are not subject to our State of Connecticut laws both Mohegan and Foxwood have their own separate courts with appeals and therefore
anything that we do in this Building cannot effect the Independent Tribal Nations.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Madam Speaker. What about private police such as police that work at for example EB or Sikorsky or places like that? Would they be included in this definition?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Conley.

REP. CONLEY (40TH):

Through you, Madam Speaker.

The definition at this time does include uniformed officers it does not include private duty, including private policing or private security. Folks have different terms based on where they work but they are currently excluded from the Bill as all private sector workers are. I would hope that the
Bill does rise to include them and many others in the future.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Madam Speaker. And that kinda goes to the point that I would like to make. I certainly echo the sentiments that I’ve heard here today especially those of Representative Boyd and Representative Hayes about the need for inclusion with other first responders but one thing that I particularly need to point out is something that Representative Hayes mentioned that I haven’t heard discussed much today is the fear that somebody who believes they may need some help has about going and seeking the mental health help that they need because they’re concerned that they are going to lose their firearm, they are going to lose their job and they try to suck it up and they try to self-medicate or self-help because they are worried that
if anybody knows that they are seeking mental health treatment they might have their firearm taken from them and they might lose their job. Now we’ve heard a lot about needing to include in these provisions other first responders and it is absolutely true and I will certainly work to help expand this Bill in the future to make sure that we include EMS and private police officers and private, the private sector as well. One thing that needs to be considered as we move forward is that although our police and firefighters see horrific things on an almost daily basis an awful lot of people in the private sector, they are not police officers, they are not firefighters that also see horrific things on a daily basis and also can be put in that very same situation. For example, a police officer who has gone through decades of work for the community who has seen things that most of us would never want to see, at some point that police officer is going to retire. Those images don’t leave their head. They are still there; they will be there for the
rest of their lives but they are no longer connected with the police department. At some point down the road they may decide it’s time to go talk to somebody about what’s going on upstairs but they might not do that for fear that they might lose their rights to carry a firearm. I’ve spoken to battered women, multiple battered women, who have moved, who have hidden themselves and their children from their abusers, who have undergone and seen horrific things and carry a firearm to protect themselves from their abuser. Many of them would really like to go see a doctor and talk about those experiences and try to get some help for what’s going on in their heads but like many of the people that we’ve heard today, they just suck it up because they are afraid that if they lose their right to a firearm to protect themself from their abuser they will be dead. So as we move forward we need to be inclusive and one of the things we do here in this legislature unfortunately is we see a problem, and we put a little Band-Aid on top of that problem and
we don’t look at what the bigger problem is. Police certainly have a situation where they must, they are required as part of their job to be involved in these situations and to see horrific things and to deal with these on a daily basis and if they lose their firearm, they lose their job. This Bill works to alleviate that problem but it doesn’t address the problem that our entire society has with the same situation. There are people all over this State who have seen or undergone horrific things and need similar protections. I’m not talking about the workers' compensation stuff, obviously that’s connect to the job. I’m talking about the ability to go see a mental health professional when necessary without the fear that you will forever lose your right to possess a firearm. That is important whether you are a police officer, a firefighter, EMS, private sector, public sector or if you are a woman in fear that you’re ex-husband is gonna come kill you. It applies equally to everybody and as we move forward we need to
recognize that picking individual groups for special treatment leaves others that need that treatment in the dark.

Now when this Bill was initially introduced, I was actually thinking of opposing it for that very reason. That is only applied to a certain group of governmental employees but I think some of the Amendments have made it a little bit better and I do think it is a first step and I take to heart the commitment that I’ve heard here today that the members of this Chamber are going to work hard in coming sessions to expand it to include others. And I would just hope that they not only include EMS but with regard to being able to seek treatment without the fear of losing the right to protect yourself that the members of this Chamber going forward would also consider expanding it to everybody who is in that situation. Thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Representative Terri Wood.
REP. WOOD (141ST):

    Thank you, Madam Speaker. It has been a very good debate and very interesting and sobering all at one. I stand in questioning the way so many of my colleagues did on why EMS personnel were not included in this, it is totally nonsensical. EMS are the frontline first responders to horrific tragedies many times a day and certainly our fire and police departments do heroic work and also see tragic situations but not in the same proportion that our first responders do, EMS first responders. So I too am torn on a protest vote on this, I won’t do that. I don’t think that is the right thing to do in this situation because I believe our police and fire do need these provisions set in Statute. I hope there is sincere effort to move forward with EMS personnel on this and I will say that as a parent of three kids, not children, young adults, thank you, who are EMTs so I’ve lived this firsthand and stand in strong support of our EMS personnel and all they do for our community. Thank you, Madam
DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. And they will always be our children. [Laughter]. Representative Smith.

REP. SMITH (108TH):

Thank you, Madam Speaker. Just a few comments. It is interesting this Bill, I sat in the Labor Committee for the past seven years, I believe, and I served as a Ranking Member with Senator Austen and I must say I have to give her a ton of credit for her pursuit of this Bill. She has been pursuing it since I was on the Committee with her and we went through many Public Hearings, many Committee meetings debating this very concept over, and over and it has arrived to us today in a much different form. I must say to you in the Chamber it’s funny how opinions can be changed overtime. I voted against this Bill in Committee consistently throughout the years for a number of reasons and one of the reasons I voted against it, and it naivety
really but I thought to myself, you know, if you are a police officer or if you’re a firefighter and you are dealing with these situations isn’t that really just part of the job, right, isn’t that what you signed up for. And then you listen to some of the testimony at the Public Hearings that we had over the years and you listen to some of my colleagues here today who have experienced it firsthand and yes it is part of the job but it doesn’t mean it shouldn’t be compensable and it doesn’t mean that it’s an injury like if you were to fall down and break your leg or your arm. And I know there were concerns over the years that the towns, the municipalities and our cities would be unable to afford this type of program that is what we consistently heard and it seems that they had been able to resolve that issue as well so that it is now affordable, will be affordable. So I am happy to say that we’ve come full cycle over the years, it’s taken a while for me to get there but I stand today in support of the Bill and commend all those who
have gotten up to speak about their experiences and whether it is a spouse, or family, or a friend or themselves because you, what you do is tremendous and we know you suffer in doing what you do and we ask that you continue to do it. I understand there are times when you need help and we’re here to do that today. So, thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Representative McCarty.

REP. MC CARTY (38TH):

Thank you, Madam Speaker. I rise in support of the Bill in front of use today but I would like to make a few comments and then a question to the proponent, if I may?

DEPUTY SPEAKER COOK (65TH):

Representative Conley, please prepare yourself. Please proceed, Representative.

REP. CONLEY (40TH):

Thank you, Madam Speaker. In the Bill itself, I just want to point out that how pleased I am to
see Sections 8, 9 and 10 in the Bill that addressed the initial training of police officers, parole officers and firefighters when they first come in to be trained on self-care and resilience. I really think that portion will do much good in the future if those early signs are taught and responders get the help needed initially it can really help with short circuiting the posttraumatic stress disorder, I believe. But my question is do you know this model that will be used, have any other states, is there a model that may be used for this training?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Conley.

REP. CONLEY (40TH):

Thank you, Madam Speaker. There are several states that do have what this is referred to as Mental Claims. Florida is one that a lot of the language and the studies and the statistics as to how many officers do suffer this problem, officers and firefighters, they have mental claims for all
workers in the State of Florida. There are several other claims that allow mental claims, or states that allow mental claims or posttraumatic stress disorder claims where we get the data. Our State did allow these mental claims for all workers up until 1993 when this body did change the law. So there is a variety of data.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative McCarty.

REP. MC CARTY (38TH):

Thank you, Madam Speaker and I appreciate that response but I think my question was really going to the initial training that will be taking place if this Bill is passed because I think that can do, as I said, tremendous good to warding off some of the posttraumatic stress disorder early on so that it doesn’t develop as much. So I just wondered if there were any other states that are doing initial training.

Through you, Madam Speaker.
DEPUTY SPEAKER COOK (65TH):

Representative Conley.

REP. CONLEY (40TH):

Through you, Madam Speaker.

I am under the impression that other states and other areas that are not mandated do, do initial training and annual training about peer-to-peer and mental health wellness.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative McCarty.

REP. MCCARTY (38TH):

Yes and I appreciate that answer very much and like so many of my colleagues here today, I certainly respect the work that is done in the field and express my gratitude for all of the stories that were shared today. But I would be remiss if I did not also add to the comments that were made today that I sincerely hope that going forward the EMS will be included and that the study goes on and in the next session we will be able to provide these
trainings and services for the EMS as well. So, thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Representative Verrengia.

REP. VERRENGIA (20TH):

Good afternoon, Madam Speaker. This Bill that we will vote on this afternoon is of historic proportions when it comes to the mental health of our police and firefighters. I want to thank all of you who had your fingerprints, who helped shepherd this Bill through particularly the Members of the Public Safety Committee. I’ve worked on this Bill as well as others for the past eight years and as many of you have expressed today I also wish that this Bill was more inclusive. But in one of these rare instances where I honestly believe that by having the police and fire included for the first time is just a first-step of many in the right direction. I never though I’d see the day that we would get an agreement between the various stake
holders and the fact that we have this agreement is a good thing. I also would like to echo many of my fellow colleagues in this Chamber and up in the Senate who have served or is serving in law enforcement or within the fire department and I’ve listened to their stories and anyone who has worked in this field particularly over many years can share many of the hardships that they’ve seen over the years whether it is horrific car accidents, suicides, untimely deaths of children or suicides of their own colleagues. In all those who have spoken it is not one incident, it’s a number of incidents over a number of years that you never forget and as much as it impacts those individual first responders we cannot forget the impact it has on their families and on their children. So today we’re not only impacting the first responders to ensure that they get the proper mental health but equally if not more important we’re ensuring the mental health of their families as well. It is important that as we go forward and we study, we work on Bills to include
EMS there is a piece of this legislation that I’m also concerned about but certainly not going to vote against and that is this is not a lifetime benefit for anyone, there is a limit to the benefit of a 52-week period that someone can receive under this Bill and although I am willing to give it time to see how this plays out what is not lost on me is if someone who has a mental health issue as a result of their job that after 52 weeks are we just going to forget about them and tell them that we have to move on. Something to think about. But again where we are today is a good place. And I would only ask those who have expressed their frustration about EMS and others not being included I would just ask that you not vote for this Bill for that reason because I think it is important that we take this first step. We cannot take a second step if we don’t have the first-step. So if you’re truly concerned about not including EMS I think we have a better chance by having this Bill in place to include Ems and others going forward. So again, I want to thank everyone
who supports this Bill, certainly don’t want to speak for all police and firefighters throughout the State but I can say with a great deal of confidence that they are paying attention to what we are doing here today and I’m sure they are very thankful for what we are doing in ensuring their mental health and as important as it is not to forget the loved ones and the people who are lost in these tragic events it is also not important, it’s also important not to forget our first responders and that is what this measure does. Thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Will you remark further? Representative Conley for the second time, madam.

REP. CONLEY (40TH):

Thank you, Madam Speaker I just wanted to take a brief moment to thank all those who worked on this Bill and the different versions of the Bill since 1993 when it began looking at mental claims and also especially those on this version of the Bill who
worked on it in this Building, our colleagues upstairs in the Labor Committee and our colleagues here and out great Chair Representative Porter.

Thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

    Thank you, Representative. Representative Baker.

REP. BAKER (124TH):

    Thank you, Madam Speaker. It’s more of a like to speak on the Bill, more of a comment than any questions. As I listen to some of the dialogue here in the Chamber I thought about my own experiences. I know that we have, I know a lot of firemen and I have police officers in my family and I know they share the stories of their experiences and how it as affected their lives. But when I think about all the other people that experience trauma we have a lot of people in this country that experience trauma too in terms of what they see in their work, you know. I just use an example you have medical examiners, people who work in those fields and what
they see on a daily basis, everyday and how it has an effect on what their thought processes and life, man, those are just some of the things that have to incur and how do they get through the day, you know, I mean you have funeral directors who see the trauma of the impact of death and how death has effected families that they serve and also how they have to prepare individuals that have died in traumas and accidents, fires and you know they get the aftermath of not just what the fire and police see they have to almost like clean these individuals up, straighten them out and do some unique things just so people, families can be able to see their loved ones for the last time. And those things that sometimes go through their minds of this individual and you see the pictures and what that person has looked like, you know, maybe just a couple of days ago and now you have the opportunity to see that person right then and there and you have to, and you have to in a sense clean them up, you have to put them back together, that is a traumatizing thing. I
don’t know many people that would be able to do that, you know, and you have to come to a place where you have to almost like block certain things out because at the end of the day sometimes it becomes, it’s not about you. It’s about the families that you service and you have to try to help them to bring some closure. Yes it is, it’s almost like a mind game and I just wish that, you know we could broaden this to other professions so they can be able to deal with that, you know, sometimes when I tell people the stories of the things I have to do and go through, it’s like some of my colleagues said, you signed up for it. Yes I did. I did sign up for it. I signed up for a number of reasons but my reason is because of the, I wanted to be able to do something that the families that came to me weren’t able to do themselves, man. And in a sense that is my therapy. I’m not taking away from the trauma that these law enforcement officers, these firefighters but we all have that occupational hazards that we have to deal with and
we have to go on. We have to be able to do those things, we have to be able to continue to do our job and work through it but for us to say it’s just this one particular group that deserves that kind of benefit, that’s not fair. That’s not fair cause there’s a whole lot of us that have to do that. Now, you know, I wanted to be able to share that, my experiences and be able to share that there is a lot of levels of the trauma that individual occupations share, it’s just not inclusive, you know and we need to open it up and find someway that to be able to get us all through this. So, Madam Speaker I thank you for this time.

DEPUTY SPEAKER COOK (65TH):

Thank, you Representative. The Esteemed Minority Leader, Representative Klarides.

REP. KLARIDES (114TH):

Thank you, Madam Speaker. Today is one of those days that when we hear our colleagues speak we get to hear a lot of personal stories, a lot of personal experiences and fortunately I was out of
the Chamber for some of them because when I was told about them, I cried let alone being here and listening to them. And we get emotional because these are people’s lives, right, we live in the Citizen’s Legislature and the good part of it is we all have different experiences, and different backgrounds and different jobs and we bring to each other experiences that we don’t have. And I know we’ve had a lot of conversation on this Bill for many years. And I know for many years it didn’t move forward because this just isn’t about do you want to help people who protect us that have horrifying experiences, unfortunately we have to look at the financial aspects of it. That is an unfortunate reality of what we do and if we didn’t do that it would be irresponsible and that is why it has gone on for several years. The towns and cities have to be taken seriously in regards to what they can handle because we put a lot on them too. I am very happy that this year we got to this point, I certainly agree with my colleagues that we have to
look at our other first responders cause to pick and choose certain ones is not fair to any of them. I mean when we talk about EMS, you know, certainly if I’m in a car accident and something bad is happening to me I want them there. You know, so I’m not gonna say that one first responder is more important or better than the other. I think they are all I the same level. And I think and I hope that the study that is in this Bill is taken very seriously and a lot of work is put into it to try and figure out what we can do next year to make sure that as many first responders are included in it. But I will say I am very proud of the work that was done on this. It is not perfect but I’ve yet to find a perfect Bill we’ve done in the Building, it’s something I am supporting. I want to thank all first responders that have put time and effort put into this, all the legislators that have put time and effort into this, everybody from the outside that has come in to help us because again we’re up here and we’re doing what we do but we can’t do that without people protecting
DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Our Majority Leader, Representative Ritter.

REP. RITTER (1ST):

I just want to thank everyone for this debater, Madam Speaker and listening to the personal stories of people. Perhaps nothing moves more when the public testifies or when legislators testify to their personal experiences and what they go through. In our caucus I know Representative Nolan, Representative Verrengia are police officers. We have others whose spouses are police officers, Representative Boyd is a volunteer fire fighter. I know the House R’s talked about it. When you can do something to help people that we all agree help us every day, you know, I think it is a very simple end to my remarks, I would just say this. When something terrible happens to you, the first thing you do is call 911 and people rush to the scene to
help you, put their lives on the line for you
whether it is run into a fire or seeing something
serious, and so when folks are saying to us we need
your help legislature, that is our job. That is
their 911 call to us. Can you help us through these
difficult times that we’re dealing with. This has
been around a long time and I’m glad we’re finally
able to answer that call. Thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. 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 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 COOK (65TH):
Have all members voted? Have all members voted? If all members have voted, the machine will be locked and the Clerk will take a tally.

The Clerk will please announce the tally.

CLERK:

Senate Bill 164 as Amended by Senate Amendments “A”, “B” and “D” in concurrence with the Senate

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DEPUTY SPEAKER COOK (65TH):

The Bill as amended is passed [Gavel].

Are there any announcements or introductions?

Representative Camillo.

REP. CAMILLO (151ST):

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

DEPUTY SPEAKER COOK (65TH):

Please proceed, sir.
REP. CAMILLO (151ST):

Thank you, Madam Speaker. Today we are joined by an old friend and former colleague who spent many, many nights here in this backrow and yes, you could see he was quite popular cause I never draw a crowd like this over here [Laughter] and he did come back to say “Hi” to everybody but I also another reason why he is here because at home in Greenwich tonight he fears being around because his Boston Red Sox are gonna get beat pretty badly by the Boys in The Bronx so he wanted to get out of town but he also really wanted to say “Hello” to everybody so let’s all welcome back Mike Pacino [Applause].

DEPUTY SPEAKER COOK (65TH):

Welcome back, Representative it’s nice to have you on the floor. Representative Ritter.

REP. RITTER (1ST):

Thank you, Madam Speaker. There is going to be an emergency five minute, it’s not an emergency, that’s a bad word [Laughter], a quick wrap-it Democratic caucus, is 2:30 p.m. now, we are going to
be back in here at 2:42 p.m. Thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Thank you, representative. Will the Chamber stand-at-ease. [Gavel]

Chamber comes back to Order. Representative Currey.

REP. CURREY (11TH):

Thank you, I move recess subject to the Call of the Chair.

DEPUTY SPEAKER COOK (65TH):

Chamber is in recess. [Gavel]

(On motion of Representative Currey of the 11th District, the House recessed at 2:30 o’clock p.m. to reconvene at the Call of the Chair.)

(The House reconvened at 2:44 o’clock p.m. Deputy Speaker Cook in the Chair.)

DEPUTY SPEAKER COOK (65TH):
[Gavel] Will the Chamber please come back to Order. Will the Clerk please Calendar No. 655.

CLERK:

On Page 53, Calendar No. 655, Substitute Senate Bill No. 1 AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE. Favorable Report of the Joint Standing Committee on Appropriations.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Thank you, Madam Speaker. I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill in concurrence with the Senate.

DEPUTY SPEAKER COOK (65TH):

The Question is I move for Acceptance of the Joint Committee's Favorable Report and Passage of the Bill in concurrence in the Senate. Representative Porter you have the floor, madam.

REP. PORTER (94TH):
Thank you, Madam Speaker. The Clerk has an Amendment LCO 9302. I would ask the Clerk to please call the Amendment and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER COOK (65TH):

Will the Clerk please call LCO 9302 which will be designated as Senate Amendment Schedule “A”.

CLERK:

LCO No. 9302 designate Senate Amendment “A” and offered by Senators Looney, Duff and Kushner.

DEPUTY SPEAKER COOK (65TH):

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

REP. PORTER (94TH):

Thank you, Madam Speaker. Today is a really big day, a big great day in the State of Connecticut. A long overdue and long-awaited day and for me it really is personal. You know, it reminds me of when I had my daughter and it would
have been really beneficial for me to have had the kind of benefit that we are gonna talk about during this debate today because as many may know, I am a domestic violence survivor and I did have a child due to being pushed through a glass patio door and my daughter arrives 25 weeks gestation, 13 inches long, 1 pound 11 ounces with a ten percent change of livin. And because I didn’t have a benefit such as the one that we will discuss, I had to make the choice to actually go to work and save my six weeks of maternity leave so that I could actually have that time with her once she was discharged from the hospital. And I can’t tell you how hard that was because every single day that I was at work I was not fully present on that job, I was consistently worried about how she was doin and if she was gonna make it to see another day, makin phone calls to check in NICU nurses to ensure that when I got there she would still be there. And I was able to bring her home after two and a half months and unfortunately two weeks into that she went back into
NICU, back on the respiratory, back on the ventilator which ate up some of my maternity leave but after six weeks she was still in trouble, she wasn’t home. So I had to decide to leave my job, which was a fiscal impact to the family that was pretty much detrimental at the time, but it was a choice that I had to make and it was one that I chose to be with my child. And that is why this Bill is so important because I know that this story that I’m telling is not unique, that there are many mothers out there that have had to deal with the same or similar circumstances. In fact we have mothers right here, in this building and at the LOB that have had children, babies and had to come back to work four weeks after giving birth. So I am glad to say that today we will be debating a Bill that is passed out of the Senate that will create the Family and Medical Leave Insurance Program to provide wage replacement benefits to certain employees taking leave for reasons allowed under the State’s Family and Medical Leave Act which the Bill also amends or
the Family Violence Leave Law. This Bill provides employees with up to 12 weeks of FMLI, benefits over a 12 month period. The program also provides two additional weeks if there is an incapacitation due to pregnancy. Under the Bill individuals eligible for the benefit are those who earned at least $2,325 dollars during their highest earning quarter within their base period which is the first four or five most recently completed quarters. Our private sector employees or certain covered public sector employees who were employed in the previous 12 weeks are sole proprietors or self-employed people who voluntarily enroll in the program. The program is funded by employee contributions, that is 100 percent fully funded by employees with collections beginning on January 1, 2021 or no later than February 1, 2021. The Paid Family and Medical Leave Authority which the Bill creates must annually determine the employee contribution rate which cannot exceed one-half of one percent of an employee’s earnings. The Bill also caps the amount
of employees earning eligible to contributions at the same amount of earnings subject to the Social Security taxes which is currently $132,000 dollars, $132,900 dollars. A covered employee's weekly benefit under the program are generally calculated at 95 percent of his or her average weekly wage up to 40 times the minimum state wage plus 60 percent of his or her average weekly wage that exceed 40 times the minimum wage with total benefits capped at 60 times the minimum wage. If employee contributions are at the maximum rate allowed and the authority determines there is a solvency issue the Bill requires that we reduce the benefit by the minimum amount needed and the minimum time needed to ensure the program solvency. The Bill also allows employers to alternately provide benefits through a private plan which must provide that the employees at least the same level of benefits under the same conditions and employee costs of the State program. The Bill establishes the authority as a quasi-public agency to develop and administer the program. It
creates a 15 member board of directors for the authority and requires it to, among other things, develop written procedures to implement the program. If the board decides to use an outside contractor’s services to implement certain implements of the program for example, an issue claims process and a website development it must do so by going though a request for proposals. It must evaluate the proposal using authority develop criteria that must include elements such as transparency, cost and a cost benefit analysis. The Bill established the Family Medical Leave Insurance Trust Fund, administered by the State Treasurer to hold employee contributions and pay for family medical leave insurance benefits and the programs administrative costs. It requires that any funds expended from the general fund to administer the program or provide benefits be repaid to the general fund no later than October 1, 2022. And the starting on January 1, 2022 the Bill also changes various provisions of the State FMLA which generally requires certain private
sector employees to provide job protected unpaid leave to employees for various reasons related to their health or their family member’s health. Among other things the Bill extends FMLA to cover private sector employees with at least one employee rather than 75 employees, it lowers the employee worker threshold to qualify for job protected leave from 12 months of employment and 1,000 work hours with the employer to three months of employment with the employer with no minimum requirements for work. The changes the maximum FMLA leave allowed from 16 weeks over 24 month period to 12 weeks over a 12 month period, allows an additional two weeks of leave due to serious health conditions that result in incapacitation during pregnancy. It also limits the extent to which an employer can require an employee take and FMLA to use his or her employer provider paid leave. It adds to the family members for whom an employee can take FMLA, leaves to include the employee’s siblings, grandparents, grandchildren and anyone else related by blood or affinity whose close
association to the employee shows to be the equivalent of a spouse, sibling, son, daughter, grandparent, grandchild or parent. Similarly, it expands the family members for which employees must allow their employees must allow their, employers must allow their employees to use up the two weeks of any employer paid back leave and other technical and conforming changes. Lastly, the Bill creates a non-charge against an employer’s unemployment tax experience rate when an employee’s separation from the employment with the employer is due to the return of someone who was on a bona fide FMLA leave. In effect this allows an employer to lay-off an employee who was temporary filing for the job of an employee on FMLA leave without increasing the employer’s unemployment taxes.

And then the Senate Amendment “A” which is what we have called replaces the underlying Bill and it established the Paid Family Medical Leave Insurance Authority and tax it rather than the Department of Labor with implementing and administer the program.
It changes the formula used to determine benefits, it lowers the work threshold for the eligibility rather than using the program’s earnings threshold and it limits the extend to which employers may require employees to use employer provided paid leave concurrently with FMLA leave rather than prohibiting employer from doing so. I move adoption.

DEPUTY SPEAKER COOK (65TH):

The question before the Chamber is for adoption of the Amendment. Will you remark? Representative Polletta.

REP. POLLETTA (68TH):

And good afternoon, Madam Speaker. Madam Speaker I rise this afternoon in nonsupport of this Amendment. And I have a few questions for the proponent of the Amendment. But before I do so I would like to make some brief remarks. You know, we stood up here a few weeks ago during the debate for minimum wage and spoke about Connecticut as a whole, the future that we see for our State, for our children, for our business, for our families. We
heard from different business organizations and groups, special interests, lobbyists different folks that had a lot to say about where we should be going as a State this legislative session. When we talked about minimum wage a couple of weeks ago, I stood up here in the same spot and spoke briefly about how I thought minimum wage was not the way to go, that raising the minimum wage would hurt those that it was intended to help. Unfortunately what I said and what folks on my side of the aisle voted for didn’t pan out the way we had thought, the Governor signed the Bill in. Well today we’re back with another Bill that is bad for business. We have heard from the business community time and time again that they cannot make it in the State of Connecticut. These are not opinions these are facts. If you look at where we are right now as a state compared to the rest of the nation, it is pretty scary. Unemployment way up, job creation way down. We lost jobs in January, February and March when the rest of the country gained jobs in each of those three
months. We should be doing everything we can in this Chamber to create an environment that is conducive for job growth, not one that prohibits businesses from hiring. When I look at this Bill and at the onset, I read a little bit about it and I said, okay you know what, the employer is not necessarily contribute anything into this Bill, the employee is contributing it. So guess what came to my mind? The work tax. Another tax, this time in the form of a payroll tax, a mandatory payroll tax. When the government is mandating you to pay something there is a problem. Now the government wants you to take one-half of one percent of your paycheck each year and give it to the Department of Labor. That’s scary considering the State auditors jointly came out with 19 problems with the Department of Labor and now we are going to hand them this football and say, here run with it, take other people’s money and dispense it the way you see fit. That is a problem. The Governor has seen a problem with this is why he has expressed concern
with this Bill. There is a lot of certainty in this Bill. The definition of family comes into question. Abuse, fraud, how sick is too sick, what constitutes a qualifying event? These are all situations that we spoke about at length during the Committee process. All of those questions remained unanswered, unequivocally 100 percent unanswered. We are still trying to figure out what the definition of a family member is. It is somewhat disturbing to me, as a conservative, as someone who is standing here trying to fight for what’s left of our State in terms of the business community and job creators to think that we are going to allow folks to take 12 weeks off for someone that is not directly related to them, that is the “equivalent” of a family member. The Labor Committee asked for, excuse me, the Republicans asked for a hearing that the Labor and Public Employees would put on to discuss the problems with the Department of Labor. The Department of Labor has some serious issues right now. You need not look further than what I
mentioned about the auditors; their report was disturbing. And the fact that we are going to give them $20 million dollars to start this program up and tell them okay you’re just gonna hire more people when you can’t even handle what you have. That’s a problem folks. We have to start thinking in terms of fiscal responsibility growing the Department that is not working well right now is not the way to go. A private partnership would be the way to go and I’m sure later on into the evening you are going to hear and alternative that will make this program affordable and appropriate for the State of Connecticut and our current fiscal crisis. And we are in a fiscal crisis. Companies are pleading with the State legislature to look out for them, they want to grow. If you look at the rest of the nation, you look at the states that are doing phenomenal they are not implementing this program. The states that have implemented this program similar to $15 dollars an hour minimum wage are in debt. I was always taught growing up to surround
myself with people that I strive to be like. As a legislator I want to look at states that have done better than us, states that got it right. States that are striving economically. The problem is Connecticut is not striving economically. We are not looking at a state like South Carolina, or Florida or Texas. States that are poaching our businesses. If we compare ourselves to California what’s left folks, more and more debt. That is what we are getting with this Bill because not only is this a payroll tax but the solvency comes into question over the next several years and the real issue becomes what happens when the program goes insolvent. You know, I am fortunate enough to work in a small family owned business where, you know, we only employ a few individuals.

So if we lose somebody it hurts. I spoke about this during the Finance, Revenue and Bonding Committee hearing when we talked about paid family medical leave. If you understand what it is like to own a business then you understand that losing
someone that is valuable to you for four hours at a time or 12 weeks at a time is problematic. And you also understand that you just can’t replace somebody overnight. As a business owner I just can’t call another contractor and say, hey my electrician is out for a week-and-a-half right now I need to find someone. They don’t understand the job, they don’t understand the client, they perhaps are not certified in the area that they have to work so our job here is to look out for those folks. Again this is not the large corporation, this isn’t the Walmart of the world. This is the mom and pop store, the restaurant owner, the electrician, the plumber, the small facility that, you know, health care facility, convalescent home that employs 20 or 30 people. Guess what? This piece of legislation effects each and every person because now the employee is paying into this fund and of course if they qualify under this Bill, they are going to take the time off. So now it becomes difficult on the part of the employer. So as I eluded to when I first started,
the employer may say, okay it’s not costing me anything out of my pocket but if you think twice it is costing the employer his or her talent and that could perhaps be even more troubling that paying the 0.5 percent.

The fiscal note at this point is unknown. Talking about $20 million dollars to get this program started up but we don’t know how much it is going to cost. What if claims skyrocket. I’ll give you an example. The Town of Watertown, we’re self-insured. We had an unbearable amount of claims two years ago. Folks that worked in the school department, folks that worked in highway department, police department unbearable amount of claims, spouses, children. We ended up having to take out $2.5 million dollars in a month out of our general fund. This is a small budget we’re talking about to pay for these claims. Well guess what? If these claims skyrocket under this program, guess who is going to foot the bill here? The taxpayers of Connecticut. We are either going to raid the
general fund or we are going to start raising the base pay and the rate that you pay into this. So maybe 0.5 percent becomes one percent, two percent, five percent, ten percent. No one really knows. There is a Federal FMLA Law. I don’t think there is anyone in this Chamber that does not support medical leave for family members. I support medical leave for family members and I certainly sympathize with those folks that need to take time off because they have someone that is truly ill. And again I don’t think there is one person on this side of the aisle or on that side of the aisle that disagrees with that statement. But the fact that the State of Connecticut is going to mandate each person to pay 0.5 percent of their yearly earnings into a fund that they may never use is unbelievable. And the fact that the City of Hartford is the insurance capital of the world that we are going to be creating our own insurance market within the Department of Labor is even more unbelievable. We are going against our own entities here in Hartford.
We are going against our mantra, the Insurance Capital of the World but you know what folks, you can’t do it, we’re gonna do it better than you. When the government says they are going to do something better than the private sector, we should be very worried, especially in the State of Connecticut. If you make $1,000 dollars a week you are going to be required to pay $260.00 dollars a year into this fund. So let me repeat that, you make $1,000 dollars a week, you’re gonna pay $260.00 dollars per year into a fund that is automatically deducted from your paycheck and you are then going to be asked to go, if you need approval and seek up to, I guess the minimum here, and we’re gonna get to this is a minute is four hours that you can take off under this law. Does that make any sense? Four hours. I am wondering throughout these years that this Bill has been negotiated and I know it has been a while and I know that legislators before me have tried to negotiate this Bill but I wonder if any single person sat down with a small business owner,
a job creator across the State of Connecticut and ask them is this really beneficial for you. Is $15.00 dollars an hour going to grow your business. Is tolling Connecticut Highways going to grow your business, is raising the taxes across the board going to, you know, this is the problem here. We are trying to do too many things at once. I can sympathize with the good proponent of the Bill that this is certainly in good faith and that the idea of family medical leave ought to be considered. I think the problem is we have different ways of getting to the same spot. And that is where I differ from the good proponent and with that I do have a few questions for her.

DEPUTY SPEAKER COOK (65TH):

Representative Porter please prepare yourself. Representative Poletta, the good Chairman is ready. You may proceed.

REP. POLLETTA (68TH):

Thank you, Madam Speaker.

And through you.
To the proponent of the Bill under this Bill is there a definition of “family?”

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Poletta we are still on the Amendment.

REP. POLLETTA (68TH):

Oh, excuse me the amendment.

Through you.

Under this Amendment could the good proponent point out to me the definition of “family?”

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

The definition would be and I’m gonna “individual related it to the employee, blood or affinity who close association” is the “equivalent of” these: son, daughter, spouse, parent, grandparent, grandchild or sibling relationships.

Through you.
DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And through you, Madam Speaker.

Could the proponent give me the line numbers?

Thank you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Actually I don’t have the line number I would have to find that, if you give me one second. It’s lookin like it’s contained between lines 79 through 106.

REP. POLLETTA (68TH):

Thank you, Madam Speaker.

Perhaps we could start, I’m looking at this right now at line 825 to 828 if I am looking at this correctly in the Amendment.

REP. PORTER (94TH):

Okay.

REP. POLLETTA (68TH):
Through you, Madam Speaker.

Would that be the definition of family in this Amendment?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I just ask that we pause for one second because I have the wrong Amendment in my hand and I should be 855, let’s see. Line 814 in Section 17.

DEPUTY SPEAKER COOK (65TH):

Will the Chamber please stand-at-ease.

Will the Chamber come back to Order.

Representative Porter.

REP. PORTER (94TH):

Thank you, Madam Speaker. I do apologize for the confusion and I was actually lookin at a Republican Amendment [Laughs].

REP. POLLETTA (68TH):

Okay, that’s fine with me.
REP. PORTER (94TH):

Got a little tossed around here but if the good gentleman would go to like 825, LCO 9302. “Family members means a spouse, sibling, son or daughter, grandparent, grandchild or parent, or an individual related to the employee by blood or affinity whose close association the employee shows to be the equivalent of those family relationships;”

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

Through you, Madam Speaker.

If the good proponent wants to adopt the Republican Amendment, to this Bill we could get this over with quick and it would be a great weekend, but I don’t think she’s gonna adopt that Amendment. So okay to the good proponent for her answers. So in line 827 to 828 is says “employee by blood or affinity” could the good proponent explain the word “affinity.”
Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

The, I guess the best way to describe it that everybody can relate to affinity would be the equivalent of a BFF, a best friend, someone that has an association as either a sister or brother or any of the other family members that we’ve listed in the language.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And thank you to the good proponent. This is what is somewhat troubling about this Amendment which I am assuming will become the underlying Bill. So a best friend. Let’s just talk a minute about best friends. I have a number of best friends. When you run for office it seems like everybody is your
best friend in your district and you know what, I have friends of mine that have been there for me since the day I was born, they have been friends of my parents, they become friends of mine, they helped me when I ran for office, they helped me in hard time, when I lost a family member and you know, when I think of the word best friend I can categorize 20 or 30 people that are not blood related to be as a best friend. Sometimes I can categorize my pet as my best friend. So I think that there is a major issue with that one word, affinity. And the reason being is because as a business owner when someone comes to me and says my best friend is sick and I need two weeks off. I am going to be concerned about that. The State of Connecticut should be concerned about that because how many people will have best friends that need to be cared for. I don’t think there is a person in this room that doesn’t have a best friend. If you’re looking for a best friend I’ll give you my cell phone number, you could be my best friend but that doesn’t mean that
you can take paid family medical leave to take care of me if I’m ill. There is an issue with this Bill and that is that the definition of family is not narrow enough. So when I look at lines 827 to 828 and I hear, “blood or affinity whose close association the employee shows to be the equivalent of those family relationships;” I think to myself boy there are going to be a lot of claims under this Amendment/Bill. The fraud component becomes significant when you widen the scope of who qualifies under this Bill. So what if I.

And through you, Madam Speaker.

What if I claim that an individual, affinity, someone who is close to me is in need of my assistance. How do I then prove to my employer that that person is a best friend enough to take advantage of this Amendment?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):
Thank you, Madam Speaker.

There is criteria already set in place with the underlying Bill for Family Medical Leave Act, you would have to meet those requirements in order to qualify so you couldn’t just say that your best friend, blah, blah, blah. You would have to actually meet the criteria and the regulations that have been set in place.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And through you.

Madam Speaker what are the criteria?

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

Could the kind gentleman please repeat the question?

Through you.
DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

Sure.

Through you, Madam Speaker.

What are the criteria?

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

That would be the underlying Bill, Madam Speaker and I would have to find that information.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

Shall we move on and then we will come back to that.

DEPUTY SPEAKER COOK (65TH):

Since we are on the Amendment and that is in the underlying Bill can we ask that?

REP. POLLETTA (68TH):
Absolutely.

DEPUTY SPEAKER COOK (65TH):

Perfect.

REP. POLLETTA (68TH):

Is there.

And through you, Madam Speaker.

Is there a Federal FMLA Law currently in place? Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

There is.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And I guess that leads me to my next question so we already have the Federal Law so if a company offers this program already then would they be exempt under this Law? Through you.
DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

No.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And through Madam Speaker.

Then if this is goes into effect, this Amendment is adopted and the Bill becomes law, then if a company offers 12 weeks and this Bill gives you another 12 weeks then could someone potentially take.

Through you.

Twenty four weeks off.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.
This would be, no they could not.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

I would differ with the good proponent of the Bill. I do believe that under this Bill if a company already offers this program and this went into effect then unless the company rescinded the program then it is my understanding and I am going to ask you again.

Through you, Madam Speaker.

That an individual could then, I would hate to use the word double-dip but could use this program both the program that is offered to them right now and if it’s not taken away then they can also use the new law that will go into effect.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):
Through you, Madam Speaker.

The employer proved benefit that you are currently speakin of would have to be equivalent to or greater than this benefit. If it was not then the employee would pay one-half of one percent into the State program and would no longer be in that program.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

Thank you and thank you to the good Chair. So in essence here what we are doing we are punishing those that offered this program already. There are many companies across the State of Connecticut that do offer some sort of paid leave for their employees that have an event that I am sure are qualifying event under this Bill. So in essence we are telling them, well the Government can do it better so if you’re offering this right now, take it away from your employees and use the government program.
Again, goes against our core values here in that we are trying to supersede what companies are already doing. We are trying to one-up them. We are telling them that we have to mandate them to do something because we don’t think that they are doing it good enough. That is a problem and that is why companies that already offer this have come out and said, and organizations such as the NFIB and the CBIA have said already this will hurt businesses across the State of Connecticut. I don’t know a business owner in my district that would not allow someone to take time off if his or her spouse, you know, needed, had an issue was in a terrible accident, if an individual’s wife, you know had a baby and needed an extra two weeks to care and help, you know his wife care for the child. I don’t know a business owner that would say no to that. I don’t think we need to mandate this from a state legislator here and tell these businesses not only do you need to give them the time off, but your employee needs to pay into the bank. And that’s
what is also troubling about this Bill. So it leads me to the fraud piece of this. Is there.

And through you, Madam Speaker.

Is there some sort of ramification if an individual takes, utilizes this program and is found to be untruthful or, you know abuse the program for whatever reason?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

Before answerin that question, I just want to address the issue of the double-dippin. For clarification and for the record that you cannot double-dip in this program and that it wouldn’t actually be punishin an employee it would actually be saving the employer money if the employee contributed to the program that the State would offer upon passage of the Bill. And to address the question regarding a penalty, yes there is a penalty
if you willfully commit fraud as an employee, you must pay back the amount that you took from the fund and you must also pay 50 percent of that penalty on top of that. If you are a medical provider who assists in a willful fraud act, then you are charged treble damages and anyone else, employee or otherwise that would assist an employee in willfully committing a fraud would be subject to the same penalties as the employee.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And thank you Madam, and I thank the good Chair for her response there in terms of the penalties. If there is one piece here that I agree with is that we must hold those accountable who abuse any government program and that goes without saying because we know that there is fraud and abuse across the board. Does the employer?

Through you, Madam Speaker.
Does the employer need to pay unemployment to the temp worker or to the individual that comes in to work while this individual leaves under the family medical leave program?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

If he could just restate that for clarification please.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

So, I’ll put it into a situation. Let’s say I am a small business owner. I am a plumber and I have four licensed plumbers. One of my plumbers decides to go out under this Act and I then need to hire someone to take his place. Let’s say it is for 12 weeks. Would then that individual who comes in
and take the person’s place that is going out on family medical leave, when the person returns, would I need to pay unemployment to that individual that took the person’s place for those 12 weeks?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

If I’m understandin the question correctly, you want to know if you would have to pay unemployment insurance to the employee that is takin the paid leave, correct?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

Through you, Madam Speaker.

No, so in a situation where an individual leaves under this Act, okay. So they leave and they are out for 12 weeks. The employer then needs to
hire someone in that person’s place in order to complete the line of work, the job what not. So when that person returns from their leave, then if I’m an employer, I don’t need those two people. So I have to lay one of them off, either the person who returned or the person that took the person’s place that left. Would I need to pay that person unemployment?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

This Bill does not change the current law. So if it is currently the law that you would have to do that then that would be the case.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And through you, Madam Speaker.
So this confirms what my thought was on this. A small business owner can’t do without this individual because they really need to be there and they need this person to complete the job. So they go out and hire someone on the limb, they put an add in the paper and they say, I’m losing somebody for three months and I need to replace this person. They hire the licensed electrician, plumber, and what not. That person comes in. All of a sudden the other individual comes back. Now you have two workers and you only have work for one. So you have to pay unemployment to the person that you’re now laying-off. That is an added cost to a small business owner. Has anyone vetted this? Has anyone thought to themselves these folks are already strapped as it is across the State of Connecticut and now, not only have them lose talent but we’re gonna tell them that they have to pay someone unemployment because you don’t have room for the two people when the other guy or woman returns. It’s somewhat mind boggling.
Through you, Madam Speaker.

A question to the proponent.

What increments could you use the proposed Bill Amendment, what is the smallest amount of time and the largest amount of time that you could use this and take advantage of it?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Thank you.

Through you, Madam Speaker.

You can use up to 12 weeks, you can take increment time and there is no stipulation on the increment.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

Through you, Madam Speaker.

Could you use the FMLA in increments of hours?
Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

That is correct.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And if I’m understanding this correctly, Madam Speaker.

And through you.

One further question on this topic, so I could take four hours, two times a week if I have a child that needs my assistance after school under this Bill?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):


Through you, Madam Speaker.

If you could please repeat the latter of that when your were talkin about the child after school.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

Sure, so if I have a child that is in need of some sort of care after school and no one is able t care for them, and I am paying into this program, 0.5 percent of my paycheck, and it just so happens that it is from three to five on Wednesday and three to five on Friday, and my child needs my care because there is no one else to care for them, and they have some sort of impairment, would then I be able to utilize this Program?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.
This program is being established for serious health conditions.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And through you, Madam Speaker.

I guess the question is similar to who is family, well what is, or where is it defined as a serious health condition?

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

Serious health condition means an illness, injury, impairment or physical or mental condition that involves a) inpatient care in a hospital, hospice, nursing home or residential medical care facility or b) continuing treatment including outpatient treatment by a health care provider.

Through you, Madam Speaker.
DEPUTY SPEAKER COOK (65TH):
   Representative Polletta.

REP. POLLETTA (68TH):
   And thank you to the good Chair. My next question here is on exemptions. We heard a lot about who was exempt.
   Through you, Madam Speaker.
   Are the State Unions exempt from this?
   Through you.

DEPUTY SPEAKER COOK (65TH):
   Representative Porter.

REP. PORTER (94TH):
   Through you, Madam Speaker.
   If you’re a State employee in a collective bargaining unit you are exempt.

DEPUTY SPEAKER COOK (65TH):
   Representative Polletta.

REP. POLLETTA (68TH):
   Through you, Madam Speaker.
   Are legislators exempt?
   Through you.
DEPUTY SPEAKER COOK (65TH):
Representative Porter.

REP. PORTER (94TH):
Through you, Madam Speaker.

No.

DEPUTY SPEAKER COOK (65TH):
Representative Polletta.

REP. POLLETTA (68TH):
Through you, Madam Speaker.

Question to the proponent of the Bill, when would a legislator be able to use this program?

Through you.

DEPUTY SPEAKER COOK (65TH):
Representative Porter.

REP. PORTER (94TH):
Through you, Madam Speaker.

If there was a serious health condition that applied to the legislator or anyone defined in the Bill that would qualify leave.

Through you, Madam Speaker.
Representative Polletta.

REP. POLLETTA (68TH):

Through you, Madam Speaker.

So, I am paid on a salary as is everyone else in this Chamber. How then would that be calculated?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I’m sure that would be resolved through the regs dictated by the authority.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

Through you, Madam Speaker.

What authority? That worries me.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):
The authority, referring to the authority in the Bill which is represented by the 15 member board.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

So if I am understanding this correctly, Madam Speaker. A 15 member authority would decide how much as a legislator of my $25,000 dollars per year that I’m getting is actually going to be disseminated to me if I was to take advantage of this program.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

That is not correct. It would be one-half of one percent of your wage.

Through you, Madam Speaker.
DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And I guess I should rephrase the question. So it is one-half of one percent of my wage and I don’t know what one-half of one percent of $25,000 dollars is but would that be then dispensed over the number of weeks and averaged out because I do not receive a regular paycheck.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I can’t speak to that example. I get paid monthly so it would be one-half of one-percent using myself as an example, of my monthly wages.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):
So again, here we are finding ourselves in a dead end with this Bill and its in the wonder way, you know, the small business community, the Governor himself, and others have had so many issues with this piece of legislation. You know we cannot even define what a family member is let alone who gets paid under this Bill. We are exempting the State of Connecticut. I said it in the Finance, Revenue and Bonding Committee if this program was so good, then why are State employees in the bargaining unit exempt? I just can’t understand it. If we are setting precedence up here then we should all be paying into this, not just the select few of small businesses. We are not being truthful to the people in the State of Connecticut guys, come on. Let’s be honest. It does not take a rocket scientist to figure this out. There are holes in this Bill, major holes that cannot be filled. We are trying to create something that can never exist perfectly. The worse part about it, we’re trying to have the State of Connecticut running and if you look back at
our track record you should be very, very worried. If you are a business owner in this State you should be worried if this passes today. If you are a person who works for the State of Connecticut you’re probably happy because you don’t have to pay in but if you are someone that lives paycheck to paycheck that is now gonna see a 0.5 percent reduction every week for something that you may never even qualify for well then you really, really must be concerned. The fact that this is an automated deduction from your paycheck will be certainly open for discussion later on, why because if I get a check every week and I see less money in my check the first question I am going to say is why did my paycheck go down, what happened. Then my next notion is gonna be well I’m enrolled in this program; gee I buy car insurance so if I get into an accident I am going to use my insurance. Well if I see that I’m enrolled in this program and I meet the criteria I’m not gonna think twice about using this program. So when the State of Connecticut says we only need $20
million dollars to start it up and we’re just gonna hire these people under the Department of Labor and then we’re gonna disseminate money to people that we see fit, I don’t see this program being solvent. I’m not a rocket scientist, I’m not a lawyer, I’m not a genus. I didn’t have that good of a GPA in college but you know what, I can tell you that this program is going to be insolvent very soon, very quickly and we are going to be back here trying to move money around in the shell game to fund it because there are folks that are gonna be promised benefits that are then going to be calling us as legislators asking us why is the fund bankrupt, similar to the Medicare Savings Program.

Through you, Madam Speaker.

If this program goes solvent meaning, there are not enough funds to disseminate to people who take advantage of this program, then where will the State of Connecticut make up those funds?

Through you.

DEPUTY SPEAKER COOK (65TH):
Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

If this, and I do believe the good gentleman meant insolvent.

REP. POLLETTA (68TH):

Excuse, insolvent.

REP. PORTER (94TH):

If this goes insolvent we can raise the contribution cap up to one-half of one percent, if that has been done and it is still insolvent, then we will decrease the benefit.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And thank you to the good Chair. So the benefit would decrease. Would that mean that an individual would not be eligible for the same wage replacement?

Through you.
Representative Porter.

That is correct, Madam Speaker. The wage replacement benefit would be decreased at a minimum necessary and for a time necessary to ensure solvency.

Through you, Madam Speaker.

Representative Polletta.

Thank you and so if I am understanding this correctly, we could then be forced to pay, mandated to pay 0.5 percent tax to the State of Connecticut for this program and then receive maybe five percent of your weekly salary, ten percent of your weekly salary, and it leads me to my next question. Under this current Amendment/Bill was is the wage replacement?

Through you.

Representative Cook.
Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

The wage replacement would be 95 percent of the minimum wage of the 40 times, anything over the minimum wage would be 60 percent, at 40 times with the maximum of 60 times the minimum wage. And an example of that would be if this was currently in effect today at $10.10 an hour the wage replacement on that would be $606.00 a week.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

Thank you, Madam. And so if I’m understanding this correctly, 60 percent above the minimum wage. So if I’m an individual like an average Connecticut resident and I make, lets say $1,000.00 dollars a week, I would then be eligible to take $600.00 per week for up to 12 weeks. Is that correct?

Through you.
DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I’d have to do the math on that.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

Well shall I wait or?

DEPUTY SPEAKER COOK (65TH):

Representative Porter would you like us to wait?

REP. PORTER (94TH):

I’m calculatin as you wait. Thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

One second, Representative Polletta.

REP. POLLETTA (68TH):

Thank you.

REP. PORTER (94TH):
Through you, Madam Speaker.

The good gentleman did say if he made $1,000 a week is that correct?

DEPUTY SPEAKER COOK (65TH):

Representative Polletta for clarification.

REP. POLLETTA (68TH):

Thank you. So if I was an individual earning $1000 dollar a week I would be eligible for $600 dollars per week wage replacement under this Bill.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

That is not correct. At the current minimum wage of $10.10 cents an hour would be eligible for $606.00 dollars a week. But if your askin about wage replacement for someone who is makin $1,000 dollars a week that’s a totally different story.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):
Representative Polletta.

REP. POLLETTA (68TH):

So if I’m understanding this correctly it was 95 percent for the minimum wage but if an individual makes $1,000 dollars a week what would they then be eligible for per week under this. Thank you.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

Could the good gentleman please repeat that question?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

Absolutely. So if I was an average Connecticut resident and I’m making $1,000 dollars per week and I am paying $260.00 dollars per year under this
program, how much would I be eligible to take out each week?

DEPUTY SPEAKER COOK (65TH):

Representative Porter. E

REP. PORTER (94TH):

Through you, Madam Speaker.

We would have to subtract the $1,000 dollars from the $606.00, what’s left over would be at 60 percent and then you add that together and that would be the wage replacement for $1,000 dollars a week.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. POLLETTA (68TH):

Through you, Madam Speaker.

I am having a tough time following the math of the good proponent here. I am asking this question because I understand that it is 95 percent wage replacement for an individual making minimum wage and that is noted and I understand that. But my
question is those that are making above minimum wage that are going to see their paycheck reduced 0.5 percent. So if an individual is making $1,000 dollars per week then I am curious to understand how much under this program they would be able to receive as compensation under this program?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Okay, at $1,000 dollars a week, up to the minimum wage it would be 95 percent wage replacement. Anything over that would be 60 percent wage replacement added together would be the full wage replacement for that employee making a wage of $1,000 dollars a week.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):
Okay. And Thank you, Madam Speaker. So again I am not a mathematician here but I think the point I am trying to make here is with, if you make $1,000 dollars a week, you are going to be paying $260.00 dollars per year. Of that $260.00 dollars the benefit far exceeds the $260.00 dollars. Whether you make minimum wage or whether you make $1,000 dollars a week, it you were to take the 12 weeks or even close to the 12 weeks, you are far exceeding the amount that you are putting in. So what does that mean for the State of Connecticut? Well I pay $260.00 dollars, my neighbor pays $260.00 dollars we both withdraw $5,000 dollars. Well guess what? We are at a net loss and if tens of thousands of people do that across the State of Connecticut, we are at a further net loss. So the math does not add up here and that is where I think the private market can utilize this so much better. They can do it in a much more efficient way. They can administer it in a much more efficient way. That is where I think the good proponent and I differ. Personally, and it
is my opinion, I don’t believe that the Federal Government should be in the business of providing insurance for anyone. To me, that is far beyond our reach as a State and as a nation. And we have seen through the effects of the Affordable Care Act how devastating it can be when the government tries to insert itself in the healthcare field. Bankruptcies across the nation, insolvent programs, that is the problem. And in our fiscal climate right now in the State of Connecticut does anyone really think that we need to take on another entity to the Department of Labor. Does anyone thing that we are well-equipped to administer a program that could perhaps end up going insolvent in a year or two? I don’t, that’s why I’m opposed to the Bill as written. The issue of Connecticut being competitive, outmigration, you know someone came up to me a little while ago and said, you know, all the states that are seeing outmigration they are seeing their folks and businesses move to the southern states, they are seeing their folks and businesses move to
states like Texas, and South Carolina and Florida. That’s where we should be modeling our self after.

When I think of Connecticut strategically located between New York City and Boston, beautiful shoreline I think of a state with a lot of potential. There were folks that came to the Public Hearing on this Bill and said that if you pass this piece of legislation, families are gonna move into the State of Connecticut, they are gonna flee here. They’re gonna love it here. They are all gonna come here because of this Bill. Well I did a little research because I’m a facts person. I like to base my argument on facts. The states that have passed this bill do not see young families flocking to them. When I’m put in the same category as California, I’m deathly scared. When I think of the problems that California has I don’t want to be compared to California in any circumstance unless it is going to vacation, on vacation. If I’m going there for vacation for a week, I’m happy. But I want to leave. I don’t want to be in the fiscal
mess that California is in. I’m worried that this Bill will get us one step closer to California and that worries me. It worries the businesses; it worries the taxpayers and it bring me to a question about seniors. You know, we have done a good job in a bipartisan way in the last couple of years of trying to realize that we have to keep our retirees here in the State of Connecticut. You know, our retirees often times use very little resources in the town, you know, most of their kids are out of the school system, so we want to keep our retirees in the State of Connecticut. They are a valuable part of our economy. They shop locally, you know, they support our local supermarkets and gas stations and eateries. So would an individual?

Through you, Madam Speaker.

This is on Social Security be required to pay into this fund?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.
REP. PORTER (94TH):

Thank you, Madam Speaker.

The question, just for clarification, is if someone is on Social Security benefits would they have to pay into this program, is that correct?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

Through you, Madam Speaker.

Yes, would a senior citizen be required to pay into this program?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Wage replacement, an employee, someone on Social Security benefits is not working if I’m correct and would not be defined as an employee and that would not be wages.

Through you, Madam Speaker.
DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

So Through you, Madam Speaker.

If I am understanding the proponent correctly.

If I receive a check every month from the government for Social Security I will not see a 0.5 percent wage reduction from my check under this program?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

No.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And through you, Madam Speaker.

If I am a senior citizen and I work a job and, let’s say I’m gonna use this as an example. I’m 65 years old and I work at a supermarket and I’m a
cashier and I am on a fixed income but I work this job, part-time. Would I see a reduction in my paycheck for Family Medical Leave as a senior citizen?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

It the employee meets the threshold of 2325 within the quarters and the benefits, of a base weekly, yes you would.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

So in a hypothetical standpoint, if I’m a senior citizen and I’m paying into this program and my daughter is paying into this program and she is sick and I need time to take care of her and I get approved, and I’m sick and she needs time to take
care of me and she gets approved, could they both
get approved to take care of one another under this
program and still get the wage replacement?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

That would be something that would be
determined through the certification and regs
process but I’m having a problem understandin how
two sick people would be taking care of one another.

Thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And through you, Madam Speaker.

I’m using a real-life example. I am a senior
citizen, a cashier and I am having health issue and
I have not even a daughter, but a best friend, who
cares for me. I can’t really pay my bills but I
need to go to work because no one is giving me any money and I really need a ride to the doctors and I need someone to care for me after I had a one-day surgery. Would the person that is considered by best friend be able to take advantage of this plan?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

If that is determined through this program in a certification and regs process yes, it not no.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And thank you to the good Chair. So on the other side of that, on the flip-side of it, if I am an individual that is still working in good health but that same person that helped me two weeks ago now needs my help because they are having a one day
surgery, then if I meet the requirements take time, paid time off to care for them?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

The same answer applies.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

So I guess, again brings me to another point that I am really concerned about with this Bill. So I fear that there are a lot of folks out there that are on fixed incomes that are working a supplemental job to help pay for high electric rates, highest gas tax in the nation, and other, you know, unbelievably high cost of living in the State of Connecticut so they are going to be paying 0.5 percent of their check into a program that in my opinion is intended
to help those perhaps, you know, if I’m gonna take care of a sick parent or grandparent, but now I’m finding out that my grandparent is gonna pay into this program. So in essence my grandmother could be taking care of me if she is paying into the program if I need a ride to a surgery, a one-day surgery, I need someone to stay with me. I really can’t understand the logic and again I am really, really fearful about the abuse and fraud here. Never mind the fact that these folks are gonna be all be paying into this but who is gonna be withdrawing. Who is going to be reaping the benefits here. I thought that his Bill was intended to care for a very small scope of folks, immediate family that really needed it. Now I’m hearing a friend can care for somebody that they think is their relative, that a grandparent can take care of a friend that pays their bills, that, you know, a 35-year-old person could care for the 75-year-old neighbor that babysat them 20 years ago, that my aunt that lives in Nevada really needs me because, you know, all of a sudden
she is having a surgery in two weeks, doesn’t have anybody to take care of her so I’m gonna fly out there and get 95 percent wage replacement. I do not understand the logic. It’s not narrow enough. It’s going to become insolvent; I can’t say it enough times.

And through you, Madam Speaker.

One final question for the proponent here, before I turn it over my esteemed colleagues, has any small business group that advocate across the State of Connecticut for the heartbeat of our State, for the job creators, as I asked in a similar debate two weeks ago, has any of those small business groups spoke in favor of this piece of legislation?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I’ve spoken to several small businesses, some specifically in my district that not only support
this Bill but they also support minimum wage as well, Clare’s Cornucopia is one that comes to mind and I would also like to state that we keep talking about competition and what this does for businesses, it actually levels the playing field for small businesses to compete with corporations and large businesses that have no problems offering this benefit. Clare herself has said to me, that she wants this benefit for her employees but she cannot afford to pay for this benefit for her employees, and nonetheless she still makes a way for them to go out when they need leave and make do until they can get back and why is that, for the fact that my good colleague mentioned with is own business, that these people are like family to us and that we do want to see them taken care of in their desperate times of need and this Bill is actually for low wage workers, it is for the people that are struggling from paycheck to paycheck trying to make ends meet. We talk about sympathy, I’m here to tell you that sympathy is not suffice, this is life or death,
people are chosin to go to work because they have to, they can’t afford not to stay home or have the surgery or to take care of a loved one. This is why we’re doin this and not to mentioned that 88 percent of the people in the State of Connecticut who are voters support this Family Medical Paid leave and I can’t tell you how many calls, emails and actually face-to-face visits I’ve gotten in this buildin and at my front door urgin and begging me to make sure that this Bill gets passed this year because it is long overdue, Madam Speaker. And just to go back to the example of a part-time worker, 20 hours at $10.10 an hour, one-half of one percent of that would be $1.01.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

Through you, Madam Speaker. My original question was the Food and Restaurant Association, Connecticut Conference of Municipalities,
Connecticut Business and Industry Association, the NFIB, all the groups across the State of Connecticut that represent job creators has one of those groups mentioned before supported this piece of legislation?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I thank the good gentleman for referring to them, this time, because that is not what he said initially. But no. I will state this I am the Chair of the Labor and Public Employees Committee and that is who I heard from on this Bill.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Polletta.

REP. POLLETTA (68TH):

And through you, Madam Speaker.
Just a point of clarification as well here. In terms of a poll where 80 something percent of people support family medical leave; I think that everyone in this Chamber supports family medical leave but when they hear that it is a payroll tax and a deduction of 0.5 percent that number goes down by more than half. So until they find the details of what this Bill is about and they realize that they are gonna see less money in their pockets, then they start to drop off and say, whoa hold a minute, pump the brakes, this is not what I thought it was. And we’ve seen that with a lot of proposals this session and as far as our businesses go, you know, I mention the business groups because they are the backbone of our community. When a small business organization comes in for a Public Hearing testimony I don’t think they come in there trying to tangle our life up and make it hard, I think they want to compromise and I think that they actually do enjoy working with the good Representative on her side of the aisle and myself on our side of the aisle. I don’t think that
they want to see a Bill like this necessarily fail but I think that they share the same sentiment that I do, that we just want to get there in a different way. We want to see this policy enacted in the State of Connecticut but we don’t want to see every person, excuse me, minus State employees union, pay 0.5 percent. So when it hits everyone across the board the support for this program goes down like a cliff because people start realizing they are gonna lose money out of their check every week, less money for gas in the car, less money for groceries, less money to go out to eat, less money to pay my electric Bill, my oil. You know, when you deduct someone’s paycheck without telling ‘em you’re even gonna do so for a program that they may never use, they are going to be infuriated. The good Chair talked about knocking doors, come to the 68th House District and knock doors, tell them you’re gonna take 0.5 percent out of their paycheck across the board. I wouldn’t even want to do that in my district to tell you the truth. I got some great
people; I think they’d kick me off their property. They are already taxed enough. They don’t need another tax. This Bill is bad for business. This Bill is bad for Connecticut. There is a philosophical difference in this Chamber about we get to certain pieces of legislation. Do we take a big government approach, do we let the government control everything? If you think that the government does a good job of controlling everything, then you should vote yes on this Bill. If you believe that the State of Connecticut can manage this program as effectively as it has managed its budget and everything else over the last 20 or 30 years, then you should definitely vote yes today. If you think that government should have a larger role in our lives as a whole, then you should vote yes on this piece of legislation, absolutely. If you think that mandating everyone to pay a payroll tax into this program, is a good thing for families then you should vote yes. But there is a reason why a large group of people have spoke against this
Bill, there is a reason why not one business group has come out in favor of this Bill. We have a chance again, with this Bill to say to ourselves let’s hold off, lets look at both sides of the aisle, where the pros are, where the cons are, where we can compromise and we can pass something different and send it back to the Senate. We can send a message to the small business owners in Connecticut that we are actually looking out for them. It’s not rocket science. We can tell people that government doesn’t need to be in your lives all the time. That is not a democracy, that is not capitalism. A government, an economy cannot grow, excuse me. An economy cannot grow when a government is hindering over it all the time. When there is a tent over every small business with the word government written on it saying, I’m here to tax you, I’m here to take your hard-earned money. I can do it better than you. You’re the insurance capital of the world Hartford, we can do it better than you, we’ll run our own program. We have to think in a
practical way. We have that opportunity to do that. There will be Amendments on this Bill, there will be alternatives offered and I employ my colleagues on the other side of the aisle to look at the Amendment that is gonna get offered in a little while and think to themselves, you know what maybe this is a better route for my district. Maybe in 2020 when I’m going out to knock on doors, someone is gonna say to me, Representative thank you, you didn’t take 0.5 percent out of my paycheck. Did anyone ever think that they may put a lawn sign up for you if you save ‘em some money. That’s what people in my district are sayin. Get the government out of my life and I’ll vote for you. I really hope that again, in all of the time we’ve spent this session talking about myriad of issues when a lot of them have been bipartisan I really hope that today we can take a step back, take some time to look at the details of this Bill, recognize that even the Governor has said there are some serious problems here, and that we need to fix what’s wrong in this
Bill before we just vote it out today, tonight, tomorrow, whenever and say, this is the law because we do have a chance to pump the brakes today and we do have a chance to get on the side of Connecticut’s small businesses, Connecticut taxpayers. We’re in our final stretch, let’s send ‘em a message. Let’s not adopt this Amendment, let’s vote no right now and let’s renegotiate it. Thank you.

DEPUTY SPEAKER COOK (65TH):

Will you remark further on the Amendment? Representative Perillo.

REP. PERILLO (113TH):

Thank you, Madam Speaker. I appreciate it very much. If I am, a few questions.

Through you.

To the proponent.

DEPUTY SPEAKER COOK (65TH):

Please proceed, sir.

REP. PERILLO (113TH):

Thank you, Madam Speaker. I believe I heard the Representative in her discussion with the
Ranking Member, state that she had heard that 88 percent of Connecticut voters are in favor of family medical leave. Was that accurate?

Through you, ma’am.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Thank you.

Through you, Madam Speaker.

That is correct, 88 percent of registered voters in Connecticut support paid family medical leave.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Madam Speaker. I would just ask what the source of that poll was?
Through you, Madam Speaker.

This was a poll with the BLS Research and Consulting.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Madam Speaker.

When was that poll conducted?

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

This was conducted in 2016 if my memory serves me correct.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Madam Speaker. And in 2016 had this Bill been drafted as it is before us now?
DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I don’t remember all the iterations but I’m sure this was not it.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Madam Speaker.

And in 2016 did respondents to that poll know that we were going to assess them with a 0.5 percent payroll tax, were they aware of that?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

That is correct they did know when they were polled that there would be a deduction.
DEPUTY SPEAKER COOK (65TH):

Representative Perillo.

REP. PERILLO (113TH):

Okay. Step backward, thank you. So the Representative is telling me that in 2016 before the concept of a 0.5 percent payroll tax was on the table, cause I recall iterations of this Bill back then, the Representative is saying that even though we hadn’t conceived that and it had never appeared in any version of any Bill that the voters who responded to this poll were aware that they would be assessed a 0.5 percent payroll tax. Is that correct?

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I have been corrected; the poll was April 2019.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):
Representative Perillo.

REP. PERILLO (113TH):

Okay, thank you. So the poll wasn’t in 2016, it was in 2019. Is that correct?

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

That is what I’ve been told.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Madam Speaker. So in that, I mean we all have experience with polling. I have a lot of experience with polling, so do many members of this Chamber and there are so many different ways you can ask for information. You can include information in your questions, you can leave information out. So the Chair of the Labor Committee is absolutely certain that the respondents
to that poll, and she can prove to me right now, the respondents to that poll knew there would be a payroll tax, is that correct? And would she be willing to do so?

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

Through you.

REP. PORTER (94TH):

Through you, Madam Speaker.

Yes, based on the information that I have been given, that is correct.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Perillo.

REP. PERILLO (113TH):

I apologize, I don’t usually do this, but could the Representative repeat it, I did not hear what she said and I apologize.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):
Through you, Madam Speaker.

That is correct, that is the information that I have been provided and there is an actual report from the BLS Research survey that was done that can be provided.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Madam Speaker. And as luck would have it, I have that poll in front of me and I will read the Representative the question that was asked to which 88 percent did indeed say they favored family medical leave. The question was, and if you would indulge me, I know we aren’t supposed to read, but it is relevant in this case.

DEPUTY SPEAKER COOK (65TH):

Please proceed, sir.

REP. PERILLO (113TH):

“Generally speaking, do you favor or oppose a plan called Paid Family and Medical Leave which
would allow people in Connecticut to have access to some paid time off if they need to care for a new baby, a seriously ill family member including an injured service member” because that obviously gets people excited when you ask that in a poll, or recover from a personal illness.” The Representative just stated to me and to all of us that individuals were aware that there would be a payroll tax, yet in this question it is not made clear to them, in fact it is not remotely hinted to them. So could the Representative clarify, am I reading the wrong poll, could the Representative clarify how she might have said something that was absolutely different then what I just read?

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I would ask the good gentleman if he could read the following question, the next question on that survey?
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Perillo.

REP. PERILLO (113TH):

Gladly, I haven’t read it yet, so it will be a surprise to all of us. Question 2. “Here is some more information about the plan which the Connecticut General Assembly is considering. The Paid Family and Medical Leave Plan would allow employees to take up to 12 weeks of paid time off from work if they need to care for a new baby, a seriously ill family member including an injured service member or recover from a personal illness. This plan would be funded through very small payroll deductions, employers would not be allowed to fire employees for taking paid leave. Now do you favor or oppose this plan to establish paid family medical leave? That is the question.

DEPUTY SPEAKER COOK (65TH):

That be all?

REP. PERILLO (113TH):
I’m reeding the question.

DEPUTY SPEAKER COOK (65TH):

Okay, perfect. Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I do believe that if he continues in the survey that it references the one and a half percent that would be an employee contribution.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Perillo.

REP. PERILLO (113TH):

Well if the lady.

DEPUTY SPEAKER COOK (65TH):

Well we can stand-at-ease for a moment if you would like?

REP. PERILLO (113TH):

Thank you.

DEPUTY SPEAKER COOK (65TH):

Sure, the Chamber will stand-at-ease.

REP. PERILLO (113TH):
Thank you, Madam Speaker I appreciate the indulgence of the time.

DEPUTY SPEAKER COOK (65TH):

The Chamber can come back to Order.

REP. PERILLO (113TH):

In fact, that percentage is not mentioned in the poll, at least not what I have before me, and I should also note my original question was whether or not payroll tax was referenced in this and that has not been referenced at all either. But I’ll tell you what happens when you ask a polling question, you do a survey and you include the words payroll tax. Here’s what happens. Those numbers turn upside down and through e-mail surveys, through online surveys, with hundreds and hundreds of respondents, in fact more respondents that the 602 registered votes who responded in this poll, I found that over 80 percent of constituents and forgive me, I don’t have the exact number at the top of mine, but over 80 percent of individuals who responded said that they opposed paid family medical leave if
there were a payroll tax. So I just simply want to make the point that a skilled pollster can get to 88 percent if they ask the question the right way. But as we found actually with tolls, and I’m not going down that road, but the longer something sits out there the more people learn about it. And the more people learn about it the more they start to wonder whether or not it was a good idea in the first place. You know, a lot of times the Bills we have, you know, and I’ve heard the Representative from North Branford say this and I think it’s actually a great example, you know, some of these Bill are like, you know, they are like dead fish, the longer you leave them out, the more they start to stink. And what we found with a lot of these things is that as people learned the facts, as individuals learned that there would actually be a tax, it would come out of their payroll automatically, effectively increasing their income tax in the State of Connecticut. Once people start to hear that they say, huh, this may not be such a great idea. They
start to say, well this is probably a benefit that I’m never gonna use, nor are any of my friends or family gonna use it so they start to question. So let’s just be very careful about the numbers we throw out especially when we’re talking about people’s opinions because that can be spun in anyway, shape or form that anybody wants. I really wanted to make that point before I move on.

But the Representative said something else, the Chair said something else in her discussion with the Ranking Member and I want to clarify. The Representative said that this Bill is for low-wage workers. Those specific words, I wrote them down. Could the Chair of the Labor Committee clarify what she means when she says that?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Thank you.

Through you, Madam Speaker.
What I mean when I say that, is low-wage workers in the State of Connecticut are the ones that usually don’t have benefits, they don’t get paid time off, they don’t have sick time. They are the ones that are struggling from paycheck to paycheck to make ends meet and they actually can’t afford to take time off if they are suffering from a serious health illness or if they’ve had a child, a foster child, foster care, adoption all the things that are stipulated in this Bill, so that’s what I was sayin when I said that this Bill was made for low wage workers, really low wage workers in mind. Everyone can benefit, but specifically low-wage workers and that’s why the wage replacement on the low end of this is 95 percent because we’re tryin as best as we can to make the low-wage worker who can’t afford to take the time off as whole as possible so that they can do so.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Perillo.
REP. PERILLO (113TH):

Thank you, Madam Speaker and I thank the Chair of the Labor Committee for her answer to the question, that definitely clarifies what she had in mind and I’m not surprised that was her answer. And she also acknowledges though that low-wage workers would not be the only workers who might take advantage of this benefit. But I think that it important to point out an individual who maybe we will call that individual a higher wage worker, let’s say and I’ll take a big number, I’ll say $100,000 dollars a year. That’s a big number, that’s a lot of money. That individual because of the cutoffs and caps in this by my math would be eligible to receive $30,000 dollars or so a year. Now they make $100,000 dollars. How is that individual going to pay their rent and or mortgage, pay the bills that they pay given the fact that they make $100,000 dollars, how are they gonna do that when they are only making $30,000 dollars a year or there abouts given the caps, how are they gonna make
ends meet for themselves? Let’s assume they are going to have to cut back on things like their house and what not.

Through you, sir.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That would be determined by the maximum wage replacement. This benefit would up to 12 weeks, so it wouldn’t be a year’s salary. So I’m not really following where the good Representative is going with that.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Mr. Speaker. And I certainly appreciate the question. I was simply using a year as round numbers, just easier to talk about, maybe it was easier for me, maybe not for the
Representative. She knows far about this Bill than I do, so I completely respect that. I’m not thinking in terms of 12 months, 12 weeks rather and that’s said. But I worry about what is clearly a well-intended Bill. There is absolutely no doubt about that. I worry though that we’ve created a situation where we are actually picking winners and losers and we throw those terms around all of the time, we truly do. But I wonder if we are creating a situation where some people can afford to take advantage of the benefit because they will make 95 percent of their pay but others can’t afford to take advantage of the benefit because they are making less than 50 percent of their pay even if it is only for 12 weeks. I’m just wondering if any consideration was given to that disparity and if so what was that consideration, if the Chair who was involved in this for so long, if the Chair could answer that question for me?

Through you, sir.

DEPUTY SPEAKER MORIN (28TH):
Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That was given consideration and there was [Laughs] several considerations taken into effect when we did this. First off, many people that make that kind of money have excellent benefit packages and there is some language in here that addresses that as far as you do take the time off bein, an employer being able to request that they actually use some of that employer provided benefit and also if 95 percent of the minimum wage up to 40 percent and then 60 percent of what is over that, so it’s not full wage replacement but it is substantial.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Mr. Speaker. So I’ll try to paraphrase. So it is the belief that individuals who make, who earn higher wages have generally
better benefits and don’t need to take advantage of this, is that correct?

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

They may choose to take advantage of this. I can’t speak for the individual, the option and the choice is available.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Mr. Speaker. But, and I appreciate that answer, but at the same time we are reimbursing, not reimbursing, we are flat out paying these higher wage individuals a lower percentage of their salary and the logic given to all of us just recently we are giving them less because they are more likely to have benefits of their own and would be less likely to need these benefits. And I know
the choice indeed would be theirs, but they are less likely to need these benefits paid to them at a higher percentage of their salary because they have other benefits in place. I hope I asked that question clearly, if I didn’t I am happy to try and repeat it.

Through you, sir.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

I do believe that I get the gest of where the good Representative is goin and I’ll just make this note, that even with the reduction in the difference between what someone at $100,000 dollars a year would be gettin versus what a minimum wage worker would be gettin they’re still gettin considerably more than that low-wage worker is getting.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Perillo.
REP. PERILLO (113TH):

Thank you, Mr. Speaker. So in that context let’s get back to the point 0.5 percent payroll tax. So that higher wage earner is putting more money into the fund because 0.5 percent of $100,000 dollars is more than 0.5 percent of $25,000 dollars, $40,000 dollars, simple math. They are putting more of their money in, yet, able to get, able only to get a lower percentage of their actual salary, is that correct?

Through you, sir.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

I do believe that is correct, but I will ask him to restate for clarification.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Would you please restate, Representative Perillo?
REP. PERILLO (113TH):

Sure, I’ll give it a shot, thank you Mr. Speaker. So again I’ll stick with round numbers, it’s easier for me. So this $100,000 dollar a year wage earner is paying half-a percent of their salary and that is, see, I can’t even to the math, whatever that number is. But the employee making $25,000 dollars is again let sort of keep it, paying into the fund 25 percent, one quarter of what that higher wage individual paid in, $25,000 dollars, $100,000 dollars, 25 is 25 percent of 100 so it’s only a quarter of what was paid in. Yet they wouldn’t be eligible for as high a percentage of their salary or their wages paid to them for the 12 weeks because they are capped, so they would be paying in essentially in this case four times the amount of money as the lower-wage worker. They would be paying four times that amount of money into the fund yet not able to receive, you know, honestly even 50 percent of what they make even though they are
paying four times that of the lower-wage worker. Is that correct?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

They would actually, and I’m lookin at a wage replacement schedule and I’m just gonna use actual numbers that I have instead of trying to follow along an give an example and you can tell me if this is what you were talkin about, Representative. So if I’m lookin at an hourly rate of $40.00 dollars, that is a weekly rate of $1,600 dollars, annual rate is $83,200 dollars. The percentage wage replacement on that would be 56 percent with a cap of up to $900 dollars.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Perillo.

REP. PERILLO (113TH):
I accept that that answer is accurate just because I don’t have the paperwork in front of me. I know the Representative wouldn’t mislead. But in general, I simply want to make this point. The higher wage earner is putting in, in my example, plus or minus as much as 4x or even more into the fund yet they’re able and I believe in the example that was given, they were only able to receive about 50 percent, maybe a little bit more, about 50 percent of their salary or wages back whereas an individual who is only putting in 25 percent of that higher wage earner would be getting 95 percent of his salary. I need to make that point because much of what we do, some of us would call it progressive, some would call it something else, but individuals who make more money are putting in a disproportionate share into the fund and not really as a group anyways getting back what they put in. Actually I’ll phrase that in the form of a question. Is this a situation in which individuals at a higher wage are, I’ll use this word, subsidizing the amount
of money put into the fund by lower wage workers?
Is that a fair characterization?

Through you, sir.

DEPUTY SPEAKER MORIN (28TH):
Representative Porter.

REP. PORTER (94TH):
Thank you.

Through you, Mr. Speaker.

I believe that it could be considered that if you chose to look at it that way.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):
Representative Perillo.

REP. PERILLO (113TH):
Thank you, Mr. Speaker and again I thank the Chair of the Labor Committee for her answer to the question. I want to shift gears every slightly and the Ranking Member of the Labor Committee had referenced it previously and it’s the issue of solvency. So I have just a few questions. So the 0.5 percent payroll tax how was that number reached,
Representative Porter.

I cannot. Thank you.

Through you.

Representative Perillo.

Okay, so this legislation before us would assess on all employees a 0.5 percent payroll tax, this is a new tax and the Chair of the Labor Committee does not know how we arrived at that number.

Is that correct, sir?
Representative Porter.

Through you, Mr. Speaker.

That is the number that has been used since I’ve been chairing this Committee. That is correct, and I would just like to say there are two types of payroll deductions, one is for the common benefit which includes Federal, State, local taxes the other is a deduction for personal benefits, paid family medical leave is an example of that benefit just like you would have a health benefit, a life insurance benefit, dental benefit, vision benefit.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Perillo.

REP. PERILLO (113TH):

Through you, Mr. Speaker. And the Chair is at a great advantage in this because I don’t serve on the Committee, she is far more knowledgeable about this Bill than I and I don’t mind admitting that. It is my understanding though that one of the assumptions behind this number was, because we know,
who takes family medical leave now, those are known numbers, it does currently exist, it has existed since 1993 and people have been taking medical leaves since 1993. It is my understanding that the number of employees historically who take that benefit, who take that leave, was part of the basis for these assumptions. Am I accurate?

Through you, sir.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

If the good gentleman could please repeat the question.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Perillo would you mind repeating your question, sir?

REP. PERILLO (113TH):

Happily. More than happy to, thank you, sir.
So it was my understanding that part of the basis for this 0.5 percent payroll tax was historical experience in the use of the Family Medical Leave Act, individuals who decided to take advantage of family medical leave which has been in place in the U.S. since 1993, knowing that they would be able to return to work without having lost their job. I really hearing in other Committee meetings and discussions that that experiences was part of the basis for this one-half of one percent payroll tax, is that correct?

DEPUTY SPEAKER MORIN (28TH):

   Representative Porter.

REP. PORTER (94TH):

   Through you, Madam, Mr. Speaker.

   I ask if we could stand-at-ease for a moment?

   Thank you.

DEPUTY SPEAKER MORIN (28TH):

   The Chamber will stand-at-ease.

REP. PORTER (94TH):

Through you, Mr. Speaker. I’m just reading information that I am currently receiving and it says it was calculated through IWPR Implementation Report, commissioned by the Connecticut General Assembly in 2015 and that it is based on the usage of paid family medical leave in California and Rhode Island as well as Connecticut’s usage of unpaid leave.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Perillo.

REP. PERILLO (113TH):

I was right. I’m shocked. But that’s what I thought and I had seen that, the report that the Representative referenced but here is my concern. So the dynamic of that experience of that utilization of the benefit of family medical leave, the dynamic of that changes significantly once it is paid medical leave because when you are an employee, when you are anybody, you weigh all the options, you weigh all the variables in determining whether or
not you’re going to take a leave from work or not. So in that history individuals who elected to take medical leave didn’t have the benefit of it being paid family medical leave and this is my understanding. But once compensation is included one would reasonably think, I would reasonably think, others might as well that utilization of the benefit will actually go up. That individuals that utilize it more, they don’t have to worry about the risk of, hey I can’t go 12 weeks without pay, I need to get paid. So I would suspect that experience might go up and I wouldn’t say might, experience will go up because now people know, hey I can take 12 weeks off and I’ll still get paid and I’ll go back to work and everything will be fine, I can still pay my rent, I can still pay my other Bills whereas historically they didn’t have that. So if we’re saying that the payroll tax number determined herein is based upon past experience and we can expect that people will utilize more because they have the benefit of that compensation, I am a little
concerned about the solvency of the fund. So it leads me to another question. What if expenditures, benefits paid out exceeds the tax revenue coming into the fund?

Through you, sir.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

If it becomes insolvent, and we’ve already reached one-half of one percent on the employee contribution there would be a decrease in the benefit.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Perillo.

REP. PERILLO (113TH):

So that would have to be the case. The authority that governs this would have to decrease the benefit, is that correct.

Through you, sir.
DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

That is correct. If we have already increased it to the cap of one-half of one percent for the contribution, the other route would be to actually decrease the benefit to the minimum amount necessary and the minimum time necessary to make the fund solvent again.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Mr. Speaker. And again I think the Chair of the Labor Committee for her answer to the question. So who would have the authority, the ability to make those determinations about what benefits were cut?

Through you, sir.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.
REP. PORTER (94TH):

Through you, Mr. Speaker.

That would be somethin that would be determined through the authority and they would establish those regulations.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Mr. Speaker. So we’re asked to vote on a set of benefits that’s before us in this legislation as will likely be amended by Senate “A” but those benefits could change and we as a legislative body who are making this initial determination today, we would have no ability to have a say in those declining benefits? Is that correct?

Through you, sir.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):
Through you, Mr. Speaker.

We could always bring it back before the legislature. We always have a say.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Perillo.

REP. PERILLO (113TH):

Okay, so thank you. I appreciate the answer. So the legislature could actually get the second bite at the apple, so we could actually determine on our own that, hey, you know what this 95 percent isn’t gonna work, we really got to back that down to 85 or, you know that 60x cap, 60 percent cap is too high we got to back that down to 40. We would be able to do that, is that correct?

Through you, Sir.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.
Would you please ask the good gentleman to repeat the question?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Perillo would you mind rephrasing that?

REP. PERILLO (113TH):

Happily. Thank you.

DEPUTY SPEAKER MORIN (28TH):

Thank you.

REP. PERILLO (113TH):

So to clarify and I think I know the answer to the question, I just want to be sure that I do. If there seemed, if there appeared to be a need that we’re concerned about solvency, and it looked like maybe we should consider backing down the benefit. We as a legislature could supersede the authority of the, well the authority of the authority. We could supersede that and then make a determination on our own that the benefits should be lowered and to what level they should be lowered. So we could say keep
the 95 percent for the lower wage worker but eliminate the benefit for anybody who makes over $50,000 dollars, we could do that. I’m not saying we’re doing that herein but we would have that flexibility or any flexibility to make changes outside the authority’s purview.

Through you, sir.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

We could bring this back and amend it.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Perillo.

REP. PERILLO (113TH):

I apologize, I am going to do the same thing. Could the Representative please repeat the answer, I apologize.

DEPUTY SPEAKER MORIN (28TH):
That’s all right. Representative Porter would you please repeat the answer.

REP. PORTER (94TH):

Yes, of course.

Through you, Mr. Speaker.

I’m understandin this correct we always have the ability to bring it back and to amend. The authority would establish the regulations and if we are not in agreement with that, and we feel that this is somethin that needs to be amended through legislation we have the authority and the ability to do so.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, ma’am. Representative Perillo.

REP. PERILLO (113TH):

Thank you, Mr. Speaker. And again I want to apologize that I hadn’t heard the answer, in fact I also just want to clarify that it is Representative Piscopo’s fault, not my own cause he was talking to
me. [Laughter] Just wanted to get that on the record.

DEPUTY SPEAKER MORIN (28TH):

Would you like me to rule him out of order?

[Laughter]

REP. PERILLO (113TH):

Nah, that’s okay. I appreciate the offer. So that we as a legislature could go back and review this. So as the Representative said, we could go back and lower the benefits ourselves but I have to ask on the flipside, we as a legislature could decide that in fact we shouldn’t lower the benefits that in fact we should raise the rate of the payroll tax, would we be able to do that?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.
That is correct, we always have the ability and the opportunity [Chuckles] to go back and amend a Bill.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Perillo.

REP. PERILLO (113TH):

Thank you, Madam Speaker. And to be honest that is my concern. It sort of gets back to that earlier discussion we had about polls and what polls tell us and the information that is given in polls is important and what’s not given is important cause here’s what I worry is gonna happen. We’ve already established that perhaps the 0.5 percent payroll tax is based upon, I won’t call it faulty but perhaps incomplete information, data gathered from other states, under other circumstances. So if that is true and I believe actually it is true, then perhaps we have already set ourselves up in a situation where our 0.5 percent isn’t going to be enough and we will figure that out pretty soon and I think it
will be in the first maybe two years of what’s goin on here after this is passed, assuming it is. But I’ve been here long enough to understand the appetite of this legislature for lower benefits and while I certainly can’t say with certainty what a future legislature might do, I clearly feel as though we’re setting yourselves up for a situation where we are gonna be back here and that 0.5 percent payroll tax all of a sudden it’s gonna have to be a one percent payroll tax. And again we didn’t define that in the poll as a payroll tax, but that is what it is. And nobody in the poll knew that we could change it, they didn’t even know what the number was but they didn’t conceive of the fact that perhaps we may not have enough money in this fund to actually pay for the benefit that the Bill proposes. So I’ve got to be honest, that is one of my biggest concerns here. We are opening up what could be a tremendous unknown liability to the State of Connecticut, a liability that can only be funded at least as established herein, can only be funded and most
likely be funded by an increase in that payroll tax or an increase in a tax someway, shape or form, you’ve gotta get the money somehow. If you keep the benefit intact, you’ve got to pay for it somehow. And the way we pay for things here in the State of Connecticut is through call it a tax, call if a fee, call it whatever you want but at the end of the day it’s comin out of somebody’s pocket. That is the simple reality. So when we overspend this, and I’m telling you right now, we’re going to, when we overspend the fund we are going to be back here asking somebody to shell out more money, maybe it’s employees as we increase that 0.5 percent to one, it’s a possibility, maybe it’s employers where we say actually, you know what, the employee is going to pay a half a percent and may the employer now has to as well. But the economy here is a train wreck and absolute train wreck. Employers are telling, I mean my I’m going to my Chamber of Commerce meetings and business owners are telling me, first of all the told me family medical leave is going to be horrible
for them and I understand the Representative may have talked to some in her hometown and think it is a good thing, but employers are begging us to put the brakes on so much of what we’re doing that it is making very, very difficult for them to keep their employees, for them to even stay here. Yet we are now entertaining the possibility of levying on them another tax. We are not doing that in this Bill right here, right now, but we are creating the opportunity, well, we’re creating the likelihood that we are going to have to generate more revenue somehow and laying the groundwork to either take it from employees or employers when we indeed have to do it. So that is my concern. This is not just creating a 0.5 percent payroll tax this is opening the door to the inevitable increase in taxes that’s gonna have to come down the road to pay for this benefit. That’s just the simple reality. This is just the camel’s nose under the tax tent and let me tell ‘ya I worry that in a couple of years the whole camel is gonna be in there and we are going to see
that 0.5 percent be far more than what it is right now. That is one of my many concerns. It is concern that I’m gonna stop with. I’ll hear much more of the debate and there may be some other conversation I might want to chime in on. I appreciate the indulgence and the opportunity to speak and I thank the Chair of the Labor Committee for her answers to my questions.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Will you remark further on the Amendment before us? Representative Simmons.

REP. SIMMONS (144TH):

Thank you, Madam Speaker. Madam Speaker I rise today in strong support of implementing paid family and medical leave in Connecticut. I want to thank the proponent of this legislation and I appreciate the debate that is taking place tonight. But I want to rise in strong support of this legislation for two overarching reasons. First paid family leave is essential to the health and wellbeing of the mother
and the baby and second, I believe that paid family leave will benefit Connecticut’s economy overall. First with respect to the health of the mother and the baby paid family leave has an enormous benefit for the physical and emotional health of the mother and the baby. Women who go back to work too soon, experience higher rates of postpartum depression, delayed physical recovery, greater emotional and physical burdens and their newborns have an increase in sickness, developmental issues and health complications and are less likely to be breast fed and experience that important bonding time with the mother. I think it is important to break the health and well being to two key categories. The physical recovery. The physical recovery post labor is one of the most strenuous, painful and difficult times in a woman’s life. I’m so blessed to have just gone through this experience and I can say that 12 weeks is the bare minimum needed for physical recover from labor and I was so fortunate that everything went smoothly. For many women there are complication,
there are preterm births, there are Caesarean sections which is a major surgery which doctors recommend a minimum of six weeks recovery. I have to give a shout out to my mother who had five C-sections within 10 years and I don’t know how her body did that within such a short period of time but I’ve heard many stories from her about just how strenuous and long and painful the recovery was. But I also think it is important to talk about the mental and emotional health and well being of the mother. And I think this is something that we don’t often talk about because there is a stigma around this. But the reality is many women face postpartum depression, in fact 15 percent of mothers face this and up to 80 percent of mothers face or experience baby blues including myself and I know many other women out that and friends and constituents that I talk to and these mental health issues cause severe anxiety, stress, a lack of sleep. Many mental problems for the mother and we now know this is also contributing to outcomes for the baby as well. We
know that when mothers have postpartum depression and aren’t able to have adequate time to rest and recover emotionally and mentally after labor that this is having negative outcomes on babies as well. Significant research shows that period from zero to three is so important to the health and well-being of the baby and that mothers with mental health issues were seeing negative academic outcomes. Among babies we are seeing negative physical outcomes, we’re seeing ensure attachment and a range of other physical and emotional issues with babies as well and so I think the point about mental health is really important, something we need to talk more about. So that 12 weeks of recovery is critical for the health and well-being of the mother and the baby. Again I think 12 weeks is the bare minimum, I wish we were going farther. Many European countries give up to a year of paid family leave but I think 12 weeks is a minimum required. I also want to note that on the mental health issue according to the National Institute of Mental Health we know that 15
percent of women have postpartum depression, 80 percent of women have baby blues and we also know according to the Urban Institute that 55 percent of children living in poverty experience, have mothers who experience depression and again face insure attachment and negative health outcomes and I think this is another thing that is so unfair about our current law is there is such a huge disparity between the rich and the poor and so many low-income women don’t have access to paid family leave or to resource necessary or to be able to take that time off to have that important bonding time with their baby so that’s why this legislation is so important. And finally I just want to say that the point hasn’t been made yet that I really believe this will benefit our economy overall and that is for three main reasons. One, one of the main ways we can improve our economy and improve our gross state product is to boost participation among women in the workforce. Currently only 12 percent of private sector workers and 17 percent of public sector
workers have access to paid family leave and as a result of this lack of access to paid family leave, we are seeing increasing turnover among women, we are seeing women dropping out of the workforce, lower wages and a greater reliance of public assistance which costs our state. So I think this will help save costs for our state and it will also boost women’s participation in the labor force. According to a recent McKinsey Study if female employment rates were to match male rates in the U.S. our overall GDP would rise by five percent, and worldwide if women’s participation matched that of men world’s GDP would increase by 28 trillion or 26 percent by 2025. So boosting women’s participation will help our economy. It will also help save our state costs. We know mental health costs our country $193 billion dollars a year and due to the lack of successful paid family leave 15 percent of workers were forced to go on public assistance, so this will also save those costs as well. And when we look at other states like California who have
implemented this policy, we’ve seen more productivity, less turnover and it has actually saved business costs because they haven’t had to hire new workers and they’ve seen more loyalty among their employees. And thirdly, this legislation is essential to attracting young women, millennials and young families to our state. When I talk to my friends that live in Boston, they say they will never lead because Massachusetts is one of the few states that has paid family leave and this policy is so important to them and their families. So if we want to make our state more friendly to working women, more friendly to families, I think this legislation is critical and again I just want to thank the proponent of the Bill, Representative Porter, I want to thank all of the advocate who’ve been fighting for this for many years. I know that we have heard some concerns from businesses but we’ve also heard a lot of support from businesses. I know this is a major shift but it is an important shift. We need to do a better job of accommodating
women and families in our workforce. So for all those reasons, Madam Speaker I strongly support this legislation. I truly think this will benefit the health and well-being of women and families across our state and it will benefit our economy overall and I urge my colleagues to support this legislation and an honor to stand in favor of this today. Thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative Simmons.

Representative Zullo.

REP. ZULLO (99TH):

Thank you, Madam Speaker. I rise with a couple of comments, a couple of questions. Firstly, and just to the issue of polling. I do have a couple of questions in follow up to that poll to the good Representative if I may.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Please proceed, sir. The Chairman is ready.

REP. ZULLO (99TH):
Okay, with respect to that poll, does the good Chairperson know the group that commissioned that poll?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Thank you, I was just waitin for my mic. Thank you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter could you please hold. Whoever has a phone that is still ringing, could somebody please shut that off. Thank you. I’m sorry, Representative, please proceed.

REP. PORTER (94TH):

Thank you, Madam Speaker.

This was the Campaign for Paid Leave and Medical Leave and BLS Research in consulting along with workers and legislative leaders. And this was a survey showing bipartisan support for Paid Family Medical Leave in Connecticut.
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

And through you, Madam Speaker.

Does the good Representative know who the principle of the BLS Research and Consulting might be?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I’m trying to remember her name. Dr. Brittany L. Stalsburg, founded BLS Research and Consulting in 2016 and I think that is where I got the 2016 earlier.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):
And having gone to Providence College and graduated with a Political Science Degree I am intimately familiar with political polling, quantitative analysis. I am also intimately familiar with the found of BLS Consulting. We actually happen to graduate in the same glass and be in the same program. She is certainly an accomplished quantitative analyst but I am a bit concerned again, having been a political science major with two issues specifically first bias in the poll and specifically with respect to leading questions and secondly with respect to the positions of the person who ran the poll. I received an email from the person who runs BLC Consulting specifically advocating for the passage of this legislation. I find it highly concerning that the person pushing this poll is emailing me asking me to approve this legislation. How could you possibly pretend to be putting out an unbiased survey when you are actively pushing and requesting legislators to pass the very legislation that you are supposed to be polling in
an unbiased manner? It is highly concerning and it severely undercuts the legitimacy of the poll, not to speak to the qualifications of the person who formed the company because I do happen to know that she is highly qualified independently of my concerns about this bias in the poll. But I do want to emphasize that because that is a significant concern.

I also want to speak to the issue of a deduction versus a tax. It was raised bit earlier that this continues to be characterized as a payroll deduction. I have payroll deductions for dental. I have payroll deductions for vision. I have payroll deductions for my 401k retirement but every year I get an eye exam, I get a dental checkup, occasionally I have to have a cavity filled or a root canal, either of which are pleasant and eventually someday, I will get to take advantage of my 401k. However, every dollar that I put into this assuming this gets passed I may never actually utilize because I may very well never go or take
advantage of paid family medical leave. Unlike the fact that I get an eye exam every year or a dental checkup every year or will utilize by retirement savings. And there is an important difference between the two, this is not just a deduction, it is a tax in every form. I have a number of overarching concerns about this legislation. I think it presents an enormous logistic burden for small businesses who will absolutely be forced to take on additional labor to backfill positions when employees take advantage of the very generous provisions that will go into effect under this legislation. I have a number of concerns which have been raised by some of my colleagues about the financial solvency of this program. I am concerned about the State’s ability to implement it, to role it out, to carry it out effectively and as the good Ranking Member on Labor pointed out, I am also concerned about the potential for abuse. And if not abuse a number of unintended consequences that will arise from the very broad provisions that are in
this legislation. On the issue of financial solvency.

Through you, Madam Speaker.

A question to the proponent just to confirm the payroll tax that is going to be utilized to fund this program is a half-a-percent tax, is that correct?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

And I do apologize to the good gentleman I am going to have to ask him to please repeat that question.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

I’d be happy to.

Through you, Madam Speaker.
Just to confirm once again the payroll tax that is going to be utilized in order to fund this trust is a half of a percent tax. Is that correct, Madam Speaker?

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

The deduction is one-half of one percent.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

And I know one of my colleagues started to scrape the surface of it but again.

Through you, Madam Speaker.

How was that half-a-percent payroll tax rate arrived at?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.
REP. PORTER (94TH):

Through you, Madam Speaker.

I did answer that question earlier and I can retrieve that answer again if necessary.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

So I believe I had heard a reference to a study that or a set of figures that was not made available to me during the Finance, Bonding and Revenue Committee meetings that I has asked for but no one in the room had. So if the good Representative could go into a bit more detail on to how that half of a percent payroll tax rate was derived because again I still don’t have that study. I actually very much would appreciate it.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):
Through you, Madam Speaker.

I would ask that we stand-at-ease.

DEPUTY SPEAKER COOK (65TH):

The Chamber will stand-at-ease.

Will the Chamber come back to Order? As we continue our debate, and we recognize that it could potentially a lengthy debate and we are going in and out, if we could do our best to ask so we don’t consistently do repetitive questions, we will continue with the question and answer here but for the sake of all of us, for the next whatever we are looking at, that would be appreciated. Thank you so very much.

REP. ZULLO (99TH):

Madam Speaker if I may interrupt, I am happy to withdraw the question and move on just for the sake of, you know, I’m happy to do that.

DEPUTY SPEAKER COOK (65TH):

Please proceed, sir.

REP. ZULLO (99TH):
To get into a bit more detail do we happen to know how many people in the last two to three years in Connecticut have utilized family medical leave.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Thank you.

Through you, Madam Speaker.

I do not.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

And I believe it was made know to me informally but I don’t know that it is actually correct but since the good Representative does have some data on this. Does the good Representative know the average amount of time that individuals have taken advantage of family medical leave in Connecticut over the last one, two or three years?
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I do not.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

And is there a current written solvency projection or budget for this program?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

There is not.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):
So I find that just to take a break from questioning for a second, highly concerning. I am a small business owner and I know that when my father started our law firm he set out with a very careful budget. He mapped every possible expense from wages and mortgage and insurance right down to the water cooler that still sits in our file room and he tried to project his income including everything from client fees and contingency fees and every possible thing. I am very concerned to hear that we do not have a projection or a budget for this program. How can you plan to enact a program that stands to take in hundreds of millions of dollars from the 1.9 million employees in the labor force in Connecticut without knowing what the potential expenses could be? That is highly concerning. So I understand under the proposed legislation that the rate again is capped at a half a percent and that if the program becomes insolvent the benefits may be reduced. Is there the possibility that the payroll tax rate could be increased?
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

Could you please ask the good gentleman to repeat the question?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

So again I understand that the rate under the proposed legislation right now is capped at half a percent and I understand that the plan so far is that if the trust goes insolvent that the benefits will be reduced. Is there the possibility that the payroll tax rate or deduction whatever you want to call it, will be increased in order to keep the fund solvent?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):
Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

Not in this legislation.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

And through you Madam Speaker.

Could the proponent point to a guarantee in the legislation that guarantees that the rate cannot be increased?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I would have to find a line but it is stated in the legislation that there is a cap of one half of one percent and that the employee contribution could not exceed that.
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

And again isn’t not true that this very legislature could not simply come back in another year or two and amend that very legislation to have it read one percent or two percent?

Through you, Madam Speaker.

REP. PORTER (94TH):

[Laughs]

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Be prepared. [Cross talking]

REP. PORTER (94TH):

That was previously asked and that was previously the answer and I’ll just add to that that we could also come back and increase the Social Security cap, we could come back and make this for poor people only, we could come back and do quite a few things with this Bill if we chose to amend it.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):
Representative Zullo.

REP. ZULLO (99TH):

So the good Representative is correct. This legislature has a knack, the State of Connecticut has a knack for going back and increasing taxes, increasing deductions. Since the history of imposition of the gas tax there have been 16 increases in the gas tax. It started at 22 cents and got as high as 39. When the income tax was instituted in 1991 it was a flat-rate of four-and-a-half percent. In 1996 you saw two brackets three and four-and-a-half, in 2003 all of a sudden it crept up to five percent and 2009 suddenly there was a new bracket six-and-a-half percent. In 2011 6.7 percent and now 6.9, 6.99 percent. It’s amazing in Connecticut. Taxes don’t go down they go up. So why are we to believe that the gas tax which has gone up, granted it has fluctuated but it is still higher than when it was imposed and why are we to believe that since the income tax has gotten more varied increased that this payroll tax will not
increase as well. History simply repeats itself. This tax will go up. Now Section 2(c) discusses publication on a yearly basis in light of totals and expected future expenditures and revenues and talks about rate increases a bit. I just find it a bit hollow that the legislation purports to cap this payroll tax when it has been made abundantly clear that it is possible that it will go up and that history essentially dictates that it will go up.

But moving on, I have some concerns and some questions about the implementation of the program by the State.

And through you, Madam Speaker.

What instrumentality is going to be formed to administer the Paid Family Medical Leave Program?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.
Who administers the fund, is that the question for clarity?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

The question was what instrumentality is going to be formed, yes, to administer the program.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

The authority and the board appointed would be that.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

And will the members of that board be compensated in any way for their service?
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

The board members would not.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

And through you, Madam Speaker.

Are any of the board members expenses, insurance, travel any other expenses reimbursable to the members of that board?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

If the appropriations are available what would be reimbursable would be the mileage.
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

And do we know if that reimbursement would be made through the trust fund or as an appropriation through the general fund budget?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

It is my understandin that it would be through the trust fund.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

And through you, Madam Speaker.

Do we know how many employees the State of Connecticut or, I’m sorry this trust intends to take
on in order to carry out the intent of this legislation?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

We do not, that would be determined by the authority on who they hire and who they chose to contract with.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

So then we don’t know the type of employees we might need to hire for example lawyers or accountants or what have you administrative staff?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):
Through you, Madam Speaker.

I would imagine that spectrum would cover some of what they would be lookin to do in hirin.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

And so then would it be safe to say that we know or do not know the average wage of the employees that would be working under this program?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

That is correct.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):
And do we know if the employees will be paid for their services out of the trust or out of the general fund?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

The employees would be paid through the general fund which would be reimbursed to the general fund no later than October 1, 2021.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

And the reimbursement to the general fund, I’m just trying to follow, would that come from the trust?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.
REP. PORTER (94TH):

Through you, Madam Speaker.

I would and that would consist of the contributions made by the employees.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

And would that arrangement continue on a yearly basis in perpetuities such that the employees would be paid out of the general fund and the trust would reimburse the State each year?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

It is being projected that the funds used to, for the startup cost of this program would be paid back to the State, the general fund no later than October 1, 2021 going forward this would be self-
sustaining which makes it budget neutral at that point.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

Thank you to the good proponent for that clarification. Moving on, I was very concerned in reading this legislation about the broad definition, several broad definitions but specifically the broad definition and concept of family member. You know family is defined in a number of different contexts. You have nuclear family, you have immediate family, you have traditional family, you have extended family, you have nontraditional family. Under the current, just so that I understand, under the current family medical leave framework in the State of Connecticut in what manner must an employee be related to someone or have a relation to someone in order to qualify to take advantage of FMLA right now?
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I just need to put my hands on that.

Through you.

DEPUTY SPEAKER COOK (65TH):

Chamber will stand-at-ease for a moment.

REP. ZULLO (99TH):

I don’t know if it would be proper to interject, I’m happy to move on to another question if the proponent would.

DEPUTY SPEAKER COOK (65TH):

The Chamber will come back to Order.

REP. ZULLO (99TH):

I don’t know if it would be proper to interject but I would be happy to move on to a different question if the proponent would like to have somebody else find that. I understand there’s plenty of people that want to talk today.
DEPUTY SPEAKER COOK (65TH):

Representative Porter, would you like to proceed?

REP. PORTER (94TH):

Thank you, Madam Speaker. Current law allows FMLA leave on the birth of an employee’s son or daughter, on the placement of a son or daughter with the employee for adoption or foster care, for spouse’s son, daughters or parents serious health condition and I think that is what covers the family definition. Spouse, son, daughter, parent.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

And so under the legislation as proposed as I am reading it, the legislation as proposed would extend and extends the types of people some would be able to take leave to care for to include a spouse, sibling, grandparent, grandchild and then again to an individual related to the employee by blood or
affinity whose close association the employee shows to be the equivalent, sorry of those family relationships. That’s quite a broad expansion of the types of people someone would be allowed to take time off to care for. And I have some concerns about the breadth of that definition that I would like to try to hash out. And part of it is for my own personal knowledge and part of it is for the purpose of determining legislative intent. What does it mean?

Through you, Madam Speaker.

To be related by affinity.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter. Would you care to respond? I know, so you can say no.

REP. PORTER (94TH):

Through you, Madam Speaker.

That was answered earlier.

Through you.

DEPUTY SPEAKER COOK (65TH):
Representative Zullo.

REP. ZULLO (99TH):

I apologize, I did not hear, but I am happy to move on. I take affinity to mean similarly, a closeness. And if there is no blood relation my question is what kind of affinity, what kind of closeness is required and my extension of that is at what point does it become a burden, at what point does it become a threat to a business in trying to process a request for paid family medical leave if they have to be making these determinations? So for example might certain factors?

Through you, Madam Speaker.

Weigh more heavily in making that determination than others?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.
Could the good gentleman please repeat the question?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

In determining whether somebody has an affinity to somebody as opposed to a blood relation might certain factors weight more heavily in making that determination?

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Thank you, Madam Speaker.

That is somethin that the authority and the board would determine.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):
So for example my cohabitation, living with somebody, he evidence of an affinity or closeness that would qualify under this proposed legislation?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

Later answer applies.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Zullo.

REP. ZULLO (99TH):

So I have a list of things and rather than again chew up time, I’ll pose them so that I don’t continue to exchange, engage in the same exchange with the proponent. My question is might financial codependence weight in on that affinity calculation? Might a strong faith based connection, like that of a parishioner to his or her priest constitute family or an affinity, might a mentor/mentee relationship
constitute the requisite affinity? Does the amount of time a person spends in the physical presence of another weigh in in that affinity calculation? Or is it possible to have that familial acquaintance that affinity without actually being physical present? You know I read an article the other day that millennials are dating online almost exclusively at a rate now never before seen, they are engaging in relationship across the country with strangers they have never met and do not plan to meet at a higher rate than any generation, and the question becomes if you are not physical present with somebody, if you don’t live with that person, if you don’t have financial codependence but you are in a relationship with this person, would that constitute the affinity to qualify for paid family medical leave? It might under this legislation. Does regular communication be it electronic, telephonic, pen pal, establish the requisite affinity. It’s not specified in this statute. I’ll go one step further and I don’t mean to sound
cavalier but Google defines an individual as a single, emphasis being human being, you know, I don’t know about anybody in here and for about a week now I’ve walked through that hall on my way into this Building and I saw the most beautiful pictures of legislators with their pets. If you talk to a lot of people, not just in this Building, they say geez I like animals more than people. What about a person with a disability and a service dog that they sleep with, that they feed human food, that they talk to, that calms them down, that makes them capable of getting through a day. What if that dog needs a root canal, my dog actually did once, what if that dog is in the hospital for three or four days, now granted individuals defined by Google as a human being but could you potentially take paid family medical leave because you have an affinity to this dog or this cat. I don’t know and again I don’t mean to sound cavalier but this statute, this proposed legislation is so open ended by allowing for this familiar affinity with somebody that’s not
a blood relation that it opens the door to a host of abuses and a host of problems because I guarantee you there will be a business in Connecticut that is faced with that question. And there will be a business in Connecticut that is faced with the question of my employee has a pen-pal relationship online with someone they met on a dating website that they don’t live with and have never met but that person is having surgery and now they want to fly across the country, what do I do? Do they qualify for paid family medical leave?

Through you.

That was more of a rhetorical. But I’ll move on. You know I said it at the beginning I referenced the gas tax, started at 22 cents shot up. I talked about the income tax four-and-a-half percent now we have seven brackets and it shot up. I talked about the fact that there are a lot of people who will pay into this and never use it. I joke all the time, my dad is a member of the NBA, he is terrible at basketball but he has never been
absent from work, not once in the eight years that I have worked in his office. He would never benefit from this program but he will pay into it for the rest of his life. Again I talked about how concerning it is to have such broad language in a statute that plans to implement a program that will administer hundreds of millions of dollars without a clear definition of family and what a familial relationship is, what affinity is. And again I have concerns about how this program is being rolled out. Now granted I got to the legislature late but I still have yet to see the study that underpins this legislation, the actuarial data that says a half-a-percent is a responsible amount of money to be taking from somebody’s paycheck. According to the information I was able to find the average Connecticut resident pays about $23,000 dollars in taxes each year. That doesn’t all go to the State of Connecticut but that is the average tax burden, federal income tax, state income tax, gas tax, sales tax, property tax, and again you can call this
anything you want. My grandfather always said that if it walks like a duck, and it looks like a duck and it quacks like a duck, it’s a duck. But you know what, if it functions like a tax, if it looks like a tax it’s a tax. And this half a percent is gonna be added right on to that $23,000 dollars in average tax burden that the average resident is the State of Connecticut pays. And my concluding question is, and again it’s rhetorical, when is enough, enough? How much more can the State of Connecticut take from its residents before it’s too much? Madam Speaker I want to thank you for the time and again I want to thank the good proponent for her answers and for indulging in my sometimes-repetitive questions. So thank you again.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Representative Blumenthal.

REP. BLUMENTHAL (147):

Thank you, Madam Speaker. I rise in support of this Bill and I would like to talk a little bit
about the fact that we’re not writing a clean slate here. There has been a lot of concerns about this Bill I think from various parties on both sides of the aisle but we are not writing on a clean slate. I don’t want to discount those concerns. If I were a small business owner, I would perhaps feel concerns about any issue this large and this important in our State. But we’ve got some examples to look at and that is what this program has done, looked at examples like California, like Maryland, like New Jersey, like Massachusetts. The states that have already enacted paid family medical leave program. It has taken some of the advantages and learned from some of the mistakes of those programs. And so I thought it might be useful to take a look in particular where one of those programs, and the experience that it has had. Cause California’s program has been in existence for roughly 15 years at this point and California represents the fifth largest economy, not in the country, but in the world and it is a thriving economy. It is a
knowledge economy much like Connecticut is and aspires to be. And is doing a terrific job of drawing the millennials, the young knowledgeable and educated folks that businesses of all kinds in Connecticut are crying out for today. So a study roughly ten years after California implemented it’s paid family medical leave program found the following. First of all, nine out of ten employers reported that the family leave program had either no noticeable effect or a positive effect on productivity, performance and profitability. Turnover and employee moral 96 percent of employees and 99 percent of employers respectively reported either a positive effect or not noticeable effect; 87 percent of employers reported no added costs due to the paid family leave program and in fact nine percent of employers reported cost savings. So certainly the sky did not fall in California and we have an example to demonstrate that it should not do so here. In fact, there were observed benefits to business especially small business. Now why did
this happen in California? Well first of all, the biggest reason has been identified by the last speaker. Nobody wants to have to use this program. American workers want to go to work. They want to be productive; they want to serve, they want to make good things happen for their communities and for their families. They want to do their job. Nobody hopes to have to take care of a sick loved one. Nobody hopes to be sick themselves. But this program is there if they need it. And so while providing that advantage in California, Californian workers did not take the maximum amount of leave most of the time. We talked a lot about 12 weeks, six weeks is available in California but that is not the utilization rates that we’re seeing across these different states. Workers go back to work as soon as they are able. We also have seen in California that the rates of fraud have been tiny. Again I would say that is because most American workers want to do their job, they want to do the right thing and that’s why I’m even more glad that here in
Connecticut, in this program that we’re discussing today there are strong antifraud protections. Strong deterrents and claw backs if fraud is discovered. And I would not also that all of these programs in all these different states are current solvent. They flourished. They have helped these states draw the workers they need to succeed. And while they have done it they have provided stability and longevity and a lack of turnover to these works and their families and the benefits have rolled over to their children, to their other family members. 
So I’m really glad that we’re discussing this policy today. I believe it is a proworker policy, I believe it is a profamily policy but I also believe it is a probusiness policy especially as pro small business policy because it is the small businesses that cannot afford this program right now as the big businesses can. So, as a matter of probusiness philosophy, as a matter of profamily policy, as a matter of justice in this, the greatest country and the wealthiest country in the world, I believe that
we must enact this, this legislation because in the United States and in Connecticut no worker should have to chose between their health or the health of a family member and providing for their family. Thank you very much, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Representative Turco.

REP. TURCO (27TH):

Thank you, Madam Speaker. That’s better. I rise as well in support of this Bill. I want to thank very much all of the work that many of my different colleagues especially Representative Robyn Porter has done on this Bill as well as advocacy groups, community members and members of the public that are in support of this Bill. When I was going door-to-door in Newington all of last year, about 8,000 doors, this was one of the issues that I spoke most about. I had heard it was going to a proposal here in the legislature if I was elected and I wanted to get my constituents, future constituents’
opinions on it. So I talked to them about it and most, huge, huge majority of my constituents were very, very excited that this initiative, a paid family medical leave program could become a reality in Connecticut. They had heard about the program in many of our surrounding states and other states across the nation and really felt it should be something that Connecticut has and is a part of. And what people say to me was that they don’t want to ever have to use this program, it is not being designed for everybody to quickly find a way to put in a claim. It is an insurance program. It’s in a case of an emergency program. It’s a program that could save you in a dire situation and I had constituents say to me that they, there was on particular person that told me they lost their home, they had to foreclose in their home because they were sick, they could not work, they used the Federal Family Medical Leave Program which allowed them job security but no income. And sure there are some private programs that maybe they could have
participated in but they never expected to get an illness that would cause them to be out of work for months with no income. So they couldn’t take care of their family, they couldn’t pay their bills and they lost their home. And that cost to that family, that cost to the community, that cost to our state is huge. There are consequences when people foreclose. Hurts property values, it is very hard for those families to get back on their feet. A program like this would have saved them. But unfortunately it didn’t exist. So now we’re talking about going forward. If a program like this exists where people pay into it, when there is an emergency it is going to save people. There are people who pay paycheck to paycheck but those same paycheck to paycheck people are very willing to pay one-half of one percent because if this situation happens to them, they are going to be able to care for themselves and their family. So again, like car insurance, you hope, drive here to the Capital every day, we drive home really late at night sometimes,
right, tonight we might be driving, one, two, three a.m. tired. You hope to never have an accident. You hope to never put in a claim but we mandate that everyone has car insurance, right, because we want to make sure that if it happens, you’ll be able to take care of yourself, the expenses that are associated with that. The other thing I want to make sure I mention, the group of people that I believe going door-to-door that were most enthusiastic about a paid medical leave program in Connecticut were our youth, were are millennials, were our recent college graduates that are new to the workforce because we are competing to keep that workforce here in the State. I actually testified on the Labor Committee what a young woman who just graduated from UConn who said in front of the Labor Committee that now that she has graduated she is considering working here in Connecticut, working in New York, working in Massachusetts or other surrounding states and a program like a paid family medical leave program is a huge consideration to her
on where she is going to go work, live and raise a family. She wants to know that there are programs that exist that are going to help her make her life easier, make the quality of life better and this is something that our youth look at and determine where they should live, where they should work and we all know and we all agree on that we have an issue with youth flight. We have an issue with our brain drain, our most educated and highly talented workforce leaving the State to surrounding states that have paid family medical leave programs. If we want to keep that highly trained workforce here, which I know we do, because we’re constantly, you know talking about legislation that does workforce development so we can help our businesses. We need programs like this. So I encourage all of my colleagues to join with me and support this legislation. Let’s keep our workforce here, let’s do a better job of competing with our surrounding states, let’s create a program that is going to save families from financial disaster if something
happens, if they are sick or a family member is sick and let’s help Connecticut do a better job competing with our surrounding states for the quality of live in our residents. I urge this Chambers support of this legislation. Thank you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Thank you, Representative. Representative Terrie Wood.

REP. WOOD (141ST):

Thank you, Madam Speaker. A few questions to the proponent of the Bill.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter please prepare yourself. Representative Wood, please proceed, madam.

REP. WOOD (141ST):

In Washington there was a piece of legislation put forward called the Cradle Act which would be a paid parental leave plan that is budget neutral and flexible for parents who chose to opt-in and the legislation would allow parents to receive one, two
or three months of paid leave by giving them the option to postpone activating their Social Security benefits. The plan provides every new mom and dad the flexibility to stay at home with their newborns during the first critical months after birth without creating another mandated government bureaucracy and I wonder if the Labor Committee considered this legislation in their discussion on paid family leave?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

There were several things considered, I can’t remember if that circumstance in particular was considered but we did look at Washington, California, Rhode Island, New York, New Jersey several states that have done this and came up with this being what we felt or feel is the best option for Connecticut.
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

Thank you for that answer. If this plan does, this legislation does pass and I know both the House and the Senate and the executive level there is support for this legislation in Washington, what would happen to our paid family leave program that would be put in place by that plan?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

Just for clarification are you sayin Washington, D.C. on the federal level have a program and if that program is implemented how will it impact the State program?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):
Representative Wood.

REP. WOOD (141ST):

Correct.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I’m not sure but knowing what I know about Federal the limitation that I have on knowing about the federal law, I don’t believe that it supersedes the State law but I’m not sure so I would have to get clarification on that for the good gentlelady.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

First of all, I will say that I support paid family leave, it’s just how we deliver it and what it looks like. I think its humane, it makes sense, it is good for citizens, it’s good for business but
again it’s the details. It’s how, what does this look like. If we start up the Connecticut plan and people are paying into it and a federal plan is enacted what happens to the Connecticut plan and all the people that have made their contributions to that plan?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Thank you, Madam Speaker.

It would be the same response that I gave earlier. I’m not quite sure how that would impact the State program if it would impact it at all, I’m not sure.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

Thank you, I think we should be, as we pass legislation, we need to understand holistically what
we are doing and make sure whatever plan we do is sustainable and I do have concerns about the sustainability of this plan. A few other questions. Our State is the only state in the country not to regain the jobs lost in the 2008 recession and the only state. Massachusetts, I think we are at 80 percent job retrieval and we’ve lost jobs this fiscal year we’re down net jobs, and Massachusetts in that same time period has regained 300 percent of jobs. So it is a concern and I know many businesses are deeply concerned about this legislation. So did the economic states, did the state’s economic situation factor into your designing this legislation?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

Yes.

Through you.
DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

But given, well next question is what did you hear from our business community on this legislation?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

The responses to this Bill vary throughout the State. Strong support in my district other districts throughout the state, but there was also nonsupport, people in opposition to this because what they believe the impact will be on business but I would like to also state that in states where this has been done, they have not been a negative impact actually a more neutral impact on the concerns that have been expressed from those in opposition.

Through you, Madam Speaker.
Representative Wood.

Thank you for that answer and to that point there was some good points made by Representative Blumenthal. I would like on a side note to see that documentation because I would like to be able to read through that, but again that is a side note. On the business community I know so many small businesses, medium sized businesses, business have 25 people, small manufacturing firms, businesses of 500 people and up. I heard from many of them and they were all very concerned about this legislation. Largely they felt it was unwieldy, it was too big to start, it far exceeds the other states in New England and I just wondered why the benefits in Connecticut from the get-go are broader than any other state in New England?

Through you, Madam Speaker.

Representative Porter.
REP. PORTER (94TH):

Through you, Madam Speaker.

I don’t see it as being much broader and I will, I can’t recollect the state off the top of my head, I’m not sure if it’s Massachusetts or New York but there are ranges from our proposed 95 percent, 90 percent wage replacement, 80 percent wage replacement down to I believe 60 percent wage replacement so there is a grand scale variation going on with the benefits and actually California 60 to 70 percent, New Jersey is at 66.66 percent, D.C. 90 percent weekly wage and Washington worker’s are pain 50 percent or less of the average weekly wage received 90 percent of their weekly wage with $1,000 dollars a week cap. Going back to D.C. at 90 percent weekly wage, theirs is also $1,000 dollars a week cap and then right next door where we have Massachusetts, they’re receiving 90 percent of their weekly wage at $850 dollar a week cap. So we’re not that far off with the 95 sliding 60 percent at a cap of $900 dollars.
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

Thank you for those answers. It involves simply more than wage replacement; it is the ability to opt-in or opt-out and the wage replacement certainly 50 percent is a very different wage replacement than 95 percent economically sustainable at almost every way. The other factors that are involved as well is the amount of time you have to be employed, the definition of family so on every scale, on every issue Connecticut far exceed other states, so that is a huge concern to many of us. Many companies offer PTO. Certainly as we talk about millennials in here to attract millennials they are not getting PTO and PTO is flexible, it is sustainable and I wondered if you reached out to these companies that are doing the PTO plans for their employees and how they manage their benefits?

Through you, Madam Speaker.
DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I’m not sure of what the question is. Did we reach out to companies that offer paid time off in relation to how we set the fund, the program up? Is that the question?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

More holistically it seems this plan from the very, very progressive policy point of view took root with little regard for private sector, for people in this State, for sustainability certainly any Republican support, I don’t think there was any effort to reach out across the aisle on getting consensus. I think there are many of us that could have met in the middle on a moderate version of this. This version is extreme. It’s unsustainable
and it causes us great concern. So my point, my question. Back to the question is did you reach out to companies to find out, those companies who offer PTO how they manage their PTO? Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

We did meet with other companies, Electric Boat, you know, we did discuss PTO and the effect of that and how it should be taken in effect this passes but I think we did take into consideration many things when we put this Bill together and that the progression of this Bill is in a response to the desperation in this State around how people are actually weathering economically. We are losing our middleclass, middle wages. We have more low wage jobs than any jobs since the recession, over 90 percent of our jobs have been replaced with low-wage jobs and I stated earlier, you know, this is an effort to make sure that those that cannot afford to
take this time off actually have the benefit, you know and the question of whether they will use it or not I believe that they will and if they don’t it is definitely a security or safety blanket I would like to call it in the instance that they have that security if needed.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

Thank you. I don’t know that many economists would quite frankly support that point of view but we are all entitled to our point of view on this. And were there any other companies that you reached out to on how they managed their PTO, it just seems like this came from a very narrow focus this whole policy development and it didn’t include broad interviewing of companies that successful policies in place that are sustainable companies?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):
Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

There were other companies but there are more companies that don’t offer the PTO, the majority weighs on the other side and these low wage workers do not have those benefits, they don’t have personal time, vacation time, they work years before they even get one week vacation. So that was also taken into consideration.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

Thank you for that answer and 100 percent that’s not right either. I mean for employees to have to work years before they get paid time off is simply not right. My point and where I stand on this is I think we’ve gone overboard with this piece of legislation and I know how many people on both sides of the aisle feel about this. I know how
companies feel again, I’ve had multiple companies contact me about this, multiple constituents. It is simply an overreach in a state that has not regained the jobs lots and to the good Representative Porter’s point about the middleclass jobs are losing, yes because job creators are not coming to Connecticut because of the heavy hand of government and the mandates and we must stop that. It’s simply not working. Was your priority in developing this legislation was your priority to incentivize a private sector solution to this or did you always just consider the Department of Labor in this?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

There was serious consideration made and I do believe it impact the outcome of the Bill in us chosin not the Department of Labor but acquired by public.
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):
Representative Wood.

REP. WOOD (141ST):
So I have a question, a little further down but I’ll inject that now. So the Department of Labor is not going to be administering this program, is that correct?
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):
Representative Porter.

REP. PORTER (94TH):
Through you, Madam Speaker.
That is correct.

DEPUTY SPEAKER COOK (65TH):
Representative Wood.

REP. WOOD (141ST):
So who will be administering this program?
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):
Representative Porter.
REP. PORTER (94TH):

Through you, Madam Speaker.
The authority and the board that they appoint.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

And the authority is in Senate Amendment “A”, correct?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you.
Correct.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

So that section, okay. I need more hands.

[Laughter] No, thank you. In line 73 of the Senate
Amendment it talks about this authority, was this authority in the original legislation?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

It was not in the Bill that came out of the Committee.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

Thank you. So I know the Governor had spoken about this and he had wanted a private sector solution to administering the program, so does this solve the Governor’s concern about that?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):
Through you, Madam Speaker.

It does.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

And thank you for that answer. And how many appointments will the Governor have on this authority?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I do believe it’s seven. I will double check to confirm that for the good lady though.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

Thank you. Well I will be honest, there is discomfort in that. I still thought it was being
delivered by the Department of Labor and I just don’t think we need, well. Okay. So the rising costs, costs are rising expediently in our state and did the discussion of the financial situation in our State factor into the development of this policy?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I’m sorry I had trouble hearin the good lady. Could she please repeat the question?

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

Another angle of our financial situation in our State is not a good one. Again we still have not regained all of the jobs as well as job creators are not coming to Connecticut, we’re the bottom of almost every single economic indicator for job creators and people wanting to come to this State to
start businesses and stay here and I wondered if that factored into that discussion at all on the Committee level or even the policy development level within a small group?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you.

That did come into play but what also came into play as far as consideration goes is the fact that we are lackin in economic growth because we have stagnant wage growth and I think that has to be considered when we factor in why Connecticut is doin so poorly economically.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

Thank you. I just want to be clear, you said good Representative Porter, you said stagnant wage
growth factored into development of this policy, is that correct?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I said the stagnant wage growth was considered in the conversations around business, hearing that businesses do not want to come to Connecticut because we actually do have businesses coming to Connecticut.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

We actually have businesses coming to Connecticut a net job growth, did I hear you right?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.
REP. PORTER (94TH):

Yes.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

Well all right, I disagree with that but again we are each entitled to our interpretation of the facts I suppose. There is no state that currently offers paid family leave, there is no state that currently offers the paid family leave that offers the 100 percent wage replacement, why did Connecticut offer full wage replacement?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

We are actually offering in this legislation 95 percent wage replacement up to 40 times the minimum wage, anything about that would be 60 percent wage
replacement up to 40 times the minimum wage with the cap of 60 times the minimum wage.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

Thank you very much for that clarification. Sole proprietors may opt in as I understand it through this legislation.

Through you.

Is that correct?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

Yes.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):
And way was opting out not considered, I know New York State offers opt-out?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

That is correct, New York is the only state that offers an opt-out, it was considered but we looked at the issues of solvency and the fact that every employee would be paying into this.

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

And in know the questions have been asked on why the State employees were exempted from this so I won’t ask those again, but when people in the district hear that it is of great concern and great duplicity. It just doesn’t seem equitable. Was
consideration given to exemption businesses with less than 30 employees in this legislation?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

Yes.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

And why was it decided that it was mandatory that everyone in the State participate in this?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

Because every employee would be required to pay into the benefit, every employee should have the benefit.
Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

So the only state that has a mandatory opt-in, every other state that has this has the opt-out. In a sense you are taking away the individual choice, is that correct?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

I do apologize could you please repeat the question?

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

We are the only state in the country, if I am hearing you correctly, we are the only state in the country that does not have the opportunity to opt-
out of this legislation if we have no intention of ever taking this benefit, is that correct?

Through you, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

New York has an opt-out.

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Wood.

REP. WOOD (141ST):

And other states?

Through you.

DEPUTY SPEAKER COOK (65TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Madam Speaker.

Not to my knowledge.

Through you.

DEPUTY SPEAKER COOK (65TH):
Representative Wood.

REP. WOOD (141ST):

Well it gives me great concern on that one as well, I just think its individual liberty on some of these issues and we’ve started off this policy with such a large footprint. I’m going to digress for a minute. Social Security when it started in the 1930s was opt-in and we know what’s happened with that. All of a sudden you start taking more and more and more and not delivering it, it’s not sustainable and it’s just a big concern in a state that is absolutely struggling financially and I don’t think there is anybody in this Chamber or anybody in this State that does not realize what a difficult financial situation our state is in and this does not help. We need to help people and I understand the importance of this, I support the importance of this, but not the way this legislation is written. And I think it’s shameful that we didn’t have more participation across the board and across the State, across party lines and across the
State. We could have done this. I think I’ve asked all the questions I have for right now. I do, as I’ve said, I do favor paid FMLA. I’ve had three children; I’ve given birth to three children. I know what it is like in those days when you’re trying to figure out which end is up and if it’s day or night and dealt with aging parents who ended up passing away and, in-laws, and family members who, in fact I remember one session I was, I think it was my freshman term here, my mother was ill and my uncle was ill in Florida. One was in Ohio and one was in Florida. Every other weekend I was heading down there because I was it. I was the only family member who could travel and it was tough. It was difficult. So I’m certainly deeply, deeply sensitive to particularly the lower wage earners and I wish some of the companies would step up and do the right thing without us having to frickin’ mandate some of these things. Anyway I just don’t believe our economy can grow with this heavy-handed government and this is a heavy-handed government.
We’ve passed some big pieces of legislation this year all which had strong pieces of merit but we need the competition the private sector does it better, we simply do it better, we as a collective whole, that is not a partisan statement. And I’ve already expressed this too. We had the opportunity to do this in a bipartisan way and reach across the aisle and develop this with business partners. We could of come up with a much more moderate version of this that would be equally sustainable and certainly support the lower wage workers. So my concern of this legislation is not the intent of the legislation but the overreach and many of us could have gotten on board with a more moderate version of this and I know there are a couple of Amendments coming up and I do hope the Chamber will consider them. Thank you, Representative Porter. I have great respect for the work that you do and your passion around this and thank you for spending the time I know it’s hard to be on your feet. Anyway, and Thank you, Madam Speaker.
Thank you, Representative. Representative Smith.

Thank you, Madam Speaker. And it has been a lively debate today, heard a lot of these debates in the Labor Committee with my good friend over there the Chairman Porter. It was funny I was, you know, it’s been a tough week for all of us. We’ve been here late, getting home late, by the time I get home back to New Fairfield it’s well after midnight, it’s been pretty much every night this week. And I stumbled into the coffeeshop, just the local coffeeshop in New Fairfield this morning and the usual cast of characters were there sitting at the table and anytime I go into the coffeeshop they will ask me questions about what we’re doing up here in Hartford. And the first question was well, Smith, what’s goin on with the tolls and I said well it’s probably for a later date we’ll have to deal with that but we are taking up, I understand, paid family
medical leave and around the table was the owner of this small coffeeshop and he said, “Oh, that’s good, we could support that.” And it’s kind of similar to the poll actually that Representative Porter and some of the other colleagues here have discussed today because when you hear and you ask folks on the street about paid family medical leave, they are pretty much in favor of it. A great majority of folks are in favor of paid family medical leave.

When I asked the owner, or told the owner about the details of the Bill, the fact that there was a payroll tax, one-half of one percent, the fact that it applied to every employee and this is a small business owner, the fact that he would have to replace the employee while that particular employee was out 12 weeks with a different employee and then when that old employee came back the new employee would have to be let-go and he or she would receive unemployment benefits which of course would increase his rates. So when I told him that, the response went from, “Oh that’s a good idea” to, “Why are we
doing this." And again this is the sense that we’re getting and when I’m talkin to the folks in my neighborhood, in my small businesses, is why are we doin this. I think the perception is, and the perceptions has been that the Republicans or this side of the aisle are not in favor of paid family medical leave. And nothing could be further from the truth. We are in fact in favor of it. What we’re not in favor of is the way it was setup and, Representative Wood mentioned how unfortunate it was that it wasn’t really a dialogue back and forth and how Representative Porter and I have always had a good dialogue and I’ve offered earlier on in this session my assistance with this Bill to try to make it a more fair Bill in my perception, a Bill that we could support, a Bill that the public could support and the small businesses could support except that offer was not, well I’m sure it was accepted, but really nothing came of it. So we are left with what we have here today. And unfortunately what we have here today is just another, I guess another damaging
business Bill to our community. I’ve fought against Bills that have been against our businesses and the Chairman has indicated and some other colleagues on the Democratic side have indicated that this is actually going to be good for business. Now, I’m a small business owner as many of the folks here have testified already are small business owners, Representative Porter I don’t know what you do for your livelihood other than here in the Chamber, we really haven’t sat down and had that lunch yet, I don’t know if you are a small business owner and I don’t know how many folks on your side of the aisle are small business owners but I will tell you as a small business owner from my own perspective the difficulty will impose by requiring every single employee to pay into this system, and have the option to utilize this system will be devastating to the small employer and here is why. I’ll use me as an example because I know my business best and I don’t want to speak on another business’s behalf. As an attorney I run my own business, I have two
paralegals. One works in Florida remotely and one is in the office every day. If the one who is in the office every day of the one who is in Florida were to utilize this program, I have to find another trained paralegal to handle real estate closings, to handle litigation matters, to handle estate matters, to handle wills, to handle all the things that we do as a small business owner. That may sound easy, I tell you it is not easy. There is not too many paralegals just hanging out there waitin for a 12 week job. And what it then does is put the onus on me as a business owner, if I can’t find somebody, to actually do the job myself which is fine I can do it and I have done it but it requires then workin more than the 50 hours a week that we normally work. So we have to come in on weekends and that may not be a concern to anybody over there but it is a concern to the small business owner who is actually trying to make ends meet and fit in the demands of what we call normal life outside the work. It will be a huge impact for the small business owner and I know
when we were discussing this in the Labor Committee and this came around the table about the opportunity to have 25 employees or 30 employees cause I know the federal level is 50 and I know we weren’t gonna get to 50 as much as I would love to see that. So I said why not 25, Madam Speaker? Why not 30? Because if you have a employer who has 25 to 30 individuals they can make up the work or cover the work within that grouping. The employer who has five even ten it becomes very, very difficult. So again I am appealing to my colleagues on the other side who have their own businesses if you have your own businesses to actually think about how that impacts you. How that will impact your business. If you lose, thing about this, if I had both paralegals out at the same time, and it could very easily happen, right? If you look under the terms of the Bill what qualifies, serious illness or a birth or a death it could easily happen at the same time. That two folks who basically are a significant portion of the business now gone,
without replacement unless you can find somebody to have that same degree level of skill and who can come into the business and take over that is a great impact, 25 or 30 people you’ll be able to cover that. So we will have some Amendments coming out in a little bit askin the good Chairman to consider reducing it. I don’t know what your answer will be I get a feeling but I would encourage you to consider it as a small business owner because it is impactful. Again I will say on behalf of myself and the colleagues I’ve talked to over here we are in favor of paid family medical leave, but it has to be sustainable and it has to be fair to the employer and to the employee. I think 25 to 30 would be a fair compromise and I’m asking to consider that. It’s not before you at the moment but it will be and I know the Chamber is going to empty at it’s dinner time but hopefully they are listening as well. I’ve sat through most of the debate, at least 90 percent so I think I’ve heard all the questions asked and answered and I’m not sure if this question has been
asked so I will ask it and I do have a bunch of other questions but.

Through you, Mr. Speaker.

My good colleague from Danbury, if a person is workin two or three jobs, I’m assuming based on my reading of the language of the Bill that employee would have deductions taken out of each job? Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Thank you.

Through you, Mr. Speaker.

If it hits the threshold, they would contribute one-half of one percent.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

 Representative Smith.

REP. SMITH (108TH):

Representative Smith.
REP. SMITH (108TH):

Thank you for the response and are they then also entitled to take 12 weeks for each job or are they limited to a total of 12 weeks no matter how many jobs they work?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

It would be 12 weeks.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

Twelve weeks total? I just want clarification.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Total.

Through you.

DEPUTY SPEAKER GODFREY (110TH):
Representative Smith.

REP. SMITH (108TH):

And I know there was, and I thank the good Chairwoman for that answer, I know there has been a great deal of discussions about family member, the definition of family member and the Ranking Member, Representative Polletta asked some questions about that, I know Representative Zullo asked some questions about that and one of the responses I heard early on in the debate was that there is criteria to define what is somebody who has a close affinity to the employee. And I was waiting for that criteria to come out during the debate and I haven’t heard it yet. So I am wondering if that has been found during this now lengthy debate.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.
The definition of affinity came from the federal law. It has been effect since I believe 1994 for over 2 million, I think, federal employees so that is where it came from. An affinity must be a close relationship that is comparable to the father, mother, son, grandparent etc.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And I am glad to hear that, so I guess then the question becomes, since this is federal law, apparently I was not aware of, are we using the federal guidelines as our guideline as well?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

The language in the definition comes from what the federal government uses for federal employees.
Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

Yes, I understand that. So the question is are we using the guidelines from the Federal Law as our guidelines here in Connecticut?

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you.

That is true.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

So I guess then if I took the time after I have done my questions here and Googled these guidelines, I would be able to determine what is considered a close family affinity based on what the Federal Guidelines state. So for instance, I don’t know if
the good Rep knows this answer or not but I’ll ask it, and best friend as come up as someone who has an affinity or could be someone that you are closely connected to, you know, I think, I too have many good, good, good friends, I don’t know how many best friends we all have, we think about that, you know, the saying goes if you have one best friend in your life you have been blessed and I’ve been blessed many times with several good friends and what I consider great friends who would do anything for me and likewise I would do anything for them. And I have some best friends basically from kindergarten right through now, I mean we still see each other, we remain friends but we are not as close as we once were because life sometimes takes it own paths but we are still in connection, we’re still in communication, we still see each other three, four, five times a year and I know if he ever needed anything I could help him with that and if I ever needed anything he would help me. Would that, and I don’t know if you know, but I’m just wonderin
because we are gonna vote on this Bill is that the type of person we’re talkin about under this Bill as somebody with a close affinity?

      Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

      Representative Porter.

REP. PORTER (94TH):

      Through you.

      It would have to be in a close association to a family member. So that would constitute whether they would qualify or not.

      Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

      Representative Smith.

REP. SMITH (108TH):

      And I remember in the Public Hearings and then the debates that we had at the Committee level, you know, some of these same questions came up and as you know some of these same concerns so we’re trying to figure that out and work with that language to make it something that, that the new authority we
thought at the time the Labor Department, someone will be making that decision whether this person is so close that it justifies 12 weeks off under the Bill and I think we have to give this new authority some guidelines or some indication how they are supposed to respond to it. I can’t imagine being in their positions saying yes or no, yes you can take 12 weeks, no you cannot take 12 weeks because it doesn’t sound like you were as close as you should have been. I’m just trying to, I’m still struggling with that very issue with how do they figure that out and I know you’ve been workin hard on this Bill throughout the session and maybe you’ve had these conversations with the folks at the authority or the folks at the Labor Department of how they will actually make that determination?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.
I have not, I have been workin hard on the Bill but I have not had those conversations and I can’t say that if they know.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And that is one of the concerns and I appreciate the honesty from the good Rep from New Haven and that is one of the issues really with the Bill is because we’re creatin legislation without any definitions, without any real guidelines to these folks. Tonight is the first time I’ve heard about guidelines on the Federal Level perhaps it is all out there, perhaps it is all crystal clear but this is the first time and we’ve been talkin about this Bill since well we started in January and here we are. So I think as a Chamber, as a legislature, it is incumbent upon us to actually make sure that we give the folks who are making decisions the tools necessary to actually make the right decision. I
don’t see how they can actually say; no this person is not closely related. How do you do that, how do you know, how do they know? Is there an affidavit or something that I as an employee would have to fill out or the close personal friend would have to fill out? I know there is some type, I know there is a certification that somebody was injured or serious illness but is there some type of affidavit or some type of certification that the person is closely related?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That would be determined by the authority.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):
So when the good Chairwoman says it will be determined by the authority, are those regulations yet to be created?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

If we are still talking about family definition it would be the Federal Guidelines that the authority would use to say guidelines for the State of Connecticut.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

Okay, so I think I understand it now. So the Federal Guidelines will be used by the authority to determine these questions over who is a closely related family, I’m not gonna say member, associated has a close affinity, Mr. Speaker. I was redes
through the, one of the benefits of these long debates you actually get to read the Bill [Laughter] so I think it is always a good idea. I saw that this new authority that is being created will have employees, am I correct with that?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That is correct.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And the salary for these employees who pays that?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):
Through you, Mr. Speaker.

That will be paid through the fund.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And do we have any guidelines as to what the salary would be or is that set by the authority as well?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That would be set by the authority.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):
And will the salary also include benefits such as paid family medical leave and health insurance and things of that nature?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

I would assume so if they are not collectively bargained which they are not.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And that was one of my other questions. So the employees that will be created under this authority or pursuant to this authority, working for the authority, they will not be collectively bargained at all?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):
Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

They will be further down in the employment I believe it’s 2021 or 22.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And if the good Chairwoman could explain that more in detail what happens in 2021-22 what every year it might be that they will then be part of a collective bargaining agreement?

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

It would be those that are already the established collective bargaining units that they would be able to go into. They would be allowed to
be part of those units, collectively bargained units.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

So these are considered State employees then under the authority?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

Yes.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And it’s State employees, then they would not be subject to this particular Bill if it becomes law, correct?

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

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

In this legislation State employees who are not part of a collective bargaining unit would be a part of this plan, this fund. If they are collectively bargained unit then they would have to collectively bargain in.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And is the process to become collectively bargained or the unionization of these employees in 21-22 is that automatic or is that something they have to petition and come back before the legislature to get certified or what is that process?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):
Representative Porter.

REP. PORTER (94TH):

They would go into the collective bargaining unit without havin to come before the legislation. These are already established collective bargaining units.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And I know the salaries as you indicated will be determined by the authority. Do we have an idea, I know there is some fiscal notes, I didn’t get a chance to look at ‘em. What is the fiscal impact to the State of Connecticut for this?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

The employees that would be hired we do not know what the impact would be on them because
employees that are hired, you could also have employees that are contracted.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

So do we have an estimate?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you.

I know that there is an estimate when we look at the fiscal on the underlying FMLA but there is not an estimation on the new employees that will come in under the paid family medical leave piece of this.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):
So we’re voting on a piece of legislation tonight that we have no idea whether it will cost $100,000 dollars, a million dollars, $3 million dollars, $5 million dollars, no number at all?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

The fiscal analysis that goes with this legislation has estimated startup costs at $13.6 million dollars and I believe $4.7 million of that is estimated in salaries and fringe benefits.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

I appreciate that response. And the $13.6 million dollars that all comes out of the fund collected from the employees this one-half of one percent?
Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

No, that money would come out of the general fund and would be paid back to the general fund no later than October 1, 2021.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And I didn’t see any contingency in here where it talks about if it is not paid by 2021. Do we have anything set up for that provision?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

We do not.
Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

The board of directors for the authority are they paid as well?

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

The members on the board are not paid.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

I was looking, Mr. Speaker at section 3, lines 235 50 241. It talks about the 12 weeks of leave and I’m wonderin how the 12 weeks works. So for instance is it based on date of hire so if you were hired July first, does the 12 weeks start at that point or does it go by a fiscal year, or a calendar
year, there may be language in the Bill, I got
trough most of it, I just didn’t see it.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

It would be 12 weeks over 12 month period.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

Okay, so I’m trying to figure out when it
starts through.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

For the sake of the benefit it would actually
start when you get paid, that’s important, when you
start. [Laughter] And for job protection you would
have to be on the job for 12 weeks before you will qualify for the job protection.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

So, I’m not sure what the Chairwoman means about job protection, if she could explain that.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter, I believe the gentleman didn’t quite hear you.

REP. PORTER (94TH):

Through you, Mr. Speaker.

Job protection means that when you take the leave that your job is protected and you have a job to come back to.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):
So if I start July first, I just want to make sure we are clear here, I start July first and I get paid July eighth, a week later do I have to work a certain number of weeks before I am eligible for this benefit under the Bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Yes, you would have to work, if not on this job, the previous job 12 weeks before you could collect, well before you could qualify for the job protection. But you could immediately get the benefit which would be the wage replacement.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

Sure enough, so if I start July first and on July tenth I have a death in the family and I want to utilize the family paid medical leave program
I’ve paid into it at that point, a week-and-a-half I’m eligible for 12 weeks of benefits, I’m not?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That is not correct. This is for serious health conditions not for deaths in family.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

All right so let me rephrase it. So if there was a serious health condition or injury as defined under the proposed Amendment, and I only worked a week and a half would I then still be eligible for the 12 weeks?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.
REP. PORTER (94TH):

Yes.

Through you, Mr. Speaker.

You would be eligible for the benefit, that is correct.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And if I took the 12 weeks immediately, so I’ve worked a week and a half, I tell the employer, listen I’ve had a serious illness or matter within my family, I need to take 12 weeks off. I take the 12 weeks off, I decide after 12 weeks, you know what, this is just too much of an impact, I’m not gonna come back to work, what happens then?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.
If you chose not to go back to work then you don’t go back to work.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

So I’ll be clearer in my question then so the 12 weeks, the 12 weeks of benefits that I received based on a week and a half of work because there’s no requirement that I as the employee repay any of that?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

No.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):
And how do we sustain the fund. I understand that I am using a scenario that is possible but it’s not gonna happen all that often but how to we sustain the fund under those situations where anybody can use it based on workin a short period of time, get the full benefits of 12 weeks and then say, “I’ll see ya later.” How does the fund, how is the fund sustainable in that circumstance?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

I was waitin for my mic, thank you.

Through you, Mr. Speaker.

You would, employee contributions are paid into the fund, so you would actually be drawing on the funds that you have been contributin to the fund. That’s what I’m sayin you would have to qualify with 12 weeks in order to get the protection and you would get the benefit from just bein on the job.

Through you.
And tell me if that answers your question, I’m not sure it does, by the way your lookin at me.

[Laughter]

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

You have good eyes [Laughter]. I think you answered now in a different way so I just want to clarify for the Chamber. If I could have Representative Harding move, he kinda.

DEPUTY SPEAKER GODFREY (110TH):

Is Representative Harding in your way, Representative Smith?

REP. SMITH (108TH):

Yes, he is [Laughter]. My good colleague from Brookfield. Thank you. So I guess my question is this. Let’s make it easier. I work two weeks. So I paid into the fund one-half of one percent for two weeks, one of these events, qualifying evens happened and I’m now eligible for the benefits. Am
I entitled to only receive what I paid into the program, basically two weeks’ worth of one-half of one percent or am I entitled to the full 12 weeks of benefits?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you.

You are entitled to the 12 weeks because it doesn’t stop and start with each job. You’ve been paying into the fund, so no matter what job you’re on, you qualify for the benefit.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

So let’s assume it is first job, I haven’t worked before, it’s my first job. I’ve been on the job two weeks, a qualifying event occurs, so I have no prior money dumped into the fund, two weeks’
worth. Do I get two weeks’ worth of benefits or do I get 12 weeks.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

The eligibility would be based on your previous quarters and havin made $2325 dollars. So if you haven’t hit the criteria for the benefit then you wouldn’t qualify. So that is the qualifying factor for bein able to withdraw from the benefit.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

I think we got there, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

I think so too. I was following it also trying to figure it out, you’re right. Good job Representative Porter.

REP. SMITH (108TH):
So the qualifying event somebody has to work or earn at least $2,300 dollars or $2,350 dollars to be eligible to receive benefits under the program. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

That is correct and it has to be the first four, the five quarters and the base weekly wage earned.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

I thank the good Chairwoman for those answers. I do have a few more questions, if I could just have a moment please. What is the process to effectuate a claim? So one of these qualifying events occurs, I am employee, I wish to take the 12 weeks off, or utilize some portion of the 12 weeks is it simply I
tell my employer this is what happened and it all kicks in or is there a process that needs to occur?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

There is a process that needs to occur. You do need to notify your employer but you also have to go through the regs that are established through the authority and the board in order to confirm that you actually qualify for the benefits so you can’t just say you need it.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

So I think I was reading through the Bill, there is either a form to be developed or perhaps there’s one already. I would have to submit to my, I guess to the authority, I believe to confirm that
it’s a qualifying event. It’s not to the employer, correct, I give it to the authority?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

That is correct, but the employer can ask for verification.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And I submit it to the authority, the authority then I would assume processes that form or application for benefits and returns it to me or to the employer?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.
It would be both.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And I am assuming but just to be sure, I am assuming I’m not eligible to actually start takin the time off until we get approval from the authority. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you.

That is correct.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

Through you, Mr. Speaker. And if the Chairwoman could look at 303 to 304 if she has the Bill in front of her. It talks about covered
employees who are not currently employed to be eligible for the program and you know, I read through this section a few times and it could be just it’s been a tough week or I don’t understand it, because I’m seeing it for the first. So I’m just wondering, could be both, [Laughter] just what that section, what we’re really talking about when you’re talking about who are not currently employed seems to be eligible for the program as well.

Through you, Mr. Speaker.

It that’s an intelligible question. I’m not sure it was.

DEPUTY SPEAKER GODFREY (110TH):

There’s a question in there somewhere, Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

I just lookin over the lines numbers that the good Representative referenced and that was line number 303 through 313, is that correct?

REP. SMITH (108TH):
Yes.

Through you, Mr. Speaker.

REP. PORTER (94TH):

Okay, give me a minute please? Thank you.

Okay, in lookin at that, they would still need.

Through you, Mr. Speaker.

I’m sorry. They would still need to meet the threshold in order to qualify for the benefit but could have become unemployed. So they still would have paid into the program and if they meet the qualifying factors for that, then they would be able to draw benefit.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

I knew the Chair would be able to help me with that and I thank her for that as well. And I know we had some discussions through some of my colleagues about the program’s not sustainable, it could become insolvent, things of that nature and if
it does become insolvent, I know there’s mechanisms in the Bill that talks about reduction in staffing for the authority so that the rate does not get increased, I did catch that in the Bill. But I’m wondering if it does become insolvent or to the portion where the authority says this is not sustainable, this will not work what happens then?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative

REP. PORTER (94TH):

Through you, Mr. Speaker.

That is a hypothetical that I have not thought about because insolvency is not been an issue for us. There is a provision if insolvency does become an issue but there has not been an issue in any state that has done this program with insolvency and I stated earlier and I’ll just restate again for the record that we have two states that went through a recession in 2008 and did not experience insolvency so I don’t see that as a real issue.
Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

So I appreciate that and I’m hopin it doesn’t become insolvent as well. I know some of the other programs out there that we have studied on the Labor Committee are very dissimilar to the one that is before us and funded differently than the one before us. I’ll just leave it at this, that for this particular question is I hope you’re correct because if it’s not, then I guess we will have to deal with it legislatively as to where that money all goes because obviously it’s not our money, there is language clearly in here that the money in here is not to be used by us for any other purpose so I would hate to see that money go back into the general fund for some other reason. It talks about in the Amendment before us if you have two spouses working for the same company and were you asked?

Through you, Mr. Speaker.
I don’t want to repeat the questions. I’m not sure if the good Chairwoman was asked about a situation where you do have two spouses who are working for the company are they both entitled to 12 weeks or just one of the spouses?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

They are both eligible for 12 weeks but only 12 weeks would be job protected. And the job protection they would have to share and they could take six and six, ten and two, eight and four, however they want to do it but it would be up to the employer to extend another 12 weeks but that would be job protected. However, they would be able to receive the benefit.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.
REP. SMITH (108TH):

So if the two spouses actually own the company they each then could take the 12 weeks without any worry about the job protection, I would assume. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

Could you please restate that?

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

The two spouses, owners of the company, there is not a worry about job protection so I am assuming that in that scenario they each would be able to take the full 12 weeks without any recurse?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.
REP. PORTER (94TH):

That’s correct because ultimately it is up to the employer no matter whether they own the business or not.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

Would that also filter down if there were two spouses who own the company and they had three or four children working for the company does it play all the way down assuming these children are employees and have paid into the system like everybody else, could all of ‘em, the four children and the two spouses take the 12 weeks?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.
If they have paid into the program, qualify for the program they are eligible to take the benefit. Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

Thank you, Mr. Speaker. I thank the Chairwoman for that. And again you think about when we talked about this at the Committee level the potential for fraud here and maybe it’s not even fraud, maybe it’s just, an illness occurred, a qualifying event occurred and everyone just takes advantage I guess of the program whether they really need it or not. One of the additional concerns, I guess. Line 339 talks about “A covered employee may receive compensation under this section for nonconsecutive hours of leave” and I do know that there was some talk about that but nonconsecutive hours, and I know we talked about this at the Committee level as well, is there a certain number of hours per day that the employee would have to work or can they randomly
chose, I’m gonna work two days, two hours here, three there, etc.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

There is no set hours that they have to take but it would have to be somethin that is agreed upon with the employee and the employer.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

So just to clarify that, so if I am the employee and I utilizing this program, under a qualifying event, I wish to take four hours on Friday, two hours on Tuesday and two hours on Thursday to attend to whatever I need to attend to and the employer says, no I really need you here on
Tuesday and Thursday you can take the Friday the employer would have that right?

   Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

   Representative Porter.

REP. PORTER (94TH):

   Through you, Madam Speaker.

   That’s a good question. I’m not really clear on, I believe that they would be able to. I think the objective is to make sure that it is mutually convenient that, you know, they can take it to make sure that the employer is covered and needs what he needs, but at the end of the day if they need to take the leave, they are eligible for the leave.

   Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

   Representative Smith.

REP. SMITH (108TH):

   So it sounds like I got two different answers from you. Initially I believe you indicated that the employer would have some discretion over when
the employee took the consecutive hours and then kind of backtracked on that indicated that the employee would have the right to take whatever hours he or she chose because they are eligible under the program. I just want to make sure I understand which one we’re talking about. Does the employer have the right to say, no you cannot take two hours off on Tuesday, and Thursday but you can take it off on Friday?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

I do believe that it has to be mutually convenient for the employer and the employee but I’m not sure, I’m not if the employer has the right to deny if it is not convenient for the employer. I do believe that if the benefit, if they are eligible for the benefit that they can take the nonconsecutive time as they need it.

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

Representative Smith.

REP. SMITH (108TH):

And as always I appreciate the Chairwoman’s honesty on the questions that we ask and sometimes you just don’t know and that’s fine. But I think it is something we should know as a Chamber as to whether and I think it is something that the employer should know and the employee should know when dealing with the particular process. It will come to light no doubt, perhaps by the end of the debate if somebody can get us that answer, I’ll move on but I think it is something that it is working knowing about. Earlier in the conversations that we had, I asked you about, when we talked about the right of the employees of the authority to unionize at some point down the road 21-22 will any of the money that is contributed by the employees be utilized for that purpose?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):
Representative Porter.

REP. PORTER (94TH):

Through you.

Could you ask the good gentleman to restate that for clarification, I’m not sure I understand the question?

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith, try again.

REP. SMITH (108TH):

Sure. We talked earlier about the employees of the authority having the ability to unionize in year 21-22, we’re not sure of the year. My question to you is will any of the money contributed by the employees into the trust fund be able to be used for that purpose?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

For the purpose of collective bargaining?
Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

That is the question, yes.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

No.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

If we were to jump to Section 9, self-employed individuals, it’s line 600 and following, so as I read this Section 9, starting with line 600 it seems that the self-employed individual would be eligible for the program or participate in the program provided he or she is enrolled in the program for an initial period of not less than three years. That is how I read it. So you have to be enrolled in the
program as a self-employed individual for three years before you are eligible. Just want to make sure that I understand my interpretation to be correct.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative

REP. PORTER (94TH):

Through you, Mr. Speaker.

That is not correct. They would have to be enrolled in the program for there years before they could withdraw from the program. But as long as they hit the criteria for the benefit they would qualify for the benefit if I’m understanding the question correctly.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

So just, yeah. A little confusing the question, so if I am a self-employed individual and
I have a qualifying event but it is only year one. So I haven’t worked, I haven’t been into the program for three years, its only year one of the program for me as a self-employed individual am I eligible to receive the 12 weeks of benefits?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

Would you ask the kind gentleman to please repeat the question?

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Please repeat the question Representative Smith.

REP. SMITH (108TH):

Mr. Speaker we have plenty of time, I’m happy to do so. [Laughter] If I am a self-employed individual, I’ve been working, I’ve been contributing to the fund for only one year. Am I
eligible to receive 12 weeks of benefits or do I have to wait to the third year before I am eligible?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

You could collect the benefit but you would have to come back and pay into the program for two more years to make the three years.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

All right so just to play this out. Again I am year one. I have a qualifying event. I use the benefits 12 weeks, year two I decide, you know I got offered a job at another company or I move out of State, actually let’s use that. I move out of State and take a trip to the sunny state of Florida and saw only actually worked in the State of Connecticut
and contributed to the program for a year but I received 12 weeks of benefits, what happens then? Am I required to repay what I received in benefits or not?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

You would not be required to repay because you would have met the threshold of the 23/25, the four out of five quarters, the base weekly wages all of that taken into consideration before you were qualified. So if you qualify then no, you would not have to pay that money back.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

So what is the three years purpose then?

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

Representative Porter.

REP. PORTER (94TH):

The three year purpose is for that person to be in the program for three years before they could withdraw from the program.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

Okay so the scenario I just raised, is I withdrew in year one because I had a qualifying event. So you are saying I can’t withdraw year one, I have to wait till year three?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That is correct. That is what the language states is that you would have, it would be for a
period of no less than three years and then after that it would be an automatic enrollment unless you withdrew within the 30 days prior to that initial expiration date.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

I am not trying to delay this, I’m confused now. So the three year period applies to the eligibility before I can withdraw or three years period applies to the time frame in which I can withdraw from the program? Which one is that?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

The three years applies to the initial enrollment for the program.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):
Representative Smith.

REP. SMITH (108TH):

My head is turned.

DEPUTY SPEAKER GODFREY (110TH):

Toward me. [Laughter]

REP. SMITH (108TH):

Oh, all right. I’m not sure that I have a clear answer on that but maybe it will come out during the debate. I know the Chairwoman has indicated in her testimony today that she has met with business folks throughout the State, here at the Capital and there are private plans out there already and I know how this Bill deals with that, if it is a plan that matches what we have here in the Building they can offer it, then they offer it, if not then they have to comply with the plan. I get that. My question to the good Chairwoman is.

Through you, Mr. Speaker.

Has there been any consideration or talk about the impact to the businesses that will be effected by our plan, this Bill, if it becomes law? So what
I mean by that is obviously there are plans in place right now and those plans, if I am an employer and I’m offering a plan and this Bill becomes law, I can simply say to my employees listen the State has a plan, a better plan, I can’t match it, you can go to that plan and I am going to withdraw from the plan I have which will naturally impact some company with whom I’ve contracted with to provide that plan. So there is a lost to that company, I’m assuming here in the State of Connecticut. Has there been any consideration given to the impact of that loss to our businesses here in Connecticut?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That is not addressed in this Bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.
REP. SMITH (108TH):

I’m assuming and I am sure it is not addressed in the Bill but I guess before we got to the Bill do we know what the impact is to the business community out there for losin the business that they are about to lose as a result of this plan?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That is hypothetical, I don’t have an answer for that.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

So there is no knowledge, there’s no discussion I guess the good Chairwoman’s had about the impact that it would cause to our insurance industry, the
businesses in say Connecticut that actually provides these plans. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you.

There has been consideration to the benefit of this legislation when it’s passed.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

I know under the Bill the authority now will be handling the program. Will the Labor Department still have any roll at all with this particular Bill?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):
Through you, Mr. Speaker.

Yes, the Department of Labor would be in charge of adjudicating claims.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And are they able to adjudicate those claims within their current budget?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That is not addressed. I believe that there is some fiscal impact that might be stated in the analysis from OFA.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):
And does the Chairwoman know what the fiscal impact would be for that?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

I’m lookin now.

Through you.

Through you, Mr. Speaker.

If the good gentleman could please tell me what the impact he is lookin for again?

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

Yes, happy to. So I am looking for the impact to the Labor Department in handling these additional claims that they now will have to handle under this Act.

Through you.
DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Thank you.

Through you.

I am looking. So what I do see in here is around the administrative costs for the expanded FMLA, is that what the good gentleman would be referring to?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

I apologize. Could the good Chairwoman repeat the question?

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

I am actually lookin at the fiscal analysis as it relates to the expanded administrative costs and
I’m askin if that is what the good gentleman is talkin about.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

Yes, so the administrative costs to handle these claims, correct.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

That would actually be the impact of that would be paid through the program, through the fund.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And does the Chairwoman know whether the Department of Labor will have to hire any additional employees to handle the claims?
Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Yes, there would be four to eight estimated in the hire and the cost affiliated with that would be between $423,570 and $882,438 according to this analysis done by OFA.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

I thank the Chairwoman for that response and I know the budget is likely to come tomorrow so we are getting ahead of ourselves but I’m assuming that there is money in the budget that we will see tomorrow that will accommodate these increased costs?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.
REP. PORTER (94TH):

Through you, Mr. Speaker.

I can’t speak to the budget I have not seen.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Makes sense. [Laughs] Representative Smith.

REP. SMITH (108TH):

We do it all the time, Mr. Speaker [Laughter].

At least we do. I’ll move on then, I’ll look

forward to seeing the budget tomorrow to see if

there is some funding for these programs that we are

about to take on. I was looking at Section 14 and

it talks about the penalty phase for some of fraud

concerns that were raised during the Committee level

and Public Hearing level and again here tonight and

as I read through the language it talks about a

penalty basically for two years of disqualification.

So if I as an employee had a qualifying event, that

appeared to be a qualifying event, I was approved by

the authority, received the certification and then

it came to be that, you know, I lied or I mislead
and I defrauded the employer and the authority, there is a two year disqualification from further benefits. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you.

Willful fraud would result in two years of not being able to draw in the program.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And is that the only penalty?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

It is not.
DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And what would the other penalties be?

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

It would be the cost of whatever was taken from the fund, it would also be a 50 percent penalty on top of that so if I defraud it for $900 dollars I would need to payback $900 dollars plus an additional penalty of $450 dollars as the employee.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

I thank the Chairwoman for that clarification.

I saw language in line 749-751 that says, “The authority may waive, in whole or in part, the amount of any such payments if the recovery would be
against equity and good conscience.” So when I read that initially, I’m thinking well if you just defrauded the State and you defrauded your employer what would be “equitable and in good conscience” to allow the authority to actually waive the repayment in the penalty clause. I was trying to think of examples, I could not and I know this language is in here came from somebody so I’m hoping the good Chairwoman can explain that.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

We are in the same boat. I can’t explain that. I don’t know what that would be but that would be up to the authority to determine.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):
Yeah, that’s. I guess we’ll find out yeah. It’s kind of interesting language that you say, listen if you defraud or willfully defraud us but you’re a nice guy or a great woman, I know you didn’t really mean it, you don’t have to repay it. It just seems a little silly to have that language in there but nonetheless here it is. I also saw that there is provisions in here for defraud by healthcare providers and employers I believe. And I noticed under the Bill that the employee would have the right to have a hearing to contest any claim that it was fraud, I didn’t really see the right to have a hearing for the healthcare provider and the employer but I could have missed it. Is that in there?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):
Representative Porter.

REP. PORTER (94TH):
Through you, Mr. Speaker.
I do not believe it is.
Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

So if that is the case, then really what you have is a situation where a healthcare provider who I believe is subject to the same penalties and I think treble damages as the Chairwoman indicated previously, so up to treble damages without the opportunity to be heard before the labor department, before the court, before anyone which I find, I don’t know, just a little unfair and I was just wondering why there is no provision for a hearing.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

I would need to confirm that and I will before this debate is over.

Through you.
DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

Thank you, I appreciate that as well. And I am going to apologize for this question, it’s really just for my own benefit and I apologize to the Chamber as I think it has been asked and answered but it must have been the one time I stepped out of the Chamber. The State of Connecticut we know is not part of this particular Bill and the question is why and I know that you answered it and I apologize but if you could just tell me why this State is not, if you would be willing to do that?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter if you haven’t answered before do you care to now?

REP. PORTER (94TH):

Through you, Mr. Speaker.
I do apologize I was having a conversation with the Majority Leader so if you could restate the question.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

I believe he asked why the State has been exempted?

REP. PORTER (94TH):

Why the State has been exempt? State employees that are collectively bargained are exempt because we respect the collective bargaining process but if they are not collectively bargained they are going to be payin into this program and will be eligible for the benefit.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And I thank the Chairwoman for answering that again, hopefully for the last time. I’m lookin at line 867 where it talks about what a “serious health
condition” is and it talks about “an illness, injury, impairment, or physical or mental condition that involves (A) inpatient care in a hospital,” and it goes on. My question is inpatient care in a hospital obviously you could have a serious matter where you could be in a hospital for weeks, you could be in a car accident where you could be in a hospital and stay overnight. In a situation where there is a car accident or you just need to stay overnight to be observed and you’re let go the next day, would that be considered a serious health condition under the Act as drafted?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That would be something to be decided by medical professionals.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):
Representative Smith.

REP. SMITH (108TH):

And that determination by the medical professional are there guidelines for that doctor or that medical professional to determine whether it is serious or not of just based on his or her training?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That would be a medical certification.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

I apologize. I’m sorry. [Laughter]

REP. PORTER (94TH):

I will repeat the answer for the good gentleman, Mr. Speaker. That would be a medical certification which is something that is somethin
that already exist in with the Family Medical Leave Act and would also be applicable to this paid family medical leave legislation that we’re debating.

And through you Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

I thank that Chairwoman for answering those questions and I’m just about to wrap up but just along those lines of questioning, the same area line 870 talks about “continuing treatment” and as you know, we all can get continuing treatment. So if I have my knee scoped or something along those lines, it could be a one-day in and out but I could have to go back to see the therapist or physical therapy on an ongoing basis, I’m assumin based on what you just said that also would then have to be determined by a medical provider that this is a serious medical condition not just something that, you know, I had a minor operation on my knee and I can be back to work the next week but yet I could get 12 weeks.
Assuming that is determined by the medical provider, it is or is not serious?

Again through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Porter.

REP. PORTER (94TH):

That would be correct, medical certification.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

Just one final question. I appreciate the Chairwoman’s responses to my lengthy questions. She’s used to me in Committee, so I do appreciate it and I am going to give her a well-deserved break. I just had one final question. I know there has to be a certification from the authority. If the employer does not get the certification can he or she say to the employee, until I get the certification, I cannot let you go on the medical leave?

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

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

The Bill doesn’t speak to that.

Through you.

DEPUTY SPEAKER GODFREY (110TH):

Representative Smith.

REP. SMITH (108TH):

And I wish it did because I can see a scenario where the employee just takes off, perhaps has the qualifying event but there is noting to certify it and the employer is kind of left in limbo, what do I do here and so, I don’t know, I just wish it was addressed. There’s a lot of holes, Mr. Speaker and I have no further questions. Thank you again for answering them, the lengthy questions.

There’s a lot of holes in the Bill, there’s a lot of questions in the Bill, there’s a lot of things in the Bill that could have easily been changed to satisfy folks on this side of the aisle,
the number of employees who would be eligible to participate under the program, the option to opt-out of the program, the fact of not being 90 percent. There is a litany of ideas that we proposed on the Committee level that were not well-taken I guess and here we are. So it’s another business Bill that is not good for Connecticut. I wish I could say it were as I said when I started out my dialogue, I’m in favor of paid family medical leave. I think there is a place for it. I think there is a need for it. But I think it should be something that is fair to both sides, the employer and the employee and I hope when we propose some Amendments later on during the evening that they will in fact be well-received and I thank you for the time, Mr. Speaker as well.

DEPUTY SPEAKER GODFREY (110TH):

Thank you, sir. Representative Tercyak.

REP. TERCYAK (26TH):

Thank you very much, Mr. Speaker. And I would like to thank the Chairwoman of the Committee and the good folks on the Committee who did the work
putting this Bill together. Pretty much every ally who we complete with economically offers this as a benefit both for their businesses and for their citizens and they do it and their businesses thrive and they aren’t crippled by fraud or misuse. And I believe that American businesses and American worker can also make a system like this work. My own experience is that when I was using family medical leave, while there wasn’t the policy, “of course Peter, take off all the time you need to be with your sister while she is getting her cancer treatment, I hope things work out well.” There wasn’t a question of whether I had the time, there wasn’t the “lets turn to the policy.” Like most, like many business owners in this room, like many business owners who are hearing this, when the situation arose there was no question. The boss couldn’t have been more supportive, please I hope everything works out well. When I moved on to a different job I didn’t know until much later that while people spoke of family medical leave, the law
didn’t actually require that a brother be able to get that leave to take care of a sibling. It was just allowed because it was important to the folks in charge that the place, they were running was able to be there for their employees and do that. I mention that other countries do this and we, our own experience for many of us tells us they do. I remember my friend Chris happily telling me about his son and daughter-in-law expecting a few years ago then said, of course this means we won’t get them back here for years because they are living in Canada now and they are looking at between both parents a year off to take care of that newborn, if everything goes well. Imagine a year of bonding with each parent to take care of the newborn without their being a problem. Here we’re starting with a modest program but our experience is when we look to our neighbors just to the north that businesses manage to make it work. Chris’s son, as a matter of fact, his first two jobs after following his wife there to work were replacing people who were out on
family medical leave and at job number three before that temporary assignment was over, it was we found an opportunity in a way to keep you, will you please stay. I imagine it will work much that same way here. We’re talking about a social program and insurance program here. We should each pray to God that we never have to use it in the same way we hope never to have to use the insurance that will cover something horrible physically happening to us and whatever horrible procedures might have to be done. But these are the things that we do with an agreement to about what our society should like and how we are going to help each of us take care of ourselves and take care of each other. When we talk about one person never having been sick, never expecting to see a benefit from this, we all hope that the money just piles up here because Connecticut gets so healthy that people don’t need these leagues, but there is no guarantees. In my family’s experience what cause the family medical leave was cancer. There is no history of cancer in
the Tercyak family. We die of nice quick strokes, you know, quick heart attack nothing lingering like a year-and-a-half fighting cancer. Nobody was more surprised than my sister when it happened to her. Had she been given a choice for what benefits to cover she never would have chosen cancer, she actually said it out loud, who would have imagined this could happen to a Tercyak, it didn’t happen on either side of the family, nobody had ever heard of it. The only way to like beat the old stroke or heart attack was to have your lifetime of smoking catch up with you and your lungs. But cancer, no. So when folks are saying I don’t imagine this will ever be used, tonight when I go to bed, I’m gonna pray they’re right and for all of us.

However the ways that they might benefit might include when you’re not using it. They include the facts that people are able to leave and be replaced by somebody who can get the job done and that things don’t have to fall totally apart because unlike everyone of allies, everyone of those countries that
we call our friends who we complete with economically, they recognize that this is a benefit that benefits everybody in society even if you don’t use it yourself. We are a better society and we will function better if people are able to order their lives around including their roles as caretakers in families. When I was taking family medical leave as I mentioned pay wasn’t an issue. The first employer, there weren’t formal programs but the decision was made on the spot, sure you can have half a day off a week that later became a day a week, that later became that and sometimes a bit more and the pay just was taken care of. Nobody came and complained that I was getting a benefit that others weren’t entitled to, it was seen as that makes sense, it’s good that we can do this.

When I moved on to another, when I returned to the job I had previously it came with enough earned time that I was able to cover most of my time off but had I not been able to, I earned enough money that wasn’t a consideration. Today all these years
later, I thank God I earned enough money that that wasn’t a consideration. But people have more than one responsibility and if your responsibility includes making ends meet for your family but your income isn’t so high that you can drop 20 percent of it and still know you will make ends meet for your family, then the ability to replace that income is the thing that will make this benefit work. It is why we are making this next step to go from allowing the time to having a way for it to be earned time that will be accompanied by pay. And that is a good thing. Our small businesses are as good as any other country’s small businesses. If anybody wanted to argue that our small businesspeople are better, I would never tell them that they are wrong. That is why as my personal experiences is when given the chance and employer wants to do the right thing and most will. I believe that we can survive as a society. When we talk about this and how will it be implemented and how we get anxious about the details I find comfort in looking around at our allies that
are able to do this and thinking we’re at least as smart as they are. Clearly we’re a little bit behind enacting earned family and medical leave but I have as much faith in our ability to order new things and to setup systems that work as any other country’s abilities to do that. When I look at other countries and see that their use seems to be defined by their folks honest use of benefits versus people fearing that there will be ramped abuse. I remind myself that our citizens, our residents here in Connecticut are as good as anywhere. Our people are as fine as any people in the world and if other folks in the world can make a system like this used without being crippled by abuse or fraud, I believe our system will also work so other families can be able to enjoy supporting each other the way that I was able to when the opportunity unfortunately came my way and was able to do that. At every level this is a program designed to be helping people. It is interesting as I pay attention over the course of this session more than once the concept of family
and who are families are and what support has come up. Hearing people talk about affinity tonight isn’t the first time and this isn’t the first Bill that we’ve spoken about families and what constitutes a family. And again and again, people are talking about the importance of our family units, however they are described about how important it is that we are able to function as real family units and succeed in the way that families do.

That we look at natural supports and that we trust those supports and as a society we look to each other and we do what we can to prop-up and enable us to support each other as families however that be defined. When we talk about this Bill I get concerned that we get caught up in the minutiae about how will this detail work versus that detail work or what is the perfect magical word, personally I am not sure whether I know or care whether that social security deduction in my paycheck is a deduction or a tax or whatever. It is there, it
just is. This too will be either a deduction or a tax or whatever. Those are technical terms that don’t really matter too much, I understand the money is being held out for this program that we have that I pray to God, I will never have to use. There will be a comfort knowing it is there whether I have to use it or not and there will be a comfort knowing that when somebody tells me something horrible and difficult befalling their family I’ll be able to say thank goodness have you looked into and can I predict how it is going to work all the time, of course I assume it is going to be hard for employers who are trying to replace an employee because of whatever the family leave reason is, but again we are as good as everybody else who manages to do this. I am not predicting it will be easy, I don’t believe it always will be. But I am predicting that our society can survive it. Now as we look around and talk to each other and there are small businesspeople are larger businesspeople on both sides of the aisle this is I imagine similar to
conversations taking places in many places around this State and elsewhere legislation is being considered where people are watching this. And many folks are saying there is no need for this, it’s taken care of and that in fact for many businesses is true, it is as true today as it was when my family was benefiting from this. But it is not true for everybody and one of the things that making this the law for everybody will do will be make it easier for people to apply this and also to force a leveling of the playing field that we’ll all take these chances. I was at a wedding recently and it was interesting to see all the young people coming to the wedding and to listen to the discussions about family planning and employment and hear people making decisions on staying where they are working or moving based in part on when they are planning or hoping to have their children because some employers are friendlier to that than others and because it is easier for some folks to imagine going to the boss where they have been working for a year or three and
saying, that they are going to need sometime off to establish their family then it is to imagine being in a new employment situation and going to the new employer when you’ve only been there a little while and saying I’m going to need sometime off for the beginning of my family and hoping that you won’t pay a price that you weren’t expecting because no law says that you have a right to take some time off and start your family or that you not only have the right but now you can afford to take that time off and start your family. This is a conversation that I was aware these young people were having and be frank there were folks there from the Geneva Office and holy moly they couldn’t understand what they were listening to. How can you be deciding on where you are going to work based on whether your employer is going to be as good as what is assumed the way the world just works, in much of the world that we interact with and the folks we call our friends. The idea that there are people at this wedding who worked in states where your boss can just turn to
you and say, I’m sorry I hope you have a healthy baby but we can’t afford to lose you, good-bye was not anything they would have come up with on their own. That is not the way the world works in much of the world. I am very pleased and happy that we are going to be joining the part of the world where that is the way things work. In my case it was a day here, first it was half-a-day, every other week and then it was a day every other week and then it was a day a week. One can’t tell how your family is going to need you or how you are going to be needing help from the other folks in your life. This Bill covers those possibilities and it does it in a reasonable way. We are not going to be worried somebody is using this Bill to have their 45 minute doctor’s appointment, this is for serious issues. This is for the stuff you pray will never be happening but when it does this is the way we want our society to work. So again, I want to say thank you very much to the Committee for bringing this forward. I would like to encourage folks who are anxious about this to look
around us at our friends and realize if they can do this, we can do it too and let’s take the chance to be like everybody we call our friends and allies and step forward and build this kind of society where we support each other in this way. And as somebody who has gotten to benefit from this it is horrible to have to need it but it can be the best part of your life. Let’s make this available to the folks who look at what we have now and wish they too could participate. Thank you very much to the folks who brought this forward. Thank you very much for this time, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Tercyak. Will you remark further? Representative Mushinsky, Dean of the House.

REP. MUSHINSKY (85TH):

Thank you, Mr. Speaker. Good evening.

DEPUTY SPEAKER MORIN (28TH):

Good Evening.

REP. MUSHINSKY (85TH):
I rise in support of Senate “A” and I want to address the objection that I heard earlier tonight. I’m healthy, I don’t need this, this won’t help me. I want to tell you about a constituent case I had. A woman called me who was being treated for breast cancer and she called me because she needed rides and someone to help her with chemotherapy and apparently nobody in her family could help her and she was desperate for dependable service to the chemotherapy. Unfortunately this constituent did not survive and about a year later I went to her funeral and met several of her family members. I was surprised that she had a large family and that among all these people no one could take her to chemotherapy. I was kind of naïve, I thought, I did not know how long chemotherapy takes and I did not understand why her own family could not help her and why she had to call her State Representative instead. But chemotherapy is intensive and it takes many weeks and I now know that because last summer I went through this myself with my mother. She was
diagnosed in June with brain cancer and she needed an operation right away and then she needed three weeks of chemotherapy which had to be done in July and August. And so we had to get her up in the morning and she was exhausted, put her in the car and take her to Hartford Hospital 30 minutes away and unload her from the car and put her in a wheelchair and get her inside of the building, and then she was treated and then very, very exhausted back in the wheelchair, back in the car, get her back home and try to put her to bed. And I now understand and very clearly why it takes weeks to help a family member with cancer, cause now I’ve done that and I now understand why my constituent even though she had many relatives could not get help getting to the hospital herself for her breast cancer chemotherapy. This is a very real issue for people and if it hasn’t happened to you yet in your family you are very fortunate but it could very well happen to you, it could happen to your spouse, your mother or your father, your sister, your brother or
one of your kids. There comes a point where the person you care for is some vulnerable and weak that they cannot do this on their own and the family must be able to help them. Fortunately for me I was out of session at the time and I was able to make the run to Hartford for my mom’s chemotherapy. But my job is not like most constituent’s jobs and most of my constituents can’t take four weeks off to help their mom or their dad who is in chemotherapy for cancer or their spouse and this is why family medical leave is very popular in my district in Wallingford. I did this survey, asked five big questions on big issues and this one was the most popular issue, I believe it was three-quarters, like 75 of 80 percent in favor of family medical leave because everybody has to deal with this at some point whether they expect it or not and there is sympathy for having time off to take care of your family member. I believe this is a compassionate Bill. I also believe it is necessary and I urge you to think about what could happen in your family’s
situation or what could happen in your constituent’s family situation and be compassionate enough to support this Amendment and the underlying Bill.

Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further on the Amendment? Representative Candelora, the floor is yours, sir.

REP. CANDELORA (86TH):

Thank you, Mr. Speaker. Mr. Speaker I do rise with some concerns on this Bill. You know, I heard a lot, we’ve talked about I think off first politically where people have come down in terms of various polls. And I think when we ask the question whether or not somebody is in support of whether there is support in a state run family paid medical leave program, a poll that was done I think a couple of months ago found that 72 percent of individuals supported the paid family medical leave. When the question was asked whether they supported paid family medical leave if it was a payroll tax that
support dropped down to 40 percent. And when the questions was asked whether or not it could be open-ended when the fund would have to be increased in order to make it solvent, the support dropped down to 16 percent. And so I make that point for the record because I’m hearing tonight a lot from people who are saying most people support it and therefore we should do this. I think generally speaking and as we can glean from this information, yeah most people do support paid family medical leave but the devil is in the details and the minute we start trying to look at how to best apply this is where I think our paths start to divert. You know, in going through the Bill I think, looking at this globally and certainly not nitpicking it, you know, we are creating another quasigovernment agency and I think from a perspective of wanting less government and encouraging more private sector type partnership this type of structure of essentially leaves an open-ended piggybank for a quasi-agency to spend money and administrative costs, in advertising, in
website development and those dollars that we want to expend for the purposes of administering a program to give somebody a benefit for paid family medical leave isn’t necessarily being utilized for that purpose. We undoubtedly are going to see these costs going toward administrative costs, overhead, salaries and the like. And so I think what we should have done in this legislation is to make sure that we had some sort of a restriction on the growth of the costs in this agency which we do not. You know, being in the private sector right now and trying to run a business when you can’t rely on money just coming in automatically through taxation you have to come out with a business model that works, you are always worried about your overhead, you are worried about how you cut costs and make things more affordable. And this Bill is a far cry from that. You know ten years ago serving on the Finance Committee I remember when we were looking at various proposals, we used to have larger businesses come in and interact with us. I remember Aetna,
Travelers, Pitney-Bowes coming and lobbying us and talking about decisions that impact them. I feel like at this point we don’t even have that interaction anymore. What we’re now seeing is smaller and smaller companies coming to Hartford or showing up at office hours and saying, please stop. You know as a small business owner myself I’ve been faced with situations, I don’t offer paid family medical leave but I’ve heard these stories. I had a brother that has just gone through cancer treatment and chemotherapy who didn’t have the means to be able to continue to be paid by a family company where we had to bring him in and take care of him. It would have been nice to have a program like this to help him through is cancer treatment. I’ve also had employees who have told me they needed to take time off to take care of their loved ones and they left and took unemployment and I kept the job open for them and they came back, sadly after their loved one had passed and then I’ve also had the situation where I’ve just been able to pay employees if they
need to leave. And I think employers make things work and I think where this Bill is a benefit is it sort of provides for a consistent way of handing individuals that need to go out on paid leave. But again I think it is the way it is being administered is where many people on this side of the aisle have parted from this legislation.

I think unfortunately when I look at all these pieces of legislation and how it is gonna be compounded my one solace that I do take is I think the Bills effectiveness isn’t until 2021 but our businesses in order to absorb everything that we have done this Session to me is frightening. I remember in 2011 when we came in with a new governor, it was a new day, things were gonna be done differently and this legislature passed some very aggressive changes in particularly in our tax laws and our tax structure. And it was very soon after that that many retracted from some of those changes because we realized that the revenues didn’t come in, it created too much of a ripple effect on a
volatile industry that negatively impacted the State of Connecticut and I am afraid that we are setting up for that same storm tonight. When we look at this legislation compounded with minimum wage, compounded with a budget that we haven’t seen yet, and compounded with, you know, possibly sexual harassment training that businesses are going to need to implement, these are all things that are coming too fast, too soon and is too aggressive. And what also is interesting about the polices we’ve seen that are being proposed in this Chamber. I think there was a time when government felt that there were certain things that were important enough that we needed to implement and on a whole when they are implemented the government pays for it. Because we’ve been out of money for ten years the new motto is “Let’s make somebody else pay for it.” So we could all stand up and have our press releases and take our photographs and say how wonderful things are, we’re doing great things for everybody but the one difference is the State of Connecticut isn’t
paying for it anymore. It is the private sector; it is our middleclass. They are being squeezed to death and so for my district a half a percent payroll tax on somebody is very impactful that is making $50,000 dollars a year. The people that I represent don’t necessarily make six figures. We haven’t even yet, and I remember about four years ago, when this Chamber I think on party lines voted to implement a retirement security plan that everybody said that we had to have. Peoples retirement funds aren’t big enough, we have to implement this policy so what do we do, we implemented it, it’s a mandatory three percent payroll deduction on everybody’s paychecks. I think there unlike this Bill we at least provided for an opt-out provision so that individuals who’ve already planned for retirement can opt-out of this forced plan. And one of the things about that plan was it was an after tax dollar plan, so it is essentially a Roth IRA. We are now going on, I think it’s at least four years and that plan has not yet even been
implemented because the State of Connecticut for whatever reason has believed that we possibly are running afoul of federal law of our RISA Laws and it can’t yet be put forth. And I bring that to the Chamber’s attention as we talk about family medical leave cause I think many of you weren’t here when this was passed and many may have forgotten but at any given day, cause the deadline has well passed, that payroll deduction will be implemented and so all of our constituents will be looking at a three percent payroll tax for retirement funds. That is after tax dollars, not before tax dollars. And then we’re gonna look at a half a percent for family medical leave. So three and a half percent potentially by next year, yeah by next year roughly everybody could be subjected to it, we keep piling on and I think there are going to be some Amendments that are coming forth later on to try to address these issues. You know, the State of Connecticut has had some difficult times and I know we’re looking at trying to fix our unfunded pension
liabilities and yet again though those are decisions that need to be made in order to try to fix it. And what we’re doing again with this Bill is piling on. So we are going to put this on the books and move on maybe someday come back to it if enough people get upset. It’s too much too soon in the way it’s implemented so I wanted to share those few words with you. You know, I have to say that as a Republican serving in this legislature and a having supported legislation, but certainly having opposed legislation throughout my career up here I feel as if this session has taken on new meaning with Bills like this because I’ve been operating a business for 20 years in the State of Connecticut. I have great employees and we have great relationships and as a small business owner and like I said because I think ten years ago we were affecting the Aetna’s, the Traveler’s with the unitary tax proposals with the ten percent corporate surcharges that it never impacted by businesses. But I feel as if this year as a business owner I am being completely squeezed
out of the State of Connecticut. You know, we had a proposal, we were gonna expand in a town in the State of Connecticut last year, we pulled the brakes on it. If anyone wants to come visit my business we have a building that we build, we stopped construction after six months in we said, forget it. We can’t keep investing because our bottom lines are being absorbed and it’s policies like that that absorb our bottom lines. So I appreciate the good will and the intent of this legislation but again it is another piece where we have failed to communicate with the business owners and come up with a solution that works for everybody. So as we move forward and we take the pictures hold on to those pictures and put ‘em in your scrapbook because I think five years from now those pictures aren’t going to be as pretty. Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further on the Amendment? From the 2nd District, Representative Allie-Brennan.
REP. ALLIE-BRENNAN (2ND):

Thank you, Mr. Speaker. Mr. Speaker I rise in support of the Amendment especially because of the definition of family. It is important for members of this Chamber to understand that many members of the LGBTQ community do not have a family based on blood or legal ties. They have had to choose their family due to rejection, 42 percent of LGBTQ adults between the ages of 45 to 64 said they would depend on close friends or as we’re calling them today in Chamber BFFs in emergency. The same adults who came out of the closet during a dangerous time and faced extreme stigma within their biological families. I am lucky enough to have a strong bond with my blood relatives but for many of the LGBTQ residents in the State of Connecticut that is not the case. It is our job as policymakers to make sure our laws are inclusive of all and this definition of family does so. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):
Thank you, sir. Remark further on the Amendment before us? From the 107th Brookfield Bobcat, Representative Harding.

REP. HARDING (107TH):

Thank you, Mr. Speaker. Thank you for recognizing the greatest athletic sports franchise in all of the State of Connecticut better than New Canaan [Laughter], well I’m only kidding. No, I’m serious. So thank you, Mr. Speaker and I wanted to just quickly comment. I have no questions, just comments, my thoughts on this particular Bill. I’ve heard a lot tonight about different questions regarding clarity on how this program is going to run, different questions about who qualifies, who may not qualify, how much someone is going to get paid, etc. etc. And in my opinion, I understand why those concerns are being asked or asked to be addressed. I have those same exact concerns but this is such an important issue, generally I support the concept of paid family leave and I would support it generally despite some of those concerns in
regards to questions about the administrative aspect of this. I think I could overcome that issue alone because I think those are things that could be worked out overtime. My concern lies with telling the people of the State of Connecticut, once again that we need more of your money. That is where my concern lies and that’s where my objection to the Bill lies, not in the concept itself, again I fully support this concept. I wish there was a Bill that we could create that I could support because I truly believe that it is something that we need to have in our society and we should try to support our society but my problem is how we are going to pay for it. And we addressed some of the polls and I think Representative Candelora mentioned it when he was speaking and that is when the question was then asked to the individuals who were polled if they would support the program by paying a certain percentage of their payroll tax the numbers dipped quite seriously and that’s again to where my objection lies on this. And I stand at that place
for one reason. The reason for that is we, as a state legislature for the past 30 years or so, have told the residents of this State that we need their tax money to fund certain things. We’ve heard that we need tax money to fund transportation infrastructure. Now we’re having a discussion about potentially implementing tolls to pay for the transportation infrastructure that we’re not properly funding over this past 30 years with the hard working resident’s tax money. We told residents many years ago that we were going to use funds from the lottery to pay for educational costs and it seems like every single year colleagues on both sides of the aisle fight tooth and nail to save every single penny from their educational towns from the ECS money going to their towns because it continuously has been cut in recent years in budgets because “we don’t have the money.” Yet the lottery was supposed to be this big pot of money we were supposed to use and take from the people of this State to use towards education. And so what
frustrates me about this concept of how we’re going to pay for this is now we’re telling the hardworking residents of this State that we frankly have overtaxed for the past 30 years, look just give us a little bit more of your paycheck, just give us a little bit more of the already huge burden that you paid us here in our State government, just give us a little bit more and I swear, I swear this time we are actually gonna spend the money on what we’re telling you we’re gonna spend the money on. This time other than the tons of other times over the past 30 yeas are totally different. This time, this time we are going to spend your one-half percent of your paycheck that you work so very hard for, this time, this is gonna be the only time, I promise, this time we are gonna spend your money the way we told you we were gonna spend the money. And I have a serious problem with that because my frustration is when is enough, enough? When are we finally gonna realize and look at our constituents back home and say, “You know what, I agree with you enough is
enough.” You know how to spend that money far better than we do and that is really where I stand here. If an individual here in this great State wants to use that hard earned money to pay for, save up for paid family medical leave if in an instance, God forbid, they have to utilize it, by all means invest in that, invest the money, save up, that’s a great idea. But if they want to use that money to repair a car, in their home they want to use that money to make some home improvements, they want to use that money towards, you know pitching lessons for their son or singing lessons for their son or their daughter, that’s their money to spend, not ours. And really that is where my objection lies is again, not in the concept, I support the concept wholeheartedly. I wish we could come to a place where I could support this Bill because it really is a good noble program. I just have grave concerns of whether or not this hard earned money that we’re taking from the taxpayers is actually going to be used on what we are discussing here today, number
one. And number two, I have a grave concern about telling the hardworking taxpayers of this State that we know how to spend their money better than they do. So, Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further? Representative Harding, never mind that. Representative Ackert. You have the floor, sir.

REP. ACKERT (8TH):

I don’t want to be that young again.

[Laughter] I’m good. Thank you, Mr. Speaker.

And through you.

We’ve had some great dialogue and the good Chair has been offering quite a bit of information and I’ve been in the room most of the time, but I hope I don’t repeat any questions, but if I do, I apologize but I do always appreciate the good Chair’s dialogues.

Through you, Mr. Speaker.

A couple of questions to the proponent.

DEPUTY SPEAKER MORIN (28TH):
Please proceed. Representative Porter please prepare yourself.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. And I looked at this a little bit and it didn’t really speak of multiple jobs, so if you had a couple of jobs, you know, a couple of part-time jobs, each job, each employer would be required to take the percentage out. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Thank you and I do apologize Representative, good you please repeat the question? Thank you.

DEPUTY SPEAKER MORIN (28TH):

Representative Ackert, please repeat.

REP. ACKERT (8TH):

Absolutely. I guess I’m lookin at the person that works a couple of you, you know, so they may have a fulltime job and, you know, for extra income
they take a part-time job. Even if it’s a couple to three part-time jobs, you know, you pick up a weekend thing, you know, stocking shelves or something, or something even more lucrative. Would each job be required to take that compensation out up to the 0.5?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

As long as the qualifying factors are met that is true.

Through you.

REP. ACKERT (8TH):

I guess in terms of the deduction.

Through you, Mr. Speaker.

Each job would have to make the deduction, for payroll deduction.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):
Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

Yes.

DEPUTY SPEAKER MORIN (28TH):

Representative Ackert.

REP. ACKERT (8TH):

And I guess that would make sense unless you were makin a lot of money because I was thinking about how much do you get back and so on that note, so your benefits received back would be the accumulation, because it would go by your payroll for the year, that percentage you would get back would go off your total income for the year, not just one job?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

I’m gonna ask him to restate that for clarity.
Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Ackert, please give that another shot.

REP. ACKERT (8TH):

Absolutely. I was trying to think about how this would work if, and I’ll throw my own example out there. I have three jobs. So I have three jobs, obviously here, my company and then I teach on weekends. So each of my jobs would be required to remove that, to take the payroll tax out but my overall gross, to get to the level of what I am going to get paid, would be off my total year income. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

I think I understand the question. You’re askin would all the jobs, would it be cumulative?

REP. ACKERT (8TH):
Correct, would be cumulative.

DEPUTY SPEAKER MORIN (28TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. Yes, in other words, let me give ya, a least example. I only have three low paying part-time jobs. I wouldn’t want my payroll to set off just one job if I’m getting deducted from three. So the benefit you receive is off your annual income. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

I do believe I am following you now and yes, you wouldn’t, you would get the 12 week benefit, up to 12 weeks for those jobs even though you’re makin multiple contributions cause the point of workin all those jobs is to actually have a livable wage.

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

Representative Ackert.

REP. ACKERT (8TH):

And we got to the answer, so that’s great. That’s what I thought it was. I wanted to make sure you’re weren’t penalized. You know, I got a fulltime job, but you know, I got a couple of part-time jobs to do just what you mentioned, to get to a wage I can help pay the bills in my home and the benefit would not just be off, say my fulltime job. Thank you, Mr. Speaker.

One of the concerns I do have, and I did go through and when you sit here for a while, if you feel like it you can do some research and it looks like there is about 15 percent nationally companies that provide fully-paid family medical leave. My concern is that those companies offer that benefit and if a State like our decides to go to this paid family medical leave, state run, that they possibly would remove that benefit and that is a concern of mine. Did that concern at all come in the
questioning during the Committee meetings about already people getting the benefit from the company, not coming out of their paycheck, it’s a benefit, now not having that company provide that. Did that dialogue come up at all during the Committee process?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

I’m just tryin to understand what your askin and I am gonna restate to make sure I got it right. You want to know if the benefit?

DEPUTY SPEAKER MORIN (28TH):

Hold on. Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. I appreciate that. So ABC Company located here in Connecticut offers full paid medical family leave. The State decides, you know what, which we are deciding tonight, we’re
gonna provide that for our employees in the State of Connecticut. That company then, that benefit that they provided prior to this legislation and the inception of this going into access. Okay, State is going to do it, we no longer offer it, so it is actually a loss for the employee because now they are paying the 0.5 percent. Did that discussion take place during the Public Hearing process or the Committee process?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

I don’t really recollect that specific conversation because there were so many.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Ackert.

REP. ACKERT (8TH):
I imagine there was a lot of dialogue and I think that is one of the concerns when I look at sometimes, you know, the company is already offering a benefit and then the State says, you know what, we’ll do it but in this case it is no longer a benefit for the employee, sort to say, cause they have to pay that benefit. And then I know of a company that a lot of us know about, I think it has a goose or a duck involved in and, you know, it sounds like ALFAC as a company. A company like that, a matter of fact I have that in my company as a benefit. This benefit that we’re doing would almost replace that because it is when you are out of work, sick, hurt, whatever this benefit would be not required I guess in the State of Connecticut because we would replace that private sector benefit plan and I brought that up to one of the salespersons for that and I said, hey, you know, you guys following this paid family medical leave because your company could be definitely seriously affected by that here in Connecticut, cause we’ll
replace that. Was there any discussion of that, that took place possibly through the Committee of companies already offer, private sector option that would be hurt by the State run program?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

There were some conversation but what we found that came up in those conversations was that not many companies do that.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. And he was shocked, as a salesman obviously his salary is dictated by getting companies on board and I mentioned that to him and he said, I’d better to talk to somebody about that, so I think that company that offers it
privately could possibly be negatively affected by this plan here.

And through you, Mr. Speaker. Again I did have time to look at the other states that have it or have voted on it but implemented it and it ranges. The percentage ranges, the weeks offered range and Representative Zullo make a good point, and I’ve been thinking about this the whole time because you always here about what’ the actuarial data that was used to come up with the percentage and the amount of weeks and how could our percentage the 0.5 percent equal what we were going to potentially payout. So with all the other states using completely different weeks and percentages what went into the, and I know you tired to have this conversation already, what went into coming up with that actuarial for Connecticut because Connecticut would be the most weeks, when we go into this. New Jersey just moved to 12 weeks, Massachusetts isn’t running yet, California is at 10 right now, gonna go up to it, Rhode Island is at
six, D.C. is at eight, how did we get to where we got in terms of the jumping right to 12?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

It is my understanding that was the result of the actuary that was done by WPR.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. So if we had started something out and got some actuarial data that maybe we would go like some other states did, you know, six, maybe eight, go to ten something like that before we jumped right to twelve to see if the solvency of our plan because we talked about the solvency of all the other plans except they haven’t gone to 12 weeks, no one plan has run on 12 weeks
and knows if it going to be solvent, not one plan from the data that I’ve looked at. So I was wondering why we jumped right to twelve. You know why we did 12 in terms of the family medical leave act, we thought that for care of somebody that 12 weeks was a good option but the paid family medical, paid portion, of that was not put in that concept. So I don’t know, we’ll see how ours works out.

Now if somebody is sick, I guess maybe take a young child of somebody’s a family, a young child is sick. Mom, dad, grandparents is there, and each one of them says you know what that child needs our care. Can a mom and a dad both apply for the paid family leave?

Through you.

So both could apply for the potential amount of weeks off?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):
Through you, Mr. Speaker.

Can you please repeat the question?

DEPUTY SPEAKER MORIN (28TH):

Representative Ackert please repeat the question.

REP. ACKERT (8TH):

Yes, sir absolutely. So I guess I’m looking at, so a child is sick, hurt, accident gonna be out for a while, can both parents simultaneously, regardless of where they are working, apply for the family medical leave, both parents?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

Not for the same child. They can actually take the leave if they’ve qualified for it but not at the same time.

Through you, Mr. Speaker.
Representative Ackert.

REP. ACKERT (8TH):

Thank you and I didn’t pick that up in there so I thank you for the clarity on that because if somebody was going to care for somebody and you had the whole family taking time off for the care, that was, I didn’t read it that way but the good lady worked on this legislation, I’m gonna accept that answer. I think most of my questions were answered because a lot of it when you sit here for this length of time, it gets answered. I do have a question on the business side of it. So in terms of as a business owner I am thinking about how I have to notify my employees so in Section 13 it address that, so 720 to 734 it mentions writing a letter, “provide written notice” so I think in Connecticut Labor Laws we put posters up, mandatory posters, is that what we’re talking about there. It says, “written notice” so I would imagine that if I put my labor poster up that would be the requirement for written notice, would that be sufficient?
Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Thank you.

Through you, Mr. Speaker.

That would be determined by the authority, that may be the case.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. So that has not yet been decided as to how I have to notify, specifically how I notify my employee. So followup question to that, I am a business owner and I know we talked about when regulations come up, it is up to the person to know the new regulations, and that doesn’t happen. No one sends me a letter, saying guess what, new laws have been passed that effect your business, you got to know that. So how is the
authority going to notify the businesses of their obligations?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That would be part of the education they send out to companies so that they would have the knowledge around the new program, how it works and what their responsibilities are insofar as notifying their employees.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker and thank you to the good lady, that’s important because having us administering this and sitting down with our employees when the inception come in that I am looking for a good valid, you know, Department of
Labor sends out a notice that this is how you need to treat it and that’s what I’ll be looking for and I’m glad to hear that in terms of what we need to do as employers to follow the law. And I couldn’t find it again as a lot of pages and a lot of lines, if I not mistaken did I see that at least, I was going to wait so I didn’t have to repeat it again. I will wait till that discussion finishes. That’s okay, please go ahead.

DEPUTY SPEAKER MORIN (28TH):

Go right ahead Representative Ackert she is ready for you know.

REP. ACKERT (8TH):

Thank you. Thank you, Mr. Speaker. So the money that goes into the fund and I can’t find the line again, maybe it was something else I looked at but I believe it said 80 percent of the fund must be used for benefits. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.
REP. PORTER (94TH):

Through you, Mr. Speaker.

No.

DEPUTY SPEAKER MORIN (28TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you. Is there a percentage, is there a percentage that shall be used for, in other words, for the purpose, in other words in the fund is there a minimum that goes out to benefits that shall be used for benefits?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That is not addressed in the Bill.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Ackert.

REP. ACKERT (8TH):
Thank you, Mr. Speaker. Why is that not part of the legislation?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That would be determined by the authority.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. So the employees of the State of Connecticut are contributing to a fund that does not specify the minimum amount that will be paid out to the recipients of the fund in terms of total aggregate benefit. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):
Through you, Mr. Speaker.

Just for clarification are you talking about wage replacement because that is defined if that’s what your referring to.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Ackert.

Yeah, thank you, Mr. Speaker. I thank the good lady. So I guess, I’ll give a rough number. We bring in I don’t know what the fund is gonna bring in to be honest with you, but let’s say you bring in, you know, $10 million dollars, probably gonna be more than that, but we bring in $10 million dollars in an aggregate, my point being is that the good people that are contributing to this fund that may want to draw on this fund at some point, you know, there is no. There is $9 million dollars used minimal for the fund or $9.5 million dollars is used minimally for the fund, there is no set amount that is designated for the payouts specifically to the recipients of the fund in aggregate?
Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

No, I’m gonna say no assumin, making the assumption that I’m understandin the question but what I also will say is that there are gonna be reports that the authority has to put out on a yearly basis that shows how much they paid out, how many people took leave, and that kind of things so those things would be on record and goin forward we would have that information but it hasn’t been designated on the front end what those amounts should be or if there should be an amount designated but there will be a record of what’s comin in and what’s bein paid out, who’s requestin and who’s gettin the benefit, who’s being denied the benefit so on an annual basis there will be transparency for the program through those type of means.

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

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker. And I appreciate that answer and that is a good piece of the legislation that we’re talkin about here. But I was kinda thinkin of I guess is there a cap on the administrative costs in the plan in terms of a percentage of the overall plan is I guess I was thinking in the reverse case. Is there a cap on the overall percentage for administrative fees in the plan and that our good employees of the State of Connecticut are funding?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

No.

DEPUTY SPEAKER MORIN (28TH):

Representative Ackert.
REP. ACKERT (8TH):

Thank you, Mr. Speaker and I thank the good lady for that. I think that would have been a component that might have been put in, no less than 95 percent of the funds brought in shall be used for the, you know, the people receiving the funds, so I think that might be. The last question I had cause she’s done a good job of answering a lot of the other Representative’s questions and if I think of something, I’ll wait for this to move forward if we get to the Bill component of it. So I thank the good lady for answers. Thank you, sir.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative.

REP. PORTER (94TH):

You’re welcome, Representative.

DEPUTY SPEAKER MORIN (28TH):

Will you remark further on the Amendment? Representative Case of the 63rd District.

REP. CASE (63RD):

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

    Good evening, sir.

REP. CASE (63RD):

    A few questions to the proponent of the Bill if I may, sir?

DEPUTY SPEAKER MORIN (28TH):

    Of course, please proceed.

REP. CASE (63RD):

    Thank you, Mr. Speaker. So in looking though this legislation, could the good woman of the Labor Committee tell me is there anything in here that allows or disallows the disability population from having to pay in? So if someone was on Title 19 and they are working fulltime, lets say at Stop & Shop on a subprime wage, do they still have to pay into this?

    Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

    Representative Porter.

REP. PORTER (94TH):

    Through you, Mr. Speaker.
If they hit the 23/25, four out of five quarters with a base weekly wage they would be required to pay one-half of one percent to the fund.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Case.

REP. CASE (63RD):

So through you, Mr. Speaker.

A lot of these programs these individuals are on, it’s state dollars so.

Through you, Mr. Speaker.

We would have employees who are being paid through state dollars being paid into the paid family leave program.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

If they are an employee and they are being paid wages, and they hit the criteria they would pay one-
half of one percent into the fund and be eligible for the benefit.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Case.

REP. CASE (63RD):

Thank you, Mr. Speaker. And I thank the good woman for clarification. It is a concern of mine and a concern that we have in the IDD population because there are people that do meet the criteria working fulltime and taking a little bit more out of their paycheck in somebody in the IDD population having to actually utilize this tax and this insurance is not likely.

So through you, Mr. Speaker I could not find in the legislation, so I understand the State workers are the ones that are not included in this. So will a teacher in the teacher’s union let’s say, I’m gonna use it cause I’m familiar with it, the City of Waterbury, those
teachers, are they included in this, would it come out of their pay?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

They would have to negotiate to be in the program.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Case.

REP. CASE (63RD):

Okay so through you.

The teachers unions are not in the program.

Through you.

Is that correct?

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.
That is correct.

DEPUTY SPEAKER MORIN (28TH):

Representative Case.

REP. CASE (63RD):

Thank you, Mr. Speaker. I did hear some answers before but I thought I heard it was just State employees, I was just curious on the other unions and the teachers because I do know, you know, having a young child at home, we did use the 12 weeks that the teacher’s union allows in sick time for my young child. So moving on in my day job, it is a commission job mostly. So even though my wage rates would most likely meet the requirements I believe, how does that work through this program. Is it just a straight half a percent that’s paid even through commissioned work?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.
It would be one-half of one percent of wages earned.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Case.

REP. CASE (63RD):

Through you, Mr. Speaker.

So are commissions considered wages, cause on the check it shows wages and then it shows commissions. So it shows two different pots, I’m just curious if that is a contributing factor. In all honesty I don’t know the answer and I’m just trying to clarify.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

Total wages and I would believe that commission would be part of that cause you’re gettin paid, it would be considered part of your total wages.
Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Case.

REP. CASE (63RD):

Thank you, Mr. Speaker. So say one within the company I work for became unemployed and they are on the full benefit of unemployment does this come out of unemployment also?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

I’m sorry could you please repeat the question; I didn’t hear you?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Case please repeat your question.

REP. CASE (63RD):
Sure, thank you, Mr. Speaker. So if somebody was to be laid-off or put on unemployment, are their unemployment wages, being on unemployment wages is it eligible, does it mark them that this is a deduction out of their unemployment?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

You cannot comingle these funds with unemployment or workers' comp, so if you are on either of those you cannot be collecting the funds from the paid family medical leave.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Case.

REP. CASE (63RD):

Thank you, Mr. Speaker. To the good woman, the question I asked was if you were on unemployment is
the half of percent taken out of your unemployment check?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

No.

DEPUTY SPEAKER MORIN (28TH):

Representative Case.

REP. CASE (63RD):

Okay so if somebody is for six months they are working and they all of a sudden become unemployed, and then something happens and they paid in that six months. They are not paying into this system anymore being on unemployment are they still eligible to receive the benefits of the program?

Through you, Mr. Speaker.

Even though they are on unemployment.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.
REP. PORTER (94TH):

Through you, Mr. Speaker.

I’m gonna ask that the good gentleman please rephrase that question.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Case please rephrase it.

REP. CASE (63RD):

So if somebody works six months and something happens or something changes in the company they are working for and they start receiving unemployment and while on unemployment which the good woman, the good Chairwoman has said they don’t pay in while they are on unemployment, but something happens within their family. Are they still eligible for this benefit?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):
If they are on unemployment they are not.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Case.

REP. CASE (63RD):

So through you, Mr. Speaker.

If I am an employee and I paid in six months into this and something happened unfortunately that I became unemployed those six months that I paid in I am not now eligible for the program?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Porter.

REP. PORTER (94TH):

Through you, Mr. Speaker.

That is correct. As long as you are on unemployment you are ineligible.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Case.

REP. CASE (63RD):
Thank you, Mr. Speaker. I find that very unfortunate because sometimes unemployment is not, it happens for many different reasons and I think that puts some people out. So I want to talk a little bit about, and the good woman, I’ll give her a break I’m done with some questions for now. I just want to make some comments. And thank you very much for your answers, I appreciate it.

In the company I work for we are a petroleum company so, you know, we have high tech people out there as technicians, skilled drivers, you know bringing product around. Our company operates right now in 23 different states throughout the United States so what we’re concerned on is getting the skilled labor for somebody going out on paid family medical leave and the replacement costs. So from what I am understanding and I’ll believe that everyone has understood this with the questions, when somebody goes out on paid family leave, it is up to the company to replace that person. And it is very difficult in our line of work right now even to
get skilled workers to come into the field that we have and that’s oil burner replacement, propane installations, that type of thing. I am all for paid family leave, I wish I’d had a better paid family leave for the 12 weeks for my child to have the good care and have a check coming in. But I am concerned, I am concerned of what we are telling business out there and the return on investment or the nonreturn on investment that you have an employee that you’ve trained, you have an employee that you put a lot of time into and something unfortunate happens but we have a State program that is going to help that employee to be out for 12 weeks at a time. I don’t think this is a sustainable program through the half a percent that is paid out of somebody’s check cause if you look at it, it is only a few hundred dollars a year and for the 12 weeks you can take up to $900.00 dollars is just really, for me, is kind of Common Core math I haven’t figured out. As I have been in this Building really concerned on the IDD population also
because they do work fulltime, they do work subprime, subminimum wage and as the good lady has told me and she can correct me if I’m wrong but they are eligible and they would be considered ones to pay into this program. That is just another tax out of their paycheck. We can call it a deduction out of the paycheck, I look at my paycheck and I consider the deductions to be, you know, the 401k which is going in but I get to choose what percentage is taken out of there. You don’t get to choose what percentage is taken out for this and if the program doesn’t work to have the ability to increase that percentage. What it is gonna do it’s gonna, you know, have employees who are making a certain amount of money, this is a little bit more taken out. We haven’t seen a budget it so we don’t know what taxes are, that are gonna be raised whether the haircuts are still in there or you know, what foods are taxed. We’re pretty anxious to hear that and to see what is going to take place. But the more we touch people’s pockets in the State of
Connecticut the more people we see movin. I tell you, my company we get more notices to come and shutoff or pickup tanks because somebody has moved out. We call them MIMO’s people that move in and move out. We are not seeing a lot of people moving back into ‘em. So it is a concern and it is a concern that we should all have and once again, you know, I thank the good proponent for her efforts and working towards this and making things fair all the way across the board for everybody, it is a very difficult time. It is a very difficult time and what I’ve seen this Session that I’ve been here every time we turn around, we’re lookin into the pockets of the good taxpayers. We are not lookin into the pockets of the State employee taxpayers and when we talk on Appropriations Floor or Committee, we are always reminded that State employees are taxpayers too. So this isn’t something that comes out of their pocket and in my business the company that I work for, we are self-insured so we have our own sort of short-term, we call it short-term
disability policy but it can also be used for other things if you need to get out and do something with the family, so those things will go by the wayside because why fund two things. So once again I thank the good lady and the Committee for their work. I think it is something that Connecticut can benefit from, I just don’t think we’re there yet. I don’t think the cake is fully baked. I think we have a lot of unanswered questions and unanswered concerns and I look forward to the rest of the debate and hopefully, you know, we can come to a consensus and maybe look at some amendments on this Bill and make a good Bill a better Bill like we try to do in this Building. And I thank you, Mr. Speaker for the time and once again I thank the good Chairwoman for her time and her efforts through this sincerely. So thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further on the Amendment? From the Brass City, Representative D’Amelio.
REP. D'AMELIO (71ST):

Thank you, Mr. Speaker. I just wanted to add my voice to this debate. As many people in this Chamber know I am a small business owner, I own a restaurant in the City of Waterbury so I am a true mom and pop. And that is one of the concerns I have with this Bill. You know, the concept is noble and I get it and I think it is something that is worth pursuing but not in the matter that is before us. One of the concerns I have is being a small business owner as myself, we only have a handful of employees, so when somebody is out for 12 weeks, my business like in the back of the house, it is skilled labor, my chef, my sous chef very hard to replace. Someone that just walks into this job blindly off the street needs considerable training to get up to par with the way we operate our business and our menus. Most business are like that out there so the issue becomes, we have an employee that needs time off to take care of a loved one or a friend or whatever and the business owner I stuck
trying to figure out how to fill that gap for 12 weeks. So we hire someone for 12 weeks, we’re gonna have to, to replace that person, the big concern is after the 12 weeks we have to lay that person that we just hired off. So now that person is gonna have to go out and collect unemployment benefits or who would rally take a job knowing that they are only gonna be hired for 12 weeks. See these are the realities that we’re causing with this Bill and it is really frustrating for me as a business owner to try to get my hands around that. I mean how do I hire someone for 12 weeks. I certainly don’t want to let my, in the law, in this Bill I won’t be able to let that employee go, nor would I want to. You know we’ve been operating for many years, a lot of businesses in this State, a lot of companies have programs for their employees, they accumulated sick days, they are able to bank that when they need them, they are able to take time off. You know companies have versatility in their workforce where they can, you know, call from another group to
replace someone but mom and pops don’t have their luxury. We don’t have that luxury at all and the mom and pops are all in your communities, in your neighborhood. The reality is we are creatin such a burden for these small business owners that how do we resolve this. This Bill doesn’t show us that. I mean we are gonna trying to hire people for 12 weeks if they even take the job and then once that 12 weeks is up we’re gonna have to lay them off creating another problem cause now we’re gonna have to pay for their unemployment compensation because they are gonna be laid-off. You know, I’ve been in business a while and there’s been many instances where my employees needed to take time off. I remember one of my guys a few years ago, his son was diagnosed with leukemia and it was devastating. You know when you work closely with your employees, when you’re a small business owner your employees are like your family. So you go through things together and when his son was diagnosed he had to be brought to Yale New Haven Hospital where he had to undergo
some serious and considerable treatment. His job wasn’t lost, we all chipped in, we made sure he was taken care of because that’s what you do. You know, you try to make sure that your employees are made whole, you do the best you can. The other problem I have with this Bill is having the government administer this program. We know what happens. This program is gonna cost us millions of dollars to administer and when the money is not going to be there because many people are gonna take part in this fund, what are we gonna do. Are we gonna ask our employees for more money out of their pay, it’s a half percent now, what are we gonna ask for one percent, one and a half percent to make the fund whole? Or are we gonna ask the employers to match it? So these are the things that are really concerning me but the biggest problem I have is how do I hire someone for 12 weeks, just to let him go. I hope people just consider that. Not all businesses out there have the luxury of just moving
people around and, you know, making things work for a long period of time. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further on the Amendment before us. Representative Kupchick, 132nd District.

REP. KUPCHICK (132ND):

Thank you, Mr. Speaker. When we worked on the minimum wage Bill last week or a couple of weeks ago, I mentioned that there was a lack of bipartisanship in putting the Bill together. Last Session the family medical leave Bill came up and it didn’t come up through the House but it came up through Committee and I sat down with the proponent, in my office, and talked about how the fact that no one was working together again on this Bill. I said to the proponent, “Who has been sitting down around the table working with you on this Bill? Were any Republicans in the room working?” And the answer was “No.” I said to them how about next Session look for bipartisanship, have people sit around a
table and work together so we can come up with a
Bill that is fair to businesses and individuals.
When this Bill came up before the Finance Committee
last month, members in this Chamber said they
reluctantly would vote for the Bill if there were
changes made before it came to the House. And low
and behold we have a Bill that has no changes to it.
It is not taking into consideration any businesses
at all. I’ve been on the phone with Bigelow Tea, a
lot of you might actually know of that, Bigelow Tea,
pretty big deal, right. They reside in my
community. They are one of the biggest taxpayers in
my town and in the State of Connecticut. I’ve been
on the phone with Cindy Bigelow half a dozen times
over the last week and she is vehemently opposed to
this legislation. She offers family medical leave
to her employees. She wrote a very detailed letter
about what she offers and what she thinks we can do
in the State of Connecticut, to Governor Lamont and
even had a phone conversation with him about it.
But yet that is not what we’re doing. Businesses
haven’t been invited to be included in this discussion. We’re losing jobs like a sieve in this State yet we are passing a Bill that hasn’t been worked on in a bipartisan manner. I just don’t understand why this is going on. I don’t understand why people are not sitting around the table working together on legislation, major legislation, that will impact every single citizen who gets a paycheck in this State and every single employer. I just simply do not understand this. I mean just because you have the numbers doesn’t mean you should just do whatever you want. I support paid family medical leave. I think everybody on this side of the aisle also does. But when people don’t work together we end up with legislation that’s unsustainable and simply doesn’t work and people can go and say, well we passed a great Bill that is gonna help the little guy. But that’s just not true. So I hope this is the last Bill that we are going to be passing that people on both side of the aisle didn’t work on together. Thank you, Mr. Speaker.
DEPUTY SPEAKER MORIN (28TH):

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

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MORIN (28TH):

All those opposed, Nay.

REPRESENTATIVES:

Nay.

DEPUTY SPEAKER MORIN (28TH):

The Ayes have it [Gavel]. The Amendment is adopted. Will you remark further on the Bill as Amended? Representative France.

REP. FRANCE (42ND):

Thank you, Mr. Speaker. And I’ve been listening intently to this debate back and forth on both sides of this issue, the significant policy change that we are considering here for Paid Family and Medical Leave and I believe there is support on
both sides of the aisle for the concept, it is in
the implementation where we differ substantially.
And I bases this as we look, we’ve heard a lot about
the study that was done that became the basis for
this effort and when I look at the studies and
Representative Zullo earlier talked about the kind
of the challenge with polling and studies and when
you don’t look at in particular the study’s premise
was and what the basis was, and how the analysis was
performed, what the conclusions were. In this case,
this particular study and paper, you know, what
references were chosen. And we heard through this
debate, through this entire Session as well as again
today, that, you know, we are the only country in
the world with the exception of Papua New Guinea
that doesn’t have paid family leave or an
equivalent. I would argue that we need to be
careful when we look at International Health
Organization, UN, World Health Organization studies
because they look at the United States as a Country
like every other country in the world and we are not
that. We are a Representative Republic; we are 50 sovereign states that make up the Country. We do not have Federal Laws that match and mirror the laws in other countries. So it’s really an apples to oranges comparison in this way. If you went across the individual 50 states I would gather if not all the great majority of those states have some type of short-term disability, some type of program that covers things like pregnancy as an example. So if you did an apples to apples comparison you would be saying that the United States is out of line with the rest of the world, you would be saying Papua New Guinea is the only country in the world that has nothing. And then if your look at the premise of the plan, and generally the structure that is being proposed here is most closely modeled on the payout and the requirements for Massachusetts. It’s a program that isn’t even implemented yet. When we look at the three states that have been around the longest, California and New Jersey and Rhode Island and we look at just the family leave portion of
theirs and the reason that is an important distinction is each one of those states had an established mandated insurance program. The State of California where I grew up they have had state disability insurance for over 50 years and what they did a little over a decade ago was add family medical leave as a module or an option under their existing state disability. But look at the payout and the requirements. In California it’s six weeks, the payout is 55 percent and it is a cap of a little over $1100 dollars and have a 0.9 percent of wages up to about $106,000 dollars. In New Jersey similarly six weeks, 66 percent of wages capped at just over $600 dollars a week, 0.2 percent of wages but only up to $32,600 dollars of income and finally Rhode Island, four weeks, 60 percent of wages, just under $800 dollars a week cap and they take 1.2 percent of wages up to $66,300 dollars. And then we look at what we’re doing in Connecticut which is say is most closely modeled after the proposed plan in Massachusetts which hasn’t even been implemented and
we’re talking about 95 percent of wage replacement up to a threshold and then 60 percent above that, 12 weeks of payout and a half percent of wages. You look at those numbers compared to longstanding and successful programs across the country and they don’t even match up. And finally, the assumption that everybody is using in order to get the financial viability of this program is that not everyone is going to use it. And in that study it says that the assumptions were for own health 55 percent would use it, for maternity 99 percent which makes sense, new child bonding 80 percent which also makes sense and you go into family care for children spouse and parents, it is between ten and fifteen percent. So when you look at that, the assumption of financial viability is I’m gonna take money from everybody with the assumption that not everybody will use it and that is how you are going to maintain financial viability. Now why is that important, well if I look at the other two mandated payroll deduction programs run by a government
entity, I have Social Security created in 1935. Everybody pays in 6.2 percent of their income, the employer matches 6.2 percent. Medicare created in 1965 and that one you pay in 1.45 percent of your payroll. Why is that significant? Both those programs everybody pays in and everybody benefits. It is built into the system. With this program we are having everybody pay in and we are counting on the significant majority of those people that are paying into it not using it in order to make it financially viable. That is the basis of the analysis and that is why it’s important to understand the basis of the study and if the study is flawed, then the program we are creating based on that study also is flawed because of the assumptions. We look at startup costs. I know there is a part of this that we look at what is in this study and the bases that became the startup costs for the State of Connecticut. They looked at three states, Colorado, Massachusetts and Nebraska. None of those programs are effectively running right
now. Colorado recently changed their program to a study, to a task force. Massachusetts just issued the regulations in January. They don’t even know what the startup costs. They just issued the RFP in the last month and Nebraska is similar. But we are basing numbers and we are telling the public what its gonna cost based on programs that don’t exist. Another flaw in the basis of this study. And I think that the debate that has happened today has pointed out a lot of these problems in what is being proposed. It is not sustainable at any level. And how do we propose to remedy that that we know it is not sustainable is we will reduce the benefit. Now the other option which was in one proposal early on would be increase the payroll deduction withholding or we could flip it and have the employer contribute a part which a number of states are doing as well. The challenge with all those is if you though it was going to be financially solvent legitimately you wouldn’t need all those caveats and because we are doing this from scratch which no other state has
successfully done, we are an outlier. We are also giving greater benefit than any other state has ever done, another outlier. You don’t want to be outliers when you are dealing with public money and that is effectively what you are doing here because, yes the people will be paying in the payroll deduction but you are going to take that and fund positions in state government with that money, effectively taking money out of people’s paychecks to pay employees in the State government to administer a program. And I don’t believe that is the proper way to enact policy. And what that, Mr. Speaker the Clerk is in possession of Amendment LCO No. 10335. I would ask the Clerk to please call the Amendment and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MORIN (28TH):

Will the Clerk please call LCO 10335 which will be designated House Amendment Schedule “A”.

CLERK:
LCO No. 10335 designated House Amendment Schedule “A” and offered by Representatives Klarides Candelora, O’Dea, O’Neill and France.

DEPUTY SPEAKER MORIN (28TH):

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. Speaker. This is a relatively simple adoption. It does strike much of the Bill. It is essentially taking a mandate payroll deduction and creating a free market solution empowering the insurance commissioner to create regulations to allow this to happen in the State of Connecticut. So for those that don’t know the Insurance Commissioner can’t just dream up a new insurance product and play it on the market. We in the legislature have to give that authority to them. So in Section 1 of the Bill, it establishes the, or
directs the Insurance Commissioner to establish the standards and regulations for implementing both individual and group short-term disability and family leave income protection coverage.

In Section 2, it looks to direct the Insurance Commissioner to adopt the requirements if we can find another state that already has a program say like the State of New York as an example and if the State of New York would allow people who are not residents that stayed a week and entered an agreement to be able to purchase into their existing program then we would expand our base in that. So that is Section 2, creating that opportunity.

And the 3, Section 3 it allows upon written request by the employee the ability to cost share the cost. And why is that important, it is really modeled loosely on your health insurance which is usually cost shared between an employer and an employee. Even with a small employer they may want to offer this benefit to their employees because it
allows them to buy into the group market at a substantial discount over the individual market.

And finally in Sections 4 through 8 I believe it is, 4 through 8 that is the definition of family that mirrors the expansion that has been proposed in the existing Bill with the exception that instead of having the person with the affinity, loosely a family member, we look at the most likely person that would fill that would be a spouse-like relationship so if you have a couple that is in cohabitation since we do not have common law marriage in the State of Connecticut it allows these spouse like relationships to be included. So that is the most likely case of affinity that we thought was so that we believe, so we expanded it, mirroring the proposal from the other side from the proponent grandparent, grandchild, sibling but instead of the family member or the “like a family member” with the affinity definition it is a spousal type relationship or cohabitation. I move adoption and, Mr. Speaker request a roll call vote.
DEPUTY SPEAKER MORIN (28TH):

When the vote is taken, it be taken by roll.

Representative Porter.

REP. PORTER (94TH):

Thank you, Mr. Speaker. I just wanted to say that when the roll call is presented that I would ask that my colleagues please vote no on this, I am not in support of this Amendment. Thank you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Porter. So it looks to be 61 names on the Board so if you were on the there already and would like to speak on the Amendment we will start with Representative Yaccarino and then Sredzinski after that if you want to speak just raise your hand and I will be happy to call on you.

Representative Yaccarino.

REP. YACCARINO (87TH):

Thank you, Mr. Speaker and good night. It has been a long day and a long debate. Before I speak I
am speaking in favor of the Amendment, is it all right if I just comment on the?

DEPUTY SPEAKER MORIN (28TH):

We are speaking on the Amendment that Representative France called now. That’s appropriate.

REP. YACCARINO (87TH):

All right. First of all when I asked the proponent some questions before, I ask the proponent some questions and speak on his Amendment then.

DEPUTY SPEAKER MORIN (28TH):

Absolutely, please proceed.

REP. YACCARINO (87TH):

So unlike the previous Bill we have been discussing all day, this is an option?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

Thank you for the question, yes it is an option, it is not a mandate. It essentially directs
the Insurance Commissioner to create the regulations that would allow the market through individual insurance companies to then offer their programs through the Insurance Commissioner for approval.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Yaccarino. Thank you for that answer. So we would have to get approval from the Connecticut Insurance Commissioner and then we would have to find a provider?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

Thank you for the question. Essentially the process would be, if this became law, then the Insurance Commissioner would have to create the regulations and then that would then be an opportunity for the market, so any insurance company then could come and provide a plan that complies with whatever regulations the insurance commissioner
deems appropriate and once they are approved, then that insurance company could offer that product on both the individual and group market as described in Section 1 of the Amendment.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Yaccarino. Thank you for that answer. And in Connecticut we have the Hartford and other insurance companies, I know and you can correct me if I’m wrong, Mr. Speaker or through the proponent. The Hartford do they administer family, paid family medical leave in the State of New York.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

That is correct. My understanding is that Hartford provides the insurance coverage in the State of New York for a portion of this paid family leave for the State of New York and they may offer it in other states as well.
Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Yaccarino.

REP. YACCARINO (87TH):

Thank you, Mr. Speaker. Well we’ve heard like we have Medicare which we all pay into, Social Security which are programs we all pay into but we all do receive those benefits someday and where the underlying Bill is laudable and I think it’s important but I also think it is important for people to make their decisions on what they can afford and what they want in their life. And I think with the Hartford Insurance Company that administers our insurance now or New York State and other states they’ve done it. They have filings, they have consumer protection, they are part of the free market, they have done this for many, many years. I think The Hartford has been doing it for over 75 years so I would prefer for me, and I have a small business, and I treat my employees really well and if they are out, we work together and I pay them
and I am able to do that. Somebody picks up the load. But in some cases people just don’t want to participate and you shouldn’t mandate that they participate. So under this plan I think it makes more sense where you could buy a policy, what you would like, and.

Through you, Mr. Speaker.

Are there different levels of policies potentially?

Through you, Mr. Speaker.

So if I want to have six weeks off or I want to have eight weeks off are there potentially different polices?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

Thank you for that question. It really gets to the heart of while we don’t specify what the Insurance Commissioner regulations or what the insurance companies would offer. You know, there is
potential for having different levels of coverage. You could potentially, an insurance could potentially offer, you know, three levels of definition of family, they could offer the definition at the Federal level under the Family Medical Leave Act which is very narrowly defined. They could tier that encompasses the existing State definition of family and then in a top tier level plan that would include the expansion that is defined in the proposal, In addition you could have elimination periods and benefit periods that would range and then you could choose, much like you do in a cafeteria style insurance plan for medical insurance. You make some choice depending on what your company offers or what you want to buy in the individual market, you get a price and you look at the coverage and the price and you weigh that on your own merits and you decided whether the value is there and you potentially make other changes. So in this case elimination period is the time between the onset of the criteria to engage payout and the time
you would get payout typically for short-term disability which this is modeled on, it is a seven day elimination period for illness or somethings of that nature, an injury is generally zero days so you get it on day one and the maximum benefit period if we’re being prudent would be much like what the proponents brought forward in the original Bill, the underlying Bill is to cap it at 12 weeks since that is the length of time that the Federal Government protects it or you could do it under the 16 weeks over two years that is in the State Law.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Yaccarino.

REP. YACCARINO (87TH): c

Thank you for that answer. I know that many of the larger companies are providing short-term disability on top of the PTO and their vacation time and I think, I’ll wrap it up. To me, as much as the other policy is laudable, I don’t think it is solvent. I don’t think the 0.5 percent or even one-
percent would be solvent. I think with the free market with an experienced company where you choose to opt-in or opt-out it is more logical to me and it is like I said, as much as it is laudable I think we will be back in a year or two raising rates, or cutting the program or the program may never come into existence potentially and that is a bad thing when people are expecting that and they pay into it. So I would prefer the private plan so you could opt-in and have that opportunity. So I support the Amendment and hopefully everybody else will. Thank you, Mr. Speaker. Thank you for bringing it forward.

DEPUTY SPEAKER MORIN (28TH):

Thank you. Will you remark further on the Amendment before us? Representative Sredzinski, the floor is yours, sir.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. Mr. Speaker I rise in support of this Amendment because I believe in compromise. I understand what the Chair of the
Labor Committee is trying to do and I respect that, I really do. But the underlying Bill in my opinion is too unwieldy, it’s too large, it’s too expensive and it’s too unfriendly to our businesses here in the State. I have several major concerns with the underlying Bill including covering employers down to one employee, having all employees pay in with a new payroll tax including all expansions, including the close association, requiring the additional hiring of Department of Labor staff talking up to one-million dollars in cost on an annual basis and the startup costs of nearly $14 million dollars all of which are very concerning to me. So I want to thank the proponent of the Amendment and I do have a few questions for him, if I may.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Of course you may, please proceed, sir.

Representative France please prepare yourself.

REP. SREDZINSKI (112TH):
Thank you, Mr. Speaker. Looking through the Bill in line 4, it says the “Insurance Commissioner shall adopt these regulations before July 1, 2020.” Is that enough time?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

Thank you for the question. And while the Insurance Commissioner has not weighted in specifically on that, given that there are existing programs across the country both at the state level as well as private options such as Aflac I think the Insurance Commissioner could come up with the regulations, fairly straightforward prescription they already have examples and regulations related to specifically the short-term disability so expanding it into the definition of family medical leave should be a fairly easy task and should be plenty of time by July 1, 2020.

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

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. I appreciate the answer to that question and I think it does make sense. A lot of times in this Chamber we will see dates put into legislation that frankly just seem outrageous, putting together task force of 30 plus people within a month doesn’t make a lot of sense but I do believe that the year plus to get this done is a reasonable amount. The reason I asked the question was just to get some clarification and to also ensure that that was discussed. Given the fact that this would go and be adopted on July 1, 2020 does that mean the implementation of the program would begin on that same date?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):
Thank you for that question. The strict answer would be while it would be available, it is unlikely that if on July 1, 2020 was the date that the Insurance Commissioner adopted the regulations and published them, it would be sometime after that before a particular insurance company would craft their product. I imagine there would be consultation between the Insurance Commissioner and the individual insurance companies but until the final regulations are adopted it would be unlikely that an individual insurance company would offer the final product so sometime after that would be a period of time when insurance companies would start to offer their plans for review and approval by the Insurance Commissioner. Certainly it would not likely be much after that since obviously the first one to the market has an advantage, so I would expect shortly after that. As I understand the process the Insurance Commissioner uses he is in consult with the insurance companies to ensure as they bring these regulations out they are not
cumbersome and burdensome on the company. Actually is achievable for whatever the final goal is.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. And I am glad to hear that. The reason I bring that up is because the underlying Bill begins in January or February of 2022. Does the proponent of this Amendment believe that this Amendment would actually provide for an expanded program of paid family medical leave before the underlying Bill?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

Thank you for that question, while I can’t make any guarantee given the timeline and the expected market driving factor, I would expect it would be substantially sooner.
Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. I just want to make sure I am clear on that. He did say that it would be shortly after July 1, 2020 so that would give it almost 18 months past that where the underlying Bill would go into effect. So would there be any reason why we shouldn’t expect this Amendment would actually take effect sooner than the underlying Bill?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

Thank you for that question and I do believe that given the market forces and I said the driving factor of the first one to market there would be very shortly after July 1, 2020 you would have the product available both on the individual and the
group market and I would expect employers that want to retain their employees who already offer short-term disability would include family medical leave as an option through their group programs and the individual market would be available almost immediately so anybody could take advantage of that if they so chose and they had the need for that, this particular type of insurance product.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. And I appreciate the answers given the speculative nature of my questions. Obviously I don’t expect the proponent of the Amendment unless he is the Commissioner of Insurance to determine when exactly this would be available or when exactly the program would be adopted. But I am just trying to get an idea of the differences between the Amendment as proposed and the underlying Bill. And I think it is important to
know that this has the strong potential of actually expanding family medical leave earlier than the underlying Bill and like I said in my introduction, the underlying Bill is very unwieldy, large, expensive program which this one is not. And I think it gives good reason for the Chamber to support it. But taking a deeper dive into the Bill, lines 8-9 states, “Any such regulations shall prohibit pregnancy from being considered a preexisting condition.”

Through you, Mr. Speaker.

Why was this line included in the Bill Amendment?

DEPUTY SPEAKER MORIN (28TH):

[Gavel] I think Representative France is having a difficult time hearing the questions so thank you for quieting down. Representative France.

REP. FRANCE (42ND):

Thank you, Mr. Speaker. And the reason that this was included is that if a woman happens to be pregnant transitions jobs between, you know, during
pregnancy, we did not want the new employer to be able to exclude just because of a job transfer assuming that the coverage is maintained she would still be covered. We didn’t want, we wanted to ensure that we were explicit to ensure that, as I said a pregnant female who happened to change jobs during the pregnancy would not be excluded.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. You know sometimes in the Chamber you ask questions that you know the answers to already. I can honestly, I did not know the answer to that question before I asked it. I appreciate the Representative for answering it, it does make a lot of sense especially since one of the main reasons to take this leave is to care for a newborn child so it does make a lot of sense. In lines 12 through 21 it discusses “the facilitation of Connecticut employers and Connecticut residents
to purchase short-term disability that are offered in our by other states.” Can the good Representative explain what language this refers to and how this would work?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

Thank you for that question cause this is something that is central to providing a cost effective program. If there is a program such as the State of New York or even Rhode Island our neighbors that is, either offers now an ability for people who are nonresidents to buy into the program or the Insurance Commissioner negotiates with the equivalent position in either of that states that already have a program, can negotiate a deal to expand that base. It would offer immediately a benefit to the residents of the State of Connecticut with an expanded pool. You know certainly the State of New York has substantially more residents and
people that are covered under their state disability insurance family medical leave program and it would allow all of the residents of the State of Connecticut to buy directly into a state run program that has a long track record and would be substantially reduced cost to the residents of the State of Connecticut and as it is a benefit we want to make sure we included that to give the direction the Insurance Commissioner to attempt to build up a relationship with these other states that already have existing programs as opposed to creating one from scratch that may or may not be solvent just based on, you know, the limited resources of the State of Connecticut.

Through you, Mr. Speaker...

DEPUTY SPEAKER MORIN (28TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. Reducing costs. I like the sound of that. Are there any other states other than the one he mentioned that provide this
kind of coverage to different out of state residents?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

I thank you for the question. I’m not aware that any of the states offer outside state, we didn’t go looking at the individual states. We do know that a number of states across the country provide this opportunity for family leave and as I talked in my opening, you know, the states of California, New Jersey and Rhode Island have had programs established for a number of years, Massachusetts, Washington, Nebraska and Colorado have programs that have been started and in their infancy or not quite yet established. But by giving the Insurance Commissioner direction from this body to explore those options, it gives the potential to have that opportunity available to the rest of the State of Connecticut. If we did not include that
the Insurance Commissioner wouldn’t have the authority to even have the conversation with another state to try and build up a memorandum of understanding or agreement with that other state to potentially offer that benefit to the residents of the State of Connecticut.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. And I thank the gentleman for his answer. It makes a lot of sense and I like the fact that we’re empowering the Insurance Commissioner to do this. Speaking of empowering people, Section 3, lines 22 through 25, discusses that an “employee will have his or her wages deducted for the insurance only if they opt-in.”

So through you, Mr. Speaker.

Just to confirm this isn’t an automatic mandatory payroll tax program.
Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

Thank you for the question, and it is important to understand at first the answer is no. It is not a mandate; it is not a payroll deduction but in order for an employer to be able to offer this short-term disability module if you will under family medical leave. There are essentially three options that the employer has. They can fully fund it, like many larger companies do with short-term disability it could be a cost-share with the employer and the employee which is how many companies do health insurance to currently or a small business they may not be able to afford to give this benefit and pay for this benefit, could offer the benefit as an option to the employee which allows the employee to buy into the group market directly so a small business maybe the franchise, the McDonald’s franchisees they belong to a
consortium within the State of Connecticut and that franchisees could band together in the State of Connecticut and offer it because of the number of employees as a group product which then will allow the individual employee to buy-in to the group rate which is substantially less than the individual rate.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker.

I really do appreciate the answer to that question because I think that is one of the goals that this Chamber as a whole is trying to get to. We understand the majority party who’s brought out this concept, Senate Bill No. 1 to provide the opportunity for residents to have that family medical leave. We also heard from members on my side of the aisle who have said that they support the concept of family medical leave. It’s just that
this program, the way its worded is too much. So I think this as I said in my opening strikes a perfect compromise. This is a program that allows for this to happen without forcing every single employee, other than state and municipalities workers to pay into the program. This is an excellent compromise and I think this should be really considered and thought about as we move forward. Clearly insurance systems work to the point where they need to have a number of people payin and not everyone will receive those benefits. So having the opportunity to say, yes I want this program, or have employees go to their employer and say, you should offer this program it would help me decided where I should work or where I am going to work, I think is very important and it allows for choice. It allows for freedom. It allows for employees to make that decision on their own.

Moving on to the Bill, in lines 32, the eligible employee is defined in several ways and line 32 states at least 1,000 hours of service with
such employer during the last 12 month period. And I believe this is current state law. But just to confirm to the proponent of the Amendment this is 25 weeks or roughly six months at 40 hours a week. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

I thank you for the question. It is confirmed it is current law under the existing family medical leave and yes that would be approximately six months at a fulltime rate of 40 hours a week.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. And what if someone were to work overtime, if they were to work say an average of 60 hours per week, would they have to work six months or would that be a shorter time
frame as long as they were employed in at 12 month period?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

I want to thank you for the question. For clarity it is specified 1,000 hours so however fast you get to 1,000 hours whether that is at 40 hours a week or 60 hours a week is when you reach that threshold of 1,000 hours not any particular duration that is accounted for in here.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. And what if the employee in their need to take some time off, utilized vacation, sick, personal time, comp time, did swaps with other employees would that factor into this in anyway?
Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

Thank you for the question and the short answer is no, that would be outside of this, that they can do this today that if they have sick time, they have paid time off depending on what their employer offers, some employers even offer some form of family medical leave in the benefit package. That would be completely outside of this package and if the individual employee felt they had sufficient coverage under the existing plans that they have in time they wouldn’t even purchase this product. So it gives the freedom to do that.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. In line 39 I notice that the threshold for the business size or number
of employees was kept at 75 or more. I think this is a very important part of this Amendment because as we know the underlying Bill eliminates it down to one employee or more.

Through you.

To the proponent of the Amendment what was the thought on keeping it at 75, Mr. Speaker?

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

I thank you for the question. It is a clarification that I didn’t make clear on my outset. The definition of family medical leave is in Section 31-51kk through 31-51rr of the Connecticut General Statutes and that defines the medical leave and we retained the unpaid version of family medical leave the same as it is today with 75 employee threshold and 16 weeks over two years. What we did in the opening three sections was empower the Insurance Commissioner to create a product without that limitation of employee size so they could offer that
down to a single employee hence the individual market. But we retained the unpaid portion the same as it was and that is also, I think an unintended consequence of the underlying Bill is that by changing the definition in 31-51kk through rr and making it paid that also effects unpaid which means that an employee could decided that every Friday they wanted to take off unpaid and under the change in law the unintended consequences is that the changing the underlying Bill does not just account for paid family medical leave but it also makes changes to unpaid. And when we propose this Amendment, we want to ensure that the unpaid remained unchanged and only offered a change to the paid portion of family medical leave.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):
Thank you, Mr. Speaker. And I noticed that there is an expansion in the current family in this Amendment.

So through you.

To the proponent and the Amendment notice grandchildren, grandparents and siblings were added.

Through you.

What was the thought behind that?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

Thank you for the question and what that really was is looking at what proposed in the original language in the Bill was to say if we want to expand the definition of family that is fine. We weren’t going to get into a debate on what is family and what is not and so to align with the intent and the specificity honestly with the proposal that came out from the majority and the proponent, grandchild, grandparent as well as sibling was added to conform
with the existing language. As I said in my opening the only change we made to the family definition is instead of giving the opening of an individual we think of like a family member that it would be very difficult to regulate in the proposal that has been made, we looked at what is the most likely nonfamilial blood relationship or legal bond would be the cohabitation or spouse like relationship that exists in some relationships and cohabitations. So that was really what we tried to do was try to align with the expansion that was proposed in the original Amendment original concept and go along with that.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. And thank you to the Representative for such a thorough answer. It is very much appreciated. Moving on through lines 268 through roughly 278 it discusses the certifications oh health event.
Through you, Mr. Speaker.

Are there any changes under existing law that occur in this Amendment?

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

Thank you for the question. And other than adding the changes in the definition of family there is no other change related to existing law.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Sredzinski.

REP. SREDZINSKI (112TH):

Thank you, Mr. Speaker. And I thank the gentleman for his confirmation. I think that is very important to realize as we consider this Amendment because we are continuing the practices that we have under the current family medical leave that exists today and expanding it to more people including grandparents, grandchildren, siblings.
spousal type relationships and cohabitation and we are also leaving the certification policy as it is. It keeps the regulation that you have to work 12 months and at least 1,000 hours which is current law. The current Amendment as we have today would allow for employees and employers to choose whether or not they want to provide this coverage and more than anything else as we prepare the next few day to deliberate on our State budget this Amendment has no cost to the State. Let me repeat that to be very clear, this Amendment has no cost to the State and there is no direct payroll tax, there is no expansion to a vague or unknown relationship type. This in my opinion is exactly the compromise that the State of Connecticut needs. This shows that there are colleagues in this room that we support family medical leave, we understand the burdens that family face, we know what it is like to take care of a newborn child, a sick family member, an aging parent, a sibling who has fallen on hard times, whatever it may be but we also have to balance that
against what we can afford as a State. We should be asking our self the question can we afford this underlying Bill. And if my colleagues in this Chamber can honestly say that we can afford a $14 million dollar startup cost, a million dollars extra in the Department of Labor and to further burden every employee in the State with a 0.5 percent payroll tax. The I guess your choice is made and you can vote for it but I know there are many in this Chamber who feel this is expensive, it’s too burdensome and we can do better and I think this Amendment strikes that balance. I think this Amendment strikes that compromise. I want to thank the good proponent of the Amendment and I urge my colleagues to support it. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. As I stated before, we are on the Amendment there are quite a few names on the board. If you would like to speak on the Amendment please raise your hand. Representative Ferraro, on the Amendment.
REP. FERRARO (117TH):

Yes, Mr. Speaker. I hope that I will still be able to speak on the underlying Bill as well. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Please proceed, sir.

REP. FERRARO (117TH):

To the proponent of the Amendment. I would just like to thank him for his hard work and effort in bringing this Amendment forward. I rise in full support of the Amendment for many of the reasons that the previous speaker and my colleague has brought forward most importantly I’m a big proponent of giving the choice to our consumers and with that in mind I would just like to ask the proponent of the Amendment a couple of questions.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Please proceed, sir.

REP. FERRARO (117TH):


To the proponent of the Amendment is it true that this Amendment for the Insurance Commissioner to develop products - plural that would be tailormade to specific needs of the consumer?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

Well thank you for the question. For clarity all the Insurance Commissioner would do establish the parameters so in effect would create the opportunity for the insurance industry to create the products that the questioner providers. It wouldn’t be the Insurance Commissioner creating the mandate, all they would do is provide the parameters. For example they would provide the maximal elimination period they would allow which is, as I said before, is the time between the onset of the criteria to enact payout under the insurance policy would be maximum elimination period that would be established and for perspective if under the Insurance
Commissioner regulations if it’s a short-term disability like program which this would fall under that’s less than a year in duration the current regulation is there could be greater than 90 day elimination period for a benefit period up to a year. I would expect that there would be substantial less but those are what the Insurance Commissioner will provide is that criteria and regulation that then the insurance industry would model there programs on to offer to the market.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France, Oh, Representative Ferraro, sorry.

REP. FERRARO (117TH):

Thank you, Mr. Speaker. And I thank the kind gentleman for his answer and I appreciate his clarification and once the Insurance Commissioner gave the opportunity to the insurance industry to create these products I guess as a small business owner myself my question would be would I have the
opportunity to purchase a number of products that would fit my needs, fit my ability of affordability and be able to give many employees the type of weekly compensation that they could afford and give them a variety of products to choose from.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

Thank you for the question. And as I said before the answer would be that the insurance industry, the companies themselves obviously want to sell a product so they would be providing probably many options that employers could take advantage of to offer to their employees and as I said it could be multiple different definitions of family, the base model that is definition that is based on the Federal Government law. You could have a mid-tier definition of family that is the current definition within State law in Connecticut and then you could have a top-tier option of the definition of family
that deals with the expanded definition as proposed in the Amendment. In addition to that there could be a different elimination period and different benefits that the employer could offer and it could be offered with great flexibility to the employee to where the employer decides that they will offer for up to a maximum of a certain amount of benefit and they will offer to cost-share say 50 percent, 50/50 split with the employee and then the employee would have the flexibility to determine do I want to have less coverage understanding that the employer is only going to cover half the cost as an example. So there is great flexibility with the insurance industry bringing to market products that the employers would want to offer and there is also the opportunity for greater flexibility for the employee even within an employer model to choose a benefit that meets their needs.

      Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

      Representative France, no? Ferraro?
REP. FERRARO (117TH):

Thank you, Mr. Speaker.

And through you.

I do appreciate that answer from the proponent of the Amendment. Being a small business owner having the flexibility to be able to offer programs, different programs to my employees would be very important to me and I guess it would be even more important to my employee based on their needs. I was also wondering, there are many disability products currently in the market and offered through the insurance industry here in Connecticut and I was wondering if something, a program like this could actually be offered as a waiver on an existing disability program?

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

Thank you for the question. And the answer, short answer would be likely yes. Once again I
don’t speak for the Insurance Commissioner but if we look at how states have rolled out programs such as California they took an existing disability program, state disability insurance program and added family leave as an option within that program so given the proponents intent of the question I would imagine that the insurance commissioner after creating regulations that the insurance industry, the companies themselves would look and model family leave on short-term disability since that is the most closely allied insurance product and also as I said exactly how the states that have brought out programs have modeled it.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Ferraro.

REP. FERRARO (117TH):

Thank you, Mr. Speaker. And I appreciate the answer and that is exactly the answer I was hoping to hear and my last question would be.

Through you, Mr. Speaker.
To the proponent, if I had an employee who wished not to be part of a program that would provide compensation for family leave but was only interested in the current family leave program that the State offers that would protect his job or her job should they leave for two or three weeks and they could opt-out of the program even though the rest of the employees in my company had that program.

Through you.

To the proponent would that employee be able to opt-out?

Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative France.

REP. FRANCE (42ND):

Thank you for the question and certainly they wouldn’t need to opt-out because it is an opt-in program but to the intent of the question, that would be a model where the employer is offering either a cost share or offering the benefit to the
employee for them to fully fund and in that case if
the employee chose not to participate in either the
cost-share model or fully paying for the benefit
then they would still be protected under the unpaid
model assuming that they worked for a company that
more than 75 employees under State law or if they
were under the more restricted definition of family,
50 employees under Federal law.

Through you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Ferraro.

REP. FERRARO (117TH):

Thank you, Mr. Speaker. And I thank the good
gentleman for his answers. Just a general comment,
the flexibility offered by the proponent’s Amendment
is very appealing to me as a business owner. I have
over the last 40 years of running a small business
always afforded my employees, if they had an
emergency or family issue and they needed to take
time off, I always gave them the time off without
question, always paid them and the objective was
they were great employees, I wanted to keep them and we are basically a family in my small business, we run a martial arts organization, we sweat together, we work together and we share each other’s happiness and share each other’s pain and as a result it was my pleasure to be able to help them in times of need. But being able to provide a product that has flexibility and gives my employees the ability to pick and choose different products that would serve their needs would be very appealing to me as an employer, so I full heartedly support the Amendment and urge my colleagues to do so as well.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Ferraro. Care to remark further on the Amendment before us. I have many names on the board so if you would like to, please raise your hand. I’d be happy to call on you on the Amendment. Do you care to remark further on the Amendment? If not, ah Representative France, please proceed sir.

REP. FRANCE (42ND):
Thank you for that. Just to wrap up and I want to make the point that, you know, we as has been stated here tonight many times, I think everybody in this Chamber wants to be able to provide this benefit but one of the things we need to understand as legislators who enact law and provide programs to our residents of the State of Connecticut we should not do it with the potential that down the road it will be unsustainable and either one of two things will happen. They will get a reduced benefit which is not what we committed to or you have an increased cost and I would argue based on how I opened the conversation and the flaws that are inherent in the study that this is based on and the fact that we didn’t model the programs that are across the states that have been sustained and we are actually looking at states and modeling on their programs that have not been enacted yet. I have great concern over the program that is being proposed in the Bill and I think that the Amendment provides the benefit of family medical leave to those that want it. I think
the other challenge highlighted in the Q&A back and forth is that by changing the way that the Bill is proposing we are also changing unpaid family medical leave which means that if you have one employee they can take unpaid family medical leave and just leave at any time as long as they can meet the requirements and I think that is a reason when you look at why did the federal government establish 50, why did we in this Chamber choose 75 because we didn’t want to negatively impact a small business by having employees be able to just leave and come back with guaranteeing their job and have the employer have no recourse based on that situation. So I think that is a concern as well. I think that is why the Amendment is better. It leaves the unpaid portion exactly was it was intended by this body and signed into law and then we provide a paid option that will insurance modeled that the people can choose if they so need this benefit. We’re also looking at some companies in the State already offer this benefit at no cost to their employees and
should those companies choose to maintain that coverage the employee will have this half percent payroll tax taken out of their pay each payday and get no benefit for it. And that is effectively stealing money from our residents and that is not appropriate.

We should not be establishing programs like that. And as I outlined in the beginning the financial stability of what is being proposed is based on the fact that this program is not available for everybody. There is no way that everybody can take advantage of this program under the current pay, the current pay model. I don’t think that is appropriate either. I think it is creating a system where we enact this into law and in two, three, four years down the road we are now, gave a commitment to our residents, and now we have to figure out a way to pay for it and we are not in the financial situation in our State, our economy is not growing the way it should and we do not have the resources to provide this new benefit. So with that I urge my
colleagues to support the Amendment, I think it is a prudent compromise that strikes a balance between wanting to provide a new benefit to our residents that is requested and demanded by them but also is prudent in how it is financially paid for and doesn’t create a burden on the State with new employees required on an ongoing sustaining process that is a substantial cost that we cannot afford.

Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative France. Would you care to remark further on the Amendment before us. Is there anyone who would care to remark further on the Amendment before us? The distinguished Minority Leader Representative Klarides.

REP. KLARIDES (114TH):

Thank you, Mr. Speaker. I know the hour is getting later and you heard a lot, we’ve heard a lot from both side of this issue. I think I just wanted to repeat, and I think it bears repeating, that this is an issue that I’ve certainly said many times and
I think I speak for most of my colleagues when I say that the concept of paid family medical leave is certainly a good one. But as you heard me also say many times there are a lot of good ideas and a lot of good concepts and there are a lot of things we would love to do if we had the money to do it. And in this Building we see so many people that need our help, we need so, we see so many people that are in need and have concerns and worries every day whether they be the elderly or children or, you know, fill in the blank. So very similar to a conversation we’re had a few times on tolls there are other options and I think people should very seriously consider the fact that we can allow people to find things that work best for them. We talk about choice in this Building a lot and giving people their choice and empowering people to know what is best for them because government certainly doesn’t know what’s best for them and I just find the whole notion of a mandatory payroll tax to pay for something that you may never use or have no interest
in offensive. I mean I’m not; I respect people’s opinions on this, I just find it offensive. And the notion that we can, as a State, empower people to make the best choice for them knowing that a 22-year-old with no family doesn’t have the same needs a 50-year-old with four children is what government should be about not about saying, you know guys, you live in the State but we know what’s best for you while people are struggling to feed their families and pay their mortgage. So, Mr. Speaker I certainly stand in wholehearted support of this Amendment. I think the reason for this is the only reason we should be doing this is because it is not our job as government to tell you we know better than you do about your own needs. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Klarides. Would you care to remark further on the Amendment before us? Do you care to remark further on the Amendment? If not will the Staff and guests please come to the
Well of the House. Members please take your seats; the machine will be open. [Ringing]

CLERK:

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

DEPUTY SPEAKER MORIN (28TH):

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

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

The Clerk will please announce the tally.

CLERK:

House Amendment Schedule “A”

<table>
<thead>
<tr>
<th>Total Number Voting</th>
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<td>Necessary for Passage</td>
<td>73</td>
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Those voting Yea 61
Those voting Nay 84
Absent not voting 6

DEPUTY SPEAKER MORIN (28TH):

The Amendment is rejected [Gavel]. Will you remark further on the Bill as Amended? Will you remark further on the Bill as Amended?
Representative Gilcrest of the 18th District, you have the floor, madam in just one second. [Gavel] [Gavel] All right, please let’s keep it down a little bit. Representative Gilcrest, the floor is yours.

REP. GILCHREST (18TH):

Thank you, Mr. Speaker. I stand in strong support of Senate Bill 1 as amended. Paid Family and Medical Leave is a longtime coming in this State and I want to thank Representative Porter, my other colleagues who’ve worked on this legislation this session. I want to thank the advocates who’ve been working on this legislation for years now. So way back in the summer of 2012 after I returned from my
second unpaid maternity leave, to work as an advocate doing economic security work I came across a report by the Center on American Progress about paid leave as an economic security issue and as I read that report and though about my time out of work, leaning that my lost pay not only took away pay from my family but also my investment in my retirement. That report also highlighted the inequity that my husband experienced when I took that unpaid leave because we still needed an income and so he continued to work as I was home and only got three days or four days home with me and our new child. So once, you know, reading that report, I met with my then employer and said, you know, can we work on a Bill to address paid family and medical leave in the State of Connecticut. At that time we were calling Family Medical Leave Insurance and so I actually brought together individuals and formed a coalition to see if we could pass a task force in the State of Connecticut. During the fall of 2012 we started meeting and started working on
legislation that actually did pass that spring of 2013. During that time back in the fall of 2012 my then 27-year-old friend Shannon had her cancer return so while working on this policy I got to see firsthand how not only is this a policy that impacts individuals who are on maternity or need paternity leave but it also impacts individuals who are experiencing their own illness or the illness of a loved one. So my 27-year-old friend was diagnosed with Anaplastic astrocytoma Phase III which is a rare form of brain cancer and when it came back that fall she had a rapid decline. She actually had to file for bankruptcy because she was 27 years old and by not being able to work, she quickly ran out of income and then was completely dependent on her family. I watched as she declined from December to March fairly rapidly as her mother could no longer take off time from work.

DEPUTY SPEAKER MORIN (28TH):

[Gavel] [Gavel] I just recently had to ask you to keep your conversations down, there are people
who are trying to hear Representative Gilchrest so please if you have to have a conversation, I’d ask you to step outside. Thank you for that respect. I’m sorry, Representative Gilchrest please proceed.

REP. GILCHREST (18TH):

Thank you, Mr. Speaker. So I watched this friend very closely. I would drive down from West Hartford to Stamford, Connecticut to see my friend every weekend and during the week after work with my baby and almost three-year-old to spend as much time as I could with her as she was quickly passing away and I watched as her parents were trying to do the same. But because her family was dependent now on her mother’s income her mom had to keep going to work even though her daughter was dying in their living room. So Shannon ended up passing away that March and the legislative body passed that task force Bill that spring of 2013 of setting a year and a half to study the issue of family medical leave insurance because we did understand at the time that this is a complicated policy that should be given
the time it needs to be studied. Since that 2013 legislation was passed that task force and did their work, the campaign for paid family leave has expanded tremendously, has brought on unbelievable immense of advocates and organizations and small businesses and individuals from across the State who support this policy. Another piece of legislation passed during that time that required the State to study paid Family and Medical Leave and that is where we had a report produced and have much of the research and the finances that this policy is based on. Also during that time period I watched as a close friend of mine experienced her mother getting Alzheimer’s and her mother needed to go to Yale again and again, this family lives in West Hartford, her mother had a weekly appointment at Yale to address her Alzheimer’s and this friend of mine would need to take off work and she would say to me, wow how amazing would it be if we could pass that paid family leave policy you keep talking about because I would be able to use that intermittent
leave as we know this policy provides for so she would be able to take that four hours a week to be able to get her mom to that appointment but continue to be paid through her employer. Well not through her employer, she would be paid out of the fund that she paid into. I also watched during this time as friends of mine have delayed having children because they financially cannot afford to take unpaid time off of work.

This policy does not create the problem. Individuals are having children, individuals are getting sick and individuals are aging. Paid Family and Medical Leave is the solution. It has been studied since 2013 and the policy before us addresses so many of the concerns that have been raised over that time. This policy unlike many that have been passed since we started discussing it in 2013 is completely employee funded. This policy includes oversight and an administrative body. This policy is solvent but because of the concerns of so many has put into place caveats in case of the
program isn’t. We know from research that this policy is desired by millennials and of any piece of legislation this session I have heard from more of my constituents in favor of this policy than any other we are working on. I’ve heard tonight time and again that this policy is too much too soon, that we’ve rushed into it. We have been working on this policy since 2012. Connecticut is often referred to as the Land of Steady Habits I think it is time, overtime for us to take action on this policy. The families of Connecticut need Paid Family and Medical Leave. This policy will support small businesses and I stand in strong support of Senate Bill 1 and urge my colleagues to vote yes. Thank you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further on the Bill as Amended? From if I could say it in French, I would have figured it out, from the 146th Representative Michel. You have the floor, sir.
REP. MICHEL (146TH):

Thank you, Mr. Speaker. I rise to make a comment.

DEPUTY SPEAKER MORIN (28TH):

Please proceed, sir.

REP. MICHEL (146TH):

Thank you. Everyday 10,000 babies are born, close to 5,000 new cases of cancer and another 1,300 develop Alzheimer disease. Millions lack access to paid leave. Taking care of their health needs should not be at the expense of their financial wellbeing. The Family and Medical Leave Act of 1993 provides the right to 12 weeks of job protected unpaid leave yet 40 percent of American workers lack access to even the basic job protections provided by the current Federal Medical Leave Act. We, Connecticut legislators and to take care of our Connecticut residents, the PW Research Center found one out of six U.S. workers employed in the past two years needed to take a medical or caregiving leave during this period. Three out of four of these
workers expressed they lost significant earnings. 
Black and Hispanic workers without a college degree 
and in households with $30,000 dollars or less for 
income were even more likely to forego needed 
caregiving leave. According to the Federal Bureau 
of Labor Statistics currently nationwide only 38 
percent of Latino workers have access to paid sick 
time compared with 60 percent of non-Latino white 
workers, 67 percent of white male workers over 18 
receive paid vacations compared with 58 percent of 
white women and just 40 percent of African-American 
men. Only 77 percent of management, business and 
financial operation workers have access to paid 
leave, 36 percent of construction workers. More than 
50 percent of those who did not take leave when 
needed did not take the time off of work by fear of 
losing their job. Yet a study by Oxford Economics 
found benefits of taking off time from work include 
higher productivity, greater employment retention, 
increased workplace morale and significant health 
benefits. Further, employees who take the time off,
take the full benefit they are eligible for the economy benefits. The same study found that a national paid leave program would generate more than $160 billion dollars in business sales, $21 billion dollars in tax revenues and 1.2 million additional jobs in retail and manufacturing. In the bottom quarter of the earnings distribution only six percent have employer-based family leave and only 19 percent have employer-based medical leave. FMLA legislation was passed in California in 2004, New Jersey in 2009.

DEPUTY SPEAKER MORIN (28TH):

[Gavel] [Gavel] I’m sorry, Representative. Again I know it’s Friday night, we’re all excited to be here. I get it. But please, please again I’m asking you if you need to have a conversation either keep it really down or just go out in the hallway. I’m sorry, Representative Michel please proceed.

REP. MICHEL (146TH):

Merci’ Mr. Speaker. Should I continue in French? [Laughter]. All right. FMLA legislation
was passed in California in 2004, in New Jersey in 2009, Rhode Island in 2014, Washington State in 2017, District of Columbia in 2017, Massachusetts in 2018 and New York in 2018. Countries that offer universal benefits such as France, tend to have lower poverty rates particularly among single mother households which are especially vulnerable to poverty then those targeting low income groups exclusively such as the U.S. Dear colleagues, I urge you to support this most excellent Bill that will help complete the partial Federal FMLA. It will ensure better support to the most vulnerable and will help fight poverty in fighting for equity. This is not only for us but for our children. Thank you so much Representative Robyn Porter and every other colleague that support this Bill. Please vote in favor of Senate Bill 1. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Merci’ Monsieur. From the 88th District Representative Elliott.

REP. ELLIOTT (88TH):
Thank you, Mr. Speaker. I rise in support of SB 1. I speak as a business owner with over 95 employees between two different stores and as a business owner I never really understood the arguments against paid family medical leave. It is paid for by the employee. If they have to take off they are taking off anyway and this case they are going to be able to care of themselves while they are off and not have to worry about paying the bills. That’s it. It’s a good Bill, let’s vote on it. Thanks.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further? Will you remark further on the Bill as amended? From the 39th District Representative Nolan.

REP. NOLAN (39TH):

Thank you, Mr. Speaker. Just a comment. Through my campaign, I ran strong on paid family medical leave for that reason of people talking and coming up to me in regards to having a difficult time
with their family members that are aging and also for the reason of spending time with newborns and their children I believe this is a very important Bill and I’m askin my colleagues to support it. It is just so important and I want to thank Robyn for puttin this together with those who assisted her and I also think this is a very good Bill. Thank you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Nolan Will you remark further on the Bill as Amended? Again from the Brass City, Representative Butler.

REP. BUTLER (72ND):

Thank you, Mr. Speaker. I stand in support of SB 1 as amended. I really didn’t plan on speakin tonight but after hearing Representative Mushinsky talk about her experience and why she thought this was important and said that, you know, if that was another family she could only imagine what this would be like if when our families had to go through this how we would feel and I just want to let you know I’m such a person who actually went through
this personally with my parents, both parents, my father had a time reached a point where he was diagnosed as being terminally ill facing hospice at home. My sister and I, thank God for my sister Kim, we actually took our time to work our schedules around the hospice individual who came in first shift, after I got out of work I would come in and take care of my dad and my sister after she got out of working second shift she would come and work through the night and that cycle just would continue and this went on for months and I could tell you that, you know, to see a loved one just go through those final days is really difficult and after the first month of that with my dad, my mother who has been battling breast cancer actually got to the point where she was diagnosed as only having a few months left. So now I’m facing with my sister, taking care of my mother and my father on those three cycle shifts with a hospice worker. And after a couple of more months, my dad died. Then we focused on my mom who was diagnosed with a couple of
more months left and we gave our time to her. We used all of our personal time, we used most of our vacation time and two months from the day that my dad died, my mother died. I would just say that I’m just thankful that my sister and I had the opportunity to provide those last days on this earth that they were at home and they had their children to care for them but that is why a Bill like this is so important. It is not perfect, we don’t pass perfect Bills but we could work on the things that need to be worked out but I just wanted to give you an example of how two people, two children were there for their parents in their last months on earth. It took a terrible toll on us and our families and I just wanted to share that to let you know that there are some real scenarios out there why this is really, really important. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Butler. Will you remark further on the Bill as Amended? From the
127th District Representative Hennessy.

REP. HENNESSY (127TH):

Thank you, Mr. Speaker. So, Mr. Speaker I just want to be on the record to just point something out that hadn’t been mentioned and that is in regards to our Country’s healthcare system. We have the most expensive healthcare system in the world and we have the lowest results from that. We have the lowest life-expectancy and we have infant mortality rates that are the highest ion the world and I believe that a lot of that has to do with economic equality. For instance, Connecticut is one of the top for these rates or as like Mississippi is not. So I think that we need to, you know, peruse this. Connecticut is a leader, we have always lead and supporting this Bill will definitely help people, especially people of low economic availability and it’s just the fair thing to do. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark
further on the Bill as Amended? From the 26th District Representative Palm.

REP. PALM (36TH):

Thank you, Mr. Speaker. I have all kinds of statistics from magazines like Wired, Forbes, Crain’s governing about the importance to millennials about this but I am going to forego that and just speak from the heart which I don’t do very often. I did not expect to be diagnosed with Hodgkin’s lymphoma at 50 and I was. I did not expect a few years later to lose my brother from cancer but I did and six months after that I lost my sister and then six months after that I lost my mother. I don’t think anybody expects in the space of a year and a half to lose three close family members but I did after my own illness. And anybody who thinks that this is not a universal problem or that it will not someday affect them is gravely mistaken. We do this for ourselves and we do it for every other person who will at some point need it. It is a good Bill and I am grateful to the
proponents. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Palm. Will you remark further on the Bill as Amended? Representative Cheeseman.

REP. CHEESEMAN (37TH):

Thank you, Mr. Speaker. I will be brief. Representative Blumenthal referred to California and it’s wonderful success with Paid Family and Medical Leave. California has lost over a million residents in the past few years, 10,000 businesses have left the state. Of the people leaving most of them are families with children and people with high school or some college, 58 percent of millennials and 64 percent of families said they were leaving California. Why? Because of polices that have made it unsupportable for business. Yes, paid family and medical leave is wonderful but I hear from women in my district, women who own small businesses with one, two and three employees for whom the loss of an employee even for a few weeks would be crippling. I
would find it much easier to support this Bill if there were not the underlying assumption that the 340,000 small business in this State were equivalent to the Aetna’s or the Anthem’s who could replace a worker easily. At my museum I have an employee who is going out shortly for hip replacement. She will have paid leave. She will be allowed to work from home as long as possible. I bend over backwards to accommodate my employees but reading some of the public testimony particularly from the not for profits, they are saying fine, we’ll do this but what are you going to do to help us pay for the temporary workers the people we are going to have to bring in. I have veterinarians. Most veterinarians now a days are women. They are saying how am I going to afford to replace by vet techs and then lay them off. I wish we had been able to come to an agreement on this. I wish we had been able to put together a package that would have recognized that truly for some small businesses what this Bill is demanding is going to be business destroying. So I
am very sorry I can’t support this Bill as amended but I know as an employer will do everything I can to accommodate my employees needs. I know other small business owners will as well and I hope at some stage we do have true bipartisan support and production of these Bills that will actually help both businesses, residents and everyone who lives in Connecticut. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Cheeseman. Will you remark further on the Bill as Amended? From the 92nd District, Representative Dillon.

REP. DILLON (92ND):

Thank you, Mr. Speaker. Speaking in support of the measure. I’ve heard some very good discussion tonight and I am really sympathetic to the people who have reservations about it because we are doing a big thing and it is going to take work to make it work. But times have changed. We can’t ask one family member to use up all their sick days to care for an ill family member. We can’t expect someone to
take a timeout from the workforce. It’s not right.
And we have too much talent to let it go to waste.
I’m excited to be part of this. I’m excited that
the progress our country has made. I can remember
when our health insurance excluded the first year of
life when we didn’t have daycare. We now are
building a more humane system, it’s not gonna be
perfect, it’s going to be imperfect and we are going
to need help but I really, I am so thrilled and I do
want to say on a personal note in 2006 on closing
day I got a call that my father had been taken to
the emergency room in New York, in Roslyn. I spent
that whole summer with my sisters taking shifts,
caring for him. If I didn’t have this job, and if I
had another one, as it turned out he timed his
illness so that he died just before Christmas. I
wouldn’t give up that experience for the world but I
could have lot my other job if I had one. We
shouldn’t have to make that choice. We should be
able to seam this together. I hope that we can make
this work together. Thank you to all the people
outside, upstairs, and outside this Building that put this together. I think that this can be a very, very good thing for all of us.

DEPUTY SPEAKER MORIN (28TH):

Thank you Representative Dillon. Will you remark further on the Bill as amended? From the 78th District, he can get right up, Representative Betts.

REP. BETTS (78TH):

Good evening, thank you very much Mr. Speaker. I will be relatively brief. If there is one thing I’ve learned tonight is somebody asks the question is there anybody against family medical leave it is pretty obvious that nobody is including the people of the State. What I think is fascinating and what I am very pleased about is I think we have two completely different approaches on how to meet the needs and which one is going to be sustainable. I am particularly pleased with the one that we provided because I think in the long run it’s the best one and we will find out what the people of the
State feel but I think it is the best one that is going to provide the financial stability and the services that consumers want. We all want people to be able to have the ability to take care of our loved ones, that is beyond debate, beyond dispute but I do think you will see a major difference in the approaches and the plan on how it will accomplish that. And I want to thank my colleagues for the plan that they came up with. I have a lot of confidence in it. I think it is something that is going to really help small businesses which is the engine of our economy in our State and I think it is gonna be very rewarding for people who want to be able to plan their future at a time that is most convenient for them. So with that, Mr. Speaker I thank you very much and I look forward to seeing you tomorrow.

DEPUTY SPEAKER MORIN (28TH):

As do I, sir [Laughter]. As do I. Will you remark further on the Bill as Amended? The fine Minority Leader Representative Klarides from the
Thank you, Mr. Speaker. You know I have to say that after this day and night of debate on this important subject and hearing about two different alternatives all for the same reason, all for the same reason why we are standing here debating this Bill all day and night but two different ways to get there. I guess I am disappointed because it seemed in this Building this year that issues like this were pushed through by groups of people who had no interest in anybody else’s perspective, who had no interest in anybody else’s point of view because there was one way, their way, and that was the only way we were going to go. I am disappointed because we use words like, we’re the first, we’re the biggest, it’s the most instead of words like the right decision, instead of words like the most responsible decisions, instead of words like the most effective decision. We heard a dialogue between two members here talking about New York
State is the only state that allow you opt-out and when asked why we weren’t giving that option in this particular plan the answer was because it wouldn’t be financially sustainable. Now think about that for a second. It would not allow for solvency of the program. Think about that for a second. The only way we can make that program work in this State is by forcing everyone to do it, whether they want to or not. Forcing everyone to do it. So we thought about it but we don’t want to give you a choice because otherwise financially it won’t work. And when it is insolvent, what we’re gonna do is just take away your benefits because we’ll have to find money somewhere.

When this body starts thinking about the decisions we make in terms of what is the best decision instead of do we want to be the first one, when we start making decisions based on what is the most effective financially and ethically instead of what we think is best for you. When we start making decisions based on giving people a choice for what
is best for them instead of telling them what we think is best for them, this State will be a much better place. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, madam. Will you remark further on the Bill as Amended? Representative Ritter of the 1st District, sir you have the floor.

REP. RITTER (1ST):

Thank you, Mr. Speaker. And I to want to thank everybody who’s worked very hard to get this Bill to the finish line, the Chairman of the Labor Committee. Different staff than the last time but none the less impressive and I’m glad we’re here tonight. To me this comes down to a couple simple things, I just want review, in my mind the two arguments that I’ve heard from the other side. I think the most important thing is we all get one shot on this planet, we are all gonna die. We are all gonna have loved one die, we’re all gonna get sick at some point and at the end of the day wealth status should not define your ability to in those
saddest moments of life or in those happiest moments of life with the birth of a child, to be able to spend time with your loved ones and that is really where we are as a society. If you have money or great job or really good job, illness is not a big problem. Take a week off. You have a child, you may have some protections, you may have maternity leave of four to six weeks, few get twelve but you will get sometime off. But if you’re not in one of those positions which many Americans are not, forget Connecticut for a second, many Americans are not, you’re often, you are not choosing between a paycheck and a cold, the common cold. There are people who have to chose between a paycheck and leaving their child after maybe one or two weeks. Life altering illness like cancer because of their life status and their wealth and so social programming like this whether it’s like Social Security is aimed at protecting everyone in society for something that we all understand could be a traumatic and life altering event. You don’t do it
lightly but imagine being deprived of the need. See the problem is, I don’t know in this Chamber, we’ve heard some stories that people really truly understand the stories and how real that they are. Imagine a scenario and this happens to people all the time, all of our families, my spouse just got diagnosed with cancer. He or she is going to be going through treatment but I cannot take time off because I need to get a paycheck. And some may say that is your lot in life, sorry, it’s America, I mean, you know, hey is that really the society, is that our humanity as to where we are. And see what’s happening is the Country is changing. The State is changing in how we view that. When this Bill started four or five years ago it was not near the finish line. Representative Gilchrest talked about the history of it. American and this State are changing in how we view it. There will always be wealthier people than others. There will always be a society in American where you will have people who make more money than others. No one is gonna
change that but aren’t there basic principles and standards that everybody has the right to have when they are sick or when they have a child. I think the answer is yes and I think the Country is moving in that direction. We will have a paid FMLA Federal Program in five years, bet your bottom dollar, guarantee you because that is where the Country is moving. I’ve heard two things tonight that I just can’t understand intellectually and I do listen as much as I can to the debate and certainly respect the other side’s viewpoint. The first one is replacement workers. So here is my question, people get sick now and they have children now so the argument people are making is if you do this, I will never be able to find replacement workers. What do you do now when someone gets sick? If someone is diagnosed with cancer what do you do now. Do you tell them they have to show up to work? No. You have to manage those things and I acknowledge that it is harder at a business of then than a thousand but it happens now. This FMLA is not changing the
status of the fact that people get out of work because they’re sick. What do you do if someone has a child now.

SPEAKER ARESIMOWICZ (30TH):

[Gavel] [Gavel] Ladies and gentleman the Majority Leader is giving a summarization if you want to talk leave the Chamber. Representative Ritter, please proceed.

REP. RITTER (1ST):

Thank you, Mr. Speaker. What do you do now if someone has a child? Do you tell them see ‘ya in a week? No. So even without this program, you need replacement workers now. Now here is the difference and I heard it, but now there is a guarantee of getting paid. So you are more likely to see fraud on illness or people take longer time. And I’m goin I don’t see it guys and here’s why. Other states have it, there is no widespread evidence of fraud. As a matter of fact, in all the testimony that I heard and all the debate tonight, no one pointed to one case of fraud in another state. Didn’t show me
lists of fraud. We have a lot of things where people perpetuate fraud. Employers and employees so this argument that employees are bad and they are gonna game the system, thinks lowly of workers I think, lowly of Connecticut workers quite frankly but employers’ game the system too. It could be stock fraud, it could be bank fraud it happens all the time, we don’t ban stock trading cause of insider trading. There are bad employers and bad employees, I get it. There will be a couple of people who will try to cheat this system, that’s probably true. There’s a couple employers right now cheating some system somewhere else. They should all get caught, they should all be fined, they should be punished. We all agree on that. But there is no widespread fraud. So the argument was all right replacement workers but even though we have those now because they are getting paid, so on the maternity leave aspect and paternity leave aspect let me try to understand this. How is it bad that were are giving mothers and fathers 12 weeks of
paid leave that they are paying for out of their own pocket with their children. Is society worse off because of that? Is society a bad thing because we are giving 12 weeks with a child. I think society would be better and I don’t care if you make $12.00 dollars an hour or a million dollars an hour. You deserve the right to spend 12 weeks with your child. My wife didn’t have that opportunity. My mom certainly didn’t have that opportunity. Two weeks old I had to go to daycare like everybody else because my mom had to go to work. Fathers never get a chance. Quite frankly it is very rare in society that father’s take much time, it is often a week. Are we worse off as a society if mothers and fathers take 12 weeks off to care for their children and they are paying for it? I don’t think so. You talk about a lot of costs. How many costs do we have because we don’t have the family protection because people are going back to work too early and too soon? That bonding moment, I’m not a mother, but I’ve heard the stories, we have so many
wonderful mothers on both sides of the aisle here, they deserve every minute of that and they deserve to get paid. So then there is the sickness aspect. So the argument goes well we do replacement now, I get it. People get sick but they are gonna game the system or they get paid so they take longer. You have to go see a doctor. Now I know, I’m married to one, so I’m partial but doctors are pretty well-regarded in society and held up to a pretty high standard. So this is the argument I’m hearing. I am going to say that my sister is sick in Florida and I’m gonna fly to Florida, get a doctor to sign off on this, make less than I make now for eight weeks and go chill for the summer. So, you have this criminal mens rea, you’re this mastermind criminal and this is your great idea, to go live for eight weeks in Florida, lie about your sister getting sick, convince a doctor to sign the note and make less money than you make now. I just don’t see it ladies and gentleman. It just doesn’t make any sense. If the pay was the same, and I said this,
and I’m not sure everybody agreed with me on this, when it was 100 percent wage replacement, I had that concern, I did, cause I could see it. All right I’m gettin paid the same. You’re not. And in many cases you’re makin 60 percent so what kind of criminal, what fraud is that. You’re a terrible criminal if that is your fraud. So to me, I just don’t understand the argument of replacement workers cause they exist now and people are paying for a system that protects them. And if there are changes, we have to make over the years, we can make them. We do it all the time. I heard a lot of questions about what happens, we can revisit things. No one is saying that everything you put on paper the first time is perfect. But a Bill like this moves us to, in my opinion a better society. We shouldn’t be so distrustful of employees just like we shouldn’t be so trusting of all employers or should we be distrusting of business. But at the end of the day what this Bill will allow is no matter who you are in Connecticut, whether you’re
working the third shift at *Dunkin Donuts* open on Capital Avenue right now, or you are the CEO of the largest corporation in our State if a loved one in your family needs you to take care of them, you will have the ability without choosing between that and a paycheck and you’re right there are a lot of people with really good jobs who will never use it. I agree. They won’t need Social Security either. There’s a lot who are really wealthy who pay into things now that they never need but that is how you structure the programs. But our humanity should not come down to our living, how much we make for a living. And I judge humanity based upon life and death at its core value so when people are born into this world we should celebrate, rejoice and give those parents the time they need to be with ‘em and when someone dies that we love and you can’t define family folks, I know the regulations we promulgate and we will talk about it but don’t tell me that you have loved ones that are not necessarily your blood relatives, we all have people that we just adore and
love. And if I can get two extra weeks to go be with that person and help ‘em through it, the world is not going to end folks. We should give people life and death opportunities to be together. When people die, and I’m wrappin up, when people die the think I always hear at funerals, all the time, I didn’t hug ‘em enough, I didn’t love ‘em enough’ I never told my kid, I never told my dad how much I loved him and then you hear how when they got sick the rat race of life catches up. So mom or dad got sick, they went really quickly and I still have little league with the kids, and I had the legislature, I had my job and I didn’t have time to spend with ‘em and if I could just do one thing back. We all hear it, right at the funeral, if I could do one thing again, one thing again I would have just spent more time with my mom or dad who was dying. And right now if you have a certain job status you can do that and if you’re poor you can’t. This Bill will change it and give us all the chance to experience the two most critical things that
define our humanity. Thank you, Mr. Speaker.

[Applause]

SPEAKER ARESIMOWICZ (30TH):

Thank you, sir. Ladies and gentlemen, no clapping please. Staff and guests 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.

SPEAKER ARESIMOWICZ (30TH):

Ladies and gentleman both in the Chamber and above, please remember when the vote tally is announced there will be no clapping. We will return to business. Please respect the rules of the Chamber. Have all members voted? 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.

The Clerk will please announce the tally.

CLERK:

Senate Bill No. 1 as Amended by Senate
Amendment Schedule “A” in concurrence with the Senate

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SPEAKER ARESIMOWICZ (30TH):

The Bill passes in concurrence with the Senate [Gavel]. Are there any announcement or introductions? Representative Ritter of the 1st District, sir you have the floor.

REP. RITTER (1ST):

Thank you, Mr. Speaker. I am sure you’re all dying to hear me again. Tomorrow 10:30 a.m. start time, okay. So I think Democrats there is not going to be a pre-caucus I don’t believe, so 10:30 on the
dot for us. Thank you, Mr. Speaker. Start time 10:30 a.m. sorry.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. I do have a brief announcement too and it will go for just overall decorum again and I hate to be picking on you all today but please when the Minority Leader and the Majority Leader are summarizing, out of respect for their positions and all the work they put in for their respective caucuses, we owe them the respect of paying attention to them. So if you have conversations you take ‘em out. They both work incredibly hard for each and every one of their caucuses and we need to respect that.

Representative Klarides of the 114th, madam. I’m sorry.

REP. KLARIDES (114TH):

Thank you, Mr. Speaker. Mr. Speaker the House Republicans will be caucusing tomorrow morning a half an hour before session begins.

SPEAKER ARESIMOWICZ (30TH):
Thank you, madam. Representative Rojas of the 75th, sir you have the floor.

REP. ROJAS (9TH):

Mr. Speaker for purpose of General Notation on the Democratic side:
Representative Orange, Vargas, Garibay, Rose: sick.
Outside business of Chamber: Allie-Brennan
Personal: Horn, Gibson, de la Cruz, D’Agostino and Genga. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Representative Betts of the 78th, good to see you, sir.

REP. BETTS (78TH):

Thank you, Mr. Speaker. For Journal Notation.

SPEAKER ARESIMOWICZ (30TH):

Please proceed.

REP. BETTS (78TH):

Representative Cook, Representative Kupchick
back in the district.

SPEAKER ARESIMOWICZ (30TH):

[Gavel] [Gavel] Ladies and gentlemen,

Representative Betts is trying to get things into the transcript. Please keep the voices down.

REP. BETTS (78TH):

Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Please proceed, sir.

REP. BETTS (78TH):

Representative Kupchick, back in the district.

Representative D’Amelio at work.

Representative Rebimbas family commitment.

Representative Kokoruda and Camillo due to illness.

Representative Frey a funeral.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Are there any other announcements or introductions? Representative Currey of the 11th District. You have the floor, sir.

REP. CURREY (11TH):
Thank you, Mr. Speaker. Mr. Speaker pursuant to House Rules I move immediate transmittal for any business that needs further action in the Senate.

SPEAKER ARESIMOWICZ (30TH):


REP. CURREY (11TH):

Thank you, Mr. Speaker. There being no further business on the Clerk’s desk I move that we adjourn subject to the Call of the Chair.

SPEAKER ARESIMOWICZ (30TH):

I think the Clerks were ready to go home after you finished speaking the first time. Question before the Chamber is on adjournment subject to the Call of the Chair. Is there objection? Is there objection? Seeing none, we are adjourned subject to the Call of the Chair. [Gavel]
(On motion of Representative Currey of the 11th District, the House adjourned at 10:30 o’clock, p.m., to meet again at the Call of the Chair.)

CERTIFICATE

I hereby certify that the foregoing 651 pages is a complete and accurate transcription of a digital sound recording of the House Proceedings on Friday, May 31, 2019.

I further certify that the digital sound recording was transcribed by the word processing
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