(The House of Representatives was called to order at 10:36 o'clock a.m., Speaker Aresimowicz of the 30th District in the Chair.)

SPEAKER ARESIMOWICZ (30TH):

The House of Representatives will convene immediately. Members to the Chamber. Will the House please come to order? Members, staff and guests please rise. Direct your attention to the dais where not only a good friend, somebody who has been actually my spiritual advisor on many times, Representative Pat Billie Miller will lead us in prayer.

REP. PAT BILLIE MILLER:

Let us pray. Almighty God, as we attend to the business of the State, we seek your wisdom and guidance in handling the matters placed before us.
Grant us the ability to address the needs of our constituents with fairness and compassion. Make us sensitive to the issues before us so that the good of the State and your people may be well served.

Amen.

SPEAKER ARESIMOWICZ (30TH):

Thank you. Would Representative Bolinsky of the 106th District please come to the dais and lead us in the Pledge of Allegiance?

REP. BOLINSKY (106TH):

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

SPEAKER ARESIMOWICZ (30TH):

Is there any business on the Clerk's desk?

CLERK:

Yes, Mr. Speaker. Favorable Report Senate Bills to be tabled for the Calendar.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Representative
Ritter.

REP. RITTER (1ST):

Mr. Speaker, I move that we waive the reading of the Senate Favorable Reports and the Bills be tabled for the Calendar immediately.

SPEAKER ARESIMOWICZ (30TH):

Without objection, so ordered.

CLERK:

Final item is the daily calendar.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, Mr. Clerk. Are there any announcements or introductions? Announcement or introductions? We don't get many visitors on Saturdays I guess. (Laughing) I know we -- I know we don't have many staff in here and I will say it again on Monday but genuinely from both sides of the aisle, partisan staff and the non-partisan staff, they've been absolutely amazing this session so Monday or Tuesday I'm going to request that we get our staff in from our partisan shops and then the non-partisan and then we'll recognize them
appropriately. I don't think the public at large understands the difficult job they have of juggling all these needs so -- so let's -- I'm thinking about them today but please don't let me off the hook. Libby, you're always the great reminder for me. Let me -- we want to recognize the staff at some point.

The Republican members are finishing up their caucus so we will put the -- The Republican members are just wrapping up their caucus so we're going to put the Chamber at ease until they have a chance to come upstairs and -- and get ready to do the business for the day. Thank you, if the Chamber will stand at ease. (Gavel)

DEPUTY SPEAKER HENNESSY (127TH):

The House will come back to order. Will the Clerk please call Calendar No. 133?

CLERK:

On page 59, House Calendar 133, Substitute House Bill No. 6637, AN ACT REQUIRING AN INVASIVE SPECIES STAMP FOR THE OPERATION OF A MOTORBOAT ON THE WATERS OF THE STATE. Favorable Report of Joint
Standing Committee on Finance Revenue and Bonding.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Demicco.

REP. DEMICCO (21ST):

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

DEPUTY SPEAKER HENNESSY (127TH):

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

REP. DEMICCO (21ST):

Thank you, Mr. Speaker. Mr. Speaker the Clerk has an Amendment. It's LCO 9130. I would ask the Clerk to please call the Amendment and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER HENNESSY (127TH):

Will the Clerk please call LCO No. 9130 which will be designated House Amendment Schedule A.

CLERK:
House Amendment Schedule A, LCO No. 9130
offered by Representative Demicco.

DEPUTY SPEAKER HENNESSY (127TH):

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

REP. DEMICCO (21ST):

Thank you, Mr. Speaker. Mr. Speaker, many lake authorities and associations are experiencing increases with pervasive aquatic invasive species. These invasive plants are expensive to manage and they're often transferred between different bodies of water by boat. In addition, funding sources to assist municipalities in combatting these species are diminishing. So in order to remedy that situation this Bill -- this Amendment which will become the Bill as it is a strike-all, would require a fee to be paid at the time of registration or re-registration of boats with the Department of Motor
Vehicles and also would require a fee to be paid to the Department of Energy and Environmental Protection for those who are operating out of state boats in Connecticut waters.

I should also note that -- that this Amendment eliminates the stamp which is called for in the title and changes it to a fee rather than a physical stamp. And the funds that are collected through this program will be directed to the lakes, rivers and ponds preservation account. Mr. Speaker, I move adoption.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Harding of the 107.

REP. HARDING (107TH):

Thank you very much, Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Excuse me Representative Harding. The question before the Chamber is adoption of House Amendment Schedule A. Will you remark on the Amendment? Representative Harding.

REP. HARDING (107TH):
Thank you, Mr. Speaker and I just want to say that I'll reserve my comments for the underlying Bill. I do support this Amendment because it removes the fiscal note so I ask my colleagues to support the Amendment. I'll save my comments for the underlying Bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Would anyone care to mark on the Amendment?

Representative Ackert.

REP. ACKERT (8TH):

Thank you, Mr. Speaker and I want to thank the good gentleman for the Amendment that makes the Bill better. I would -- I had some concerns when we moved in that direction on how we were going to implement it but this route I believe, and I testified in favor of this route in terms of how we are going to recoup the dollars for the -- instead of the stamp through the registration like we do with the Passageways to Parks Plan; I can tell you my community we have been facing a serious amount of hydrilla and the hydrilla cost to clean that out is
pretty expensive. Hydrilla is now moving rapidly throughout the state and rivers and other lakes so the fund does not have enough revenue. This will be a way in which we can combat invasive species throughout the state of Connecticut and stand in strong in support. So thank you, Mr. Speaker and thank you to the good work that was done and I like the product that we have today. Thank you.

DEPUTY SPEAKER HENNESSY (127TH):

Would anyone else care -- Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker and good morning.

DEPUTY SPEAKER HENNESSY (127TH):

Good morning, sir.

REP. FISHBEIN (90TH):

Mr. Speaker, just some brief questions for the proponent, if I may.

DEPUTY SPEAKER HENNESSY (127TH):

Please proceed.

REP. FISHBEIN (90TH):
My understanding of this is now that we're selling more boats in the state because we reduced taxes that we are going to levy a fee upon the registration of those boats; is that true? Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. I don't know that it has anything to do with the fact that we are selling more boats but what I do know is that we will be -- this legislation contemplates that we will be requiring a $5.00 fee at the time of registration or re-registration with the Department of Motor Vehicles for in-state boats. Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. And -- and certainly the goal is the Amendment is a laudable one. I just
what protections are put in place to make sure that those funds when attained are actually used for this and are not swept into the general fund or for some other purpose? Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Demicco.

REP. DEMICCO (21ST):

Well, through you Mr. Speaker. As the Bill indicates, the funds will go into the Lakes, Rivers and Ponds Preservation Account that was created I believe just a year ago by the General Assembly. And I -- to answer the good gentleman's question I guess we will have to rely on the -- the good will and the good discipline of the legislature and the Governor to not sweep the funds away from this account. Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. I have very little trust when it comes to money up here. I just --
look at the Conservation Fund that was created years ago that's essentially a tax for the purposes of conservation and I know last session we swept thousands of dollars -- I think it was millions of dollars out of that fund. So here we end up with another tax -- once again, laudable goal. I just -- I look forward to the continued debate on this issue and I wish there were some protections to prevent this -- these funds being used for another purpose but at this point I would be not in support of this increased fee. So thank you, Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):
   Would anyone else care to remark on the -- Representative Smith, you have the floor sir.

REP. SMITH (108TH):
   Good morning, Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):
   Good morning.

REP. SMITH (108TH):
   And -- I'm in a district that includes Candlewood Lake and invasive species are a major
concern of not only the -- the folks in Fairfield but the folks in Sherman, the folks in New Milford, the folks in Danbury, the folks in Brookfield. It borders five different towns. So far we've been able to avoid the invasive species to date but there are a tremendous amount of fish interments on the lake in which boats from all over the region including out of state come into the lake and -- and we never know what they're bringing into the body of water when they actually engage in the fish interment. So we've been worried for a long time about the zebra mussels coming into the lake and actually ruining the lake. As we know it's one of the most beautiful lakes in the -- well it is the most beautiful lake in the state and one of the most beautiful lakes in the whole northeast. It's a man-made lake, 32 miles long. For those of you who have not been up to New Fairfield or Sherman or New Milford or Danbury or Brookfield to partake in the beauties of Candlewood Lake, I urge you to do so.

I'm in favor of this Bill to see actual monies going
to make sure that we have some type of enforcement provisions in place to make sure that there's no invasive species coming into the lake.

I know one of the concerns we had is when we tried to get deep to actually monitor the program, they simply did not have the personnel or the funds to actually do it. These fish interments sometimes they'll start registering 4 or 5:00 in the morning. They get out there nice and early and obviously there's nobody there to watch what's going in the waters. So I guess my question through you Mr. Speaker to the proponent of the Bill, do we know what these funds will be used for in terms of -- I know they're used for invasive species but any specifics on what they're actually going to be used for? Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Demicco.

REP. DEMICCO (21ST):

Thank you, Mr. Speaker and thank you for the question to my good colleague. So in lines 28 and
following in the Bill it refers to the specifics of what the funds will be used for. Restoration -- 
line 35 specifically, restoration and rehabilitation of lakes, rivers and ponds. Programs of DEEP for 
the eradication of aquatic invasive species and cyanobacterial blooms, education and outreach programs, and so forth. I hope that answers the 
good gentleman's question. Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Smith.

REP. SMITH (108TH):

I appreciate the gentleman pointing that out. 
I just quickly had a chance to look at the -- the Bill before -- I didn't realize it was up first on 
the docket. This is -- I know Rep. Gucker has been working on this as well and he mentioned it was 
coming up and I'm sorry to be asking the question so early in the morning but here we are. I know -- 
I've gone to various seminars. Varies studies have been done about the invasive species and the effect 
they have. I'm sure you're aware as well, if they
get into the bodies of water what they can do. Is there anything in here -- I know because I haven't had a chance to really look at the language, that would allow DEEP to monitor the boats that are coming into the lake on the various ramps? Candlewood Lake has a number of ramps and access points where folks can bring their boats in. Is there anything in here that would allow monies to be used for purposes of inspection of the boats? Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. I will -- I will point the gentleman to line 44 which talks about the provision of funds for all services that support the protection and conservation of the lakes, rivers -- the state's lakes, rivers and ponds. So -- so in my view that would -- that would encompass his concern about -- about the boats from out of state. Through you Mr. Speaker.
DEPUTY SPEAKER HENNESSY (127TH):

Representative Smith. And I thank the gentleman for his answer for that. And I guess the question is, so Candlewood Lake I just want to make sure that this is one of the bodies of waters that we're talking about that would have access to these funds for these purposes? Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. I believe that would be up to the discretion of the Department of Energy and Environmental Protection as to the specifics with regards to how those funds would be -- would be used. Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Smith.

REP. SMITH (108TH):

And I'm happy to hear that because you know for folks who aren't really aware of the issue, these zebra muscles is what they're called; I mean they
almost look like -- well they look like a zebra and it looks like a little muscle that you might eat if you go out to a fine dining establishment except the problem is they multiply in the millions and they start attaching to boats and docks and anything they can grab onto. The next thing you know your dock is ruined, your boat is ruined and they clog up pipes that are draining into the lake and it just really becomes a huge problem and of course they also eat the -- the various plants and what not within the lake which effects the ecological system of the lake itself. So I think this is a great Bill. I'm encouraging my colleagues to support it.

We do have some other issues on the lake besides the invasive species. We do have some noises on the -- extraordinary amount of noise on the lake that deals with noise pollution and people just partying all night and I have an Amendment that will be coming out. So I'm hoping some of the folks that will talk a little bit about this Bill will allow that Amendment to be filed so we can take care
of all the issues at once and I hope it will be
treated as a friendly Amendment. I know I've spoken
to Rep. Gucker. We haven't had a chance to speak
directly with Representative Demicco. I apologize
for that, but I'm hoping some other folks are going
to have some questions about this as well and we can
actually this issue, the invasive species along with
the noise ordinance issue addressed in one
particular Bill. So I thank the gentleman for his
answers and I look forward to continuing the
dialogue on this Bill.

DEPUTY SPEAKER HENNESSY (127TH):

The House will stand at ease. The House will
come back to order. Ranking Member of the
Environment Committee, Representative Harding, you
have the floor sir.

REP. HARDING (107TH):

Thank you very much, Mr. Speaker and -- for
once again allowing me to speak. I have received a
copy of Representative Smith's Amendment. I know
this is something that he is working on in regards
to the lakes, in regards to specifically Candlewood Lake, which I have the fortunate opportunity of having in my district, as well as Representative Smith. And this -- this Amendment works to help address some of the noise issues that are evidently not being enforced as well as they should be along the lake. So I would support the Amendment and again I look forward to speaking further on this Bill after all the Amendments have been passed and voted on. Thank you, Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

   Representative Gucker of the 139th, you have the floor.

REP. GUCKER (138TH):

   Good morning, Mr. Speaker. How are we doing today?

DEPUTY SPEAKER HENNESSY (127TH):

   Good morning, sir.

REP. GUCKER (138TH):

   So I rise today in strong support of this Bill. In my district we have been dealing with invasive
species problems for quite some time. In fact, what we found is that when we don't have the support of the state, we have various municipalities trying to go it alone. And what happens is we wind up with towns arguing with towns where I am in Danbury. You know we have Candlewood Lake that you've all heard about. We have five towns that -- that surround that lake. We have over 200 miles of shore front. It's the largest man-made lake in the entire northeast.

In working with the Candlewood Lake Authority, they really need this support and they need this help and they need this help because we're combatting zebra mussels, which are horrific. At this point they haven't gotten into the lake but they're on their way in. We have Eurasian milfoil issues to where we've gone with a clean method of dealing with that with -- with the CAR program. All of these things, the municipalities had to go it alone with no support, with no help. When we look at putting this stamp in place you heard
Representative Smith talk about the boating -- the bass tournaments that go on. Candlewood Lake is the number four in the country bass tournament destination in the entire country. They're in support of this because they look at how important the environment is to keep their hobby alive. They don't mind putting a little bit more in to use the lake to make sure that the very resources that they get to enjoy every weekend are preserved and they're saved. So we're coming forward. It may look like an expense that's being tacked on but it's for a good purpose and everybody is on board with this. They don't mind giving a little bit to ensure that the things that they care about are being protected. So I -- I come up in full support of this Amendment -- his Bill. We fought long and hard. We had unanimous consent as far as people on -- coming up to testify when we were sitting in the Environment Board about how this would help us. It helps Candlewood Lake, it helps Lake Zoar, it helps Lake Lillinonah, all these places. There are other areas
in the state that need this help and support. So I urge all my colleagues to please support this Bill, and thank you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Will you remark further on the Amendment?

Representative Candelora.

REP. CANDELORA (86TH):

Thank you, Mr. Speaker. Mr. Speaker I -- I'll talk a little bit and then I just have one quick question for the proponent on this Bill. You know, I think in a lot of our districts that contain lakes we certainly have issues. In particular in our district, in Gilford we've been dealing with Lake Quonnipaug and the invasive species there and have come up with different methodologies of trying to remediate that lake. Funding certainly is an issue and I know in previous budget bills we allocated money; I thought it was somewhere around $100,000 to remediate our lakes and that money has been well used and well spent.

To questions, the current fund that we have for
lake remediation would that exist under this Bill and these funds be co-mingled with it so we're sort of adding to that pool of funding or is this replacing the stream of funding that we have in the budget?

Through you.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Demicco.

REP. DEMICCO (21ST):

Yes, through you Mr. Speaker. I -- my understanding is that the lakes -- what is now the Lakes and Ponds Preservation Account, which -- assuming the legislation passes will become the Lakes, Rivers and Ponds Preservation Account; is funded primarily through the -- the Save Our Lakes Commemorative Number Plate Program that was created I believe it was this year -- last year or the year before by the General Assembly. I believe it involves a limited amount of funding but to answer the gentleman's question directly, the funds from the fees that this Bill contemplates will go into
that particular account. The Lakes, Rivers and Ponds Preservation Account.

Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Candelora.

REP. CANDELORA (86TH):

Thank you, Mr. Speaker. And I do think the funding that we have allocated certainly has not been enough for this reason and we really have needed to do this remediation. My -- my one question is why are we expanding this to rivers as well because my one concern is that we don't have enough money to remediate the lakes for the invasive species. I think like I said, there are many districts that have lakes that have sought that funding. So what -- what is the purpose or reasoning behind extending this funding to rivers?

Through you.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Demicco.

REP. DEMICCO (21ST):
Through you Mr. Speaker. The Committee was -- the testimony before the Environment Committee indicated that invasive species are becoming a problem in the rivers of the state of Connecticut as well as the lakes and the ponds and that therefore to do the job right, it would be appropriate to extend this remediation effort to rivers as well as lakes and ponds.

Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Candelora.

REP. CANDELORA (86TH):

Thank you, Mr. Speaker. And I probably will end up supporting the underlying Bill. I'm still a little bit debating because just to put on the record, I think one of the reasons why -- of the importance of making sure that our lakes are being remediated is because of the active and passive recreation that we do see in the lakes. I know in North Gilford with Lake Quonnipaug, we have had people that are swimming in these lakes. We have
competitive rowing in these lakes. The schools around the region use it and one of the problems that we've had is it's not just about an invasive species sort of taking it over but it's also a safety issue where swimmers and these boats are -- they become entangled in some of these invasive species so it's actually become a drowning risk for individuals. So I support the priority of remediating our lakes first. I think the rivers pose a different issue where we might not have that active -- that active recreation in it and I'm just concerned that we're going to see money getting diverted, for instance you know to a river -- I'm thinking you in our area like the Quinnipiac River versus focuses on lakes like Candlewood Lake and Lake Quonnipaug where we're having the active recreation where it poses a risk to public safety. So I just hope as we go forward we make sure that our lakes are the priority for this funding because there already isn't enough money to go around to remediate those lakes. Thank you, Mr. Speaker.
DEPUTY SPEAKER HENNESSY (127TH):

On the Amendment, Representative Ferraro, you have the floor.

REP. FERRARO (117TH):

Thank you, Mr. Speaker. I rise in support of - - of this Bill but I have a couple of questions and some comments to the proponent of the Bill.

Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Demicco.

REP. FERRARO (117TH):

Representative Ferraro.

REP. DEMICCO (21ST):

Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Excuse Representative Demicco. It's getting a little noisy in the Chamber, if you could keep it down. Representative Ferraro.

REP. FERRARO (117TH):

Thank you, Mr. Speaker. Through you, just a little story in Long Island Sound some time ago a
species, a hemigrapsus sanguineous is the Asian shore crab, hitched a ride on the -- some large ships that were harboring in the New Haven Harbor from Asia and they brought with them some species of -- of this particular crab and that crab was introduced to Long Island Sound and within a very, very short time it just about wiped out the Juvenile Blue Muscle population in Long Island Sound. So invasive species is something that we you know, need to be aware of because it can actually change an ecosystem in a very, very short period of time.

Okay. And so my question really had to do with -- since this example that I'm bringing up happened in saltwater and with this Bill, deals apparently with freshwater lakes and rivers and what have you, how are you going to differentiate between the crafts that are going on the lakes on whether they're bringing with them saltwater species that may be able to exist in both fresh water and saltwater?

And when the $5.00 -- I guess it's a $5.00 fee is going to be attached to the registration of a
vessel, is that all vessels? Even vessels that are primarily saltwater vessels?

Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Demicco. Excuse me.

Representative Ferraro.

REP. FERRARO (117TH):

Yes, through you Mr. Speaker. Yes, through you Mr. Speaker, I yield my time. I appreciate it.

Thank you, sir.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Currey.

REP. CURREY (11TH):

Thank you, Mr. Speaker. I move that we pass this temporarily.

DEPUTY SPEAKER HENNESSY (127TH):

If there's no objection it is passed temporarily. (Gavel) Announcements or introductions? Representative Abercrombie.

REP. ABERCROMBIE (83RD):

Good morning, Mr. Speaker. Good morning to the
members of the Chamber. Just a last call for anyone that did not contribute for yesterday's dress-down day. Just a friendly reminder. I think we're at almost 100 percent but we're going to be shutting it down so that Representative Zupkus and myself can count the money and then on Monday someone from Home for The Brave is going to be here to -- so that we can give them the check. And so I just want to take this opportunity to thank everyone for your contributions and like I said, last call. Thanks guys.

DEPUTY SPEAKER HENNESSY (127TH):

Thank you ma'am.

REP. ABERCROMBIE (83RD):

Last call for alcohol.

DEPUTY SPEAKER HENNESSY (127TH):

Will the Clerk please call Calendar No. 618?

CLERK:

On page 48, House Calendar 618, Substitute Senate Bill No. 1026, AN ACT ESTABLISHING CERTAIN INCENTIVES TO GROW THE BIOSCIENCE INDUSTRY IN THE
STATE. Favorable Report of Joint Standing Committee on Commerce.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Simmons.

REP. SIMMONS (144TH):

Thank you, Mr. Speaker. I move for acceptance of the Joint Committee's Favorable Report and passage of the Bill in concurrence with the Senate.

DEPUTY SPEAKER HENNESSY (127TH):

The question is acceptance of the Joint Committee's Favorable Report and passage of the Bill in concurrence with the Senate. Representative Simmons, you have the floor.

REP. SIMMONS (144TH):

Thank you, Mr. Speaker. The Clerk has an Amendment, LCO 8892. I ask that the Clerk please call the Amendment and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER HENNESSY (127TH):

Will the Clerk please call LCO No. 8892, which will be designated Senate Amendment Schedule A?
Clerk:

Senate Amendment Schedule A, LCO No. 8892, offered by Senator Hartley, Representative Simmons et al.

Deputy Speaker Hennessy (127th):

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

Rep. Simmons (144th):

Through you Mr. Speaker. This Amendment deletes the provision earmarking a million in bonding to pay for the add contract. It deletes phases out the capital base tax. Deletes limiting the corporate business tax credits and essentially gets rid of the fiscal note and I move adoption.

Deputy Speaker Hennessy (127th):

The question before the Chamber is adoption of Senate Amendment Schedule A. Will you remark on the Amendment? Representative Simmons.
REP. SIMMONS (144TH):

Thank you, Mr. Speaker. With this Amendment this Bill aims to promote and support the bioscience industry in Connecticut, which is an extremely important, high-growth industry in our state. It has created over 39,000 jobs at 2,500 companies. We know that for every bioscience job, 2.9 jobs are created and these are extremely high paying jobs. The average salary is $95,000. And we also know that Connecticut is ranked fourth in the nation for bioscience patents, fourth in the nation which is extremely important. This -- this industry is critical to our bioscience sector in Connecticut. We want to make sure we're doing everything we can to promote the growth of bioscience in Connecticut so we can continue to attract businesses and high-wage growth jobs to our state. And so essentially this Bill requires Connecticut innovations to work with a bioscience trade group to contract with an ad agency to develop a comprehensive marketing plan to better promote this industry, to create a bioscience
website and to develop a social media campaign to better promote this industry. And I urge my colleagues to support this Bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Thank you, madam. Representative Cummings of the 74th District, you have the floor ma'am.

REP. CUMMINGS (74TH):

Thank you, Mr. Speaker. Mr. Speaker I'll reserve my comments for the underlying Bill and I do support the Amendment and encourage my colleagues to support it as well. Thank you.

DEPUTY SPEAKER HENNESSY (127TH):

Thank you madam. Will you remark further on the Amendment before us? Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. Good morning once again. If I may, just a few questions for the proponent.

DEPUTY SPEAKER HENNESSY (127TH):

She appears to be ready. Please proceed.
REP. FISHBEIN (90TH):

Thank you. Am I to understand that the Amendment strips out the entirety of the -- of the Bill with the exception of Section 5?

Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Simmons.

REP. SIMMONS (144TH):

That's correct.

Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. Understanding that, I think I'll reserve my other comments and questions for the Bill once -- once the Amendment is passed. Thank you.

DEPUTY SPEAKER HENNESSY (127TH):

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

REP. STEINBERG (136TH):
Thank you, Mr. Speaker. A quick comment.

DEPUTY SPEAKER HENNESSY (127TH):

Please proceed, sir.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I rise in support of the Amendment and the underlying Bill. The bioscience sector is one of the big opportunities we have as a state to differentiate ourselves and create good paying jobs across a variety of modalities from basic research through clinical applications, and I urge my colleagues to support the Amendment and the underlying Bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

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

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER HENNESSY (127TH):
All those Nay? The Ayes have it and the Amendment is adopted. (Gavel) Will you remark further on the Bill as amended? Representative Cummings.

REP. CUMMINGS (74TH):

Thank you, Mr. Speaker. Mr. Speaker, a question through you to the proponent of the Bill.

DEPUTY SPEAKER HENNESSY (127TH):

Please proceed, ma'am.

REP. CUMMINGS (74TH):

Mr. Speaker, since this Section 5 requires that we contract with an advertising agency, would the good proponent of the Bill please identify how there will be no fiscal note born to the state of Connecticut?

Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Simmons.

REP. SIMMONS (144TH):

Through you Mr. Speaker. Thank you for the question, Representative. And there will be no
fiscal note as Connecticut Innovations will conduct this within available appropriations.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Cummings.

REP. CUMMINGS (74TH):

Thank you, Mr. Speaker. Mr. Speaker, I find that this is a very good Bill encouraging our industries that are valuable to our state to grow and for the state of Connecticut to help promote those industries and I urge my colleagues to support this Bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Thank you madam. Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. Just some questions for the proponent if I may?

DEPUTY SPEAKER HENNESSY (127TH):

Please proceed, sir.

REP. FISHBEIN (90TH):

This session have we had -- has the Commerce Committee had Connecticut Innovations before us --
before them for a report as to their doings and their progress?

Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Simmons.

REP. SIMMONS (144TH):

Through you Mr. Speaker. I thank the good Representative for the question and yes, we have had Connecticut Innovations. Their head, Matt McCooe has testified on several Bills and presented updates on Connecticut Innovations' activities and we've -- we do receive annual reports on them as well.

Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. And am I to understand -- well let me ask this way. Is it the mission of Connecticut Innovations to foster business growth and jobs in Connecticut or to support innovation?

Through you Mr. Speaker.
DEPUTY SPEAKER HENNESSY (127TH):

Representative Simmons.

REP. SIMMONS (144TH):

Through you Mr. Speaker. And I thank the good Representative for the question. And I would argue that both of those missions fall within their objectives.

Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. So -- well I guess by way of comment. Mr. Speaker when I -- when I got here originally I started to look into a grant that was actually given out by Connecticut Innovations to a business actually within my district and I noticed that within the application they admitted that they would create no jobs for the state of Connecticut. It was their intention to utilize taxpayer dollars to develop technology to be able to sell. And I just want to make sure that's not what's happening
here. I understand there's a website. There's a bioscience undercurrent in the state and through this legislation but it certainly is not within the language that's before us here today, giving Connecticut Innovations a mission to create jobs utilizing taxpayer dollars so I'm -- I'm still very careful when I see these things. And once again, laudable goal but somebody has to be reining in the utilization of our tax dollars through DECD and making sure that they're used for the intended purpose. So I look forward to the debate if there is anymore. Thank you, Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Thank you, sir. Representative Yaccarino of the 87th District, you have the floor sir.

REP. YACCARINO (87TH):

Good morning, Mr. Speaker. Good to see you back.

DEPUTY SPEAKER HENNESSY (127TH):

Good morning. Good to see you.

REP. YACCARINO (87TH):
I -- my passion for the last five or six years in this Chamber has been the growth of bioscience and the stem industry. If you look at Massachusetts and New York they're really kicking our butts to be honest with you. And when you look at the strength of a state we have financial, we have advanced manufacturing and manufacturing but another strength that I think is an untapped gem in our state is the bioscience and the stem. The DNA sequencing of our genetic sequencing was started -- I mean the breakdown was 4-5-4 which is gene sequencing in New Haven and Branford, Connecticut by two Yale graduate students. And that was in the early 90s. Before that it would take thousands of dollars and months to get your sequencing. Now you can get it in minutes and for minimal dollars. So if you look at our -- what we try to pass in this Chamber there are a lot of good things but not many job-related items. Although this probably doesn't go far enough, it's just something that emphasizes the science, the growth, the high paying jobs. I spoke a few weeks
ago about the minimum wage a laudable goal but these are high-paying sustainable jobs and you need to have somebody in there as a researcher, data processing, computer science, molecular biologists, biologists and so I believe strongly in this even though it doesn't -- I think we could go further but as far as CI, I'm on the State Council for Bioscience with Commissioner Leeman, Jim Smith, NCI, some other legislatures, Yale University, Quinnipiac and some colleges. So anything we can do to emphasize the sciences to growth to compete with Massachusetts, to compete with New York we should do; and this is something small but it's another step in the right direction so I support this. And we should always support something that's high-paying sustainable jobs that helps in lowering healthcare costs, helps with rare diseases, that helps with healthcare in general. But at the end of the day helps with high-paying sustainable jobs where you can raise a family and compete and so I -- I stand in strong support of this and I'd like to
thank the Commerce members but again, we always want to go further, we always want to do as much as we can but I think it's a great investment for our state. So thank you, Mr. Chair. Thank you to the Chamber.

DEPUTY SPEAKER HENNESSY (127TH):

Thank you, sir. Will you remark further on the Bill as amended? Representative Simmons.

REP. SIMMONS (144TH):

Thank you. Through you Mr. Speaker. Just a couple of closing remarks. I want to thank the good Representative Yaccarino for all of his work on this as well as Representative Cummings and the whole Commerce Committee. I just want to thank Representative Steinburg and many others on -- on our side who has -- have been supportive as well. And I also want to respond, I very much appreciate Representative Fishbein's comments and he's absolutely right; that we need to make sure that we are focusing on job growth and getting a return on investment for these investments and absolutely make
sure to be -- continue to take that into account and just want to reiterate how important this industry is to jobs in our state. It's created over 39,000 jobs at 2,500 companies and we want to continue to feel the growth of this industry. So with that I urge my colleagues to support this Bill. Through you Mr. Speaker.

DEPUTY SPEAKER HENNESSY (127TH):

Will staff and guests please come to the well of the House? Will the machine -- 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 HENNESSY (127TH):

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

REP. GODFREY (11TH):

Mr. Speaker in the affirmative, thank you.

DEPUTY SPEAKER HENNESSY (127TH):

The Journal will so note -- so ordered. The Clerk will please announce the tally. The Clerk will please announce the tally.

CLERK:

Senate Bill 1026 as amended by Senate A in concurrence with the Senate.

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DEPUTY SPEAKER HENNESSY (127TH):

(Gavel) The Bill as amended is passed. Any announcements or introductions? Representative Klarides-Ditria, you have the floor ma'am.

REP. KLARIDES-DITRIA (105TH):
Thank you, Mr. Speaker. Mr. Speaker I rise for an introduction.

DEPUTY SPEAKER HENNESSY (127TH):

Please proceed, ma'am.

REP. KLARIDES-DITRIA (105TH):

Mr. Speaker -- Mr. Speaker I'm introducing my son, Kade is up here today in the Chamber. He needed to put in some National Honor Society hours but decided that he needed to do it on Tuesday, so I told him he had to come up here and if anybody needs a Dunkin Donuts run, you need your car cleaned, you need your office cleaned, here's your man so just come on over and ask. Thank you. (Applause)

DEPUTY SPEAKER HENNESSY (127TH):

Welcome to the House Chambers. Representative Ritter.

REP. RITTER (1ST):

Thank you, Mr. Speaker. There's a Rimmel lipstick that fell over here so if it is yours, it's pink or red. (Laughing) (Applause) It's Rimmel, R-I-M-M-E-L. It's on my desk, thank you.
(Laughing)

DEPUTY SPEAKER HENNESSY (127TH):

Will the Clerk please call Calendar No. 653?

CLERK:

On page 52, House Calendar 653, Senate Bill No. 1100, AN ACT CONCERNING "UPSKIRTING". Favorable Report of Joint Standing Committee on Judiciary.

DEPUTY SPEAKER RYAN (139TH):

Representative Blumenthal, sir you have the floor.

REP. BLUMENTHAL (147TH):

Thank you, Mr. Speaker. I move for acceptance of the Joint Committee's Favorable Report and passage of the Bill in concurrence with the Senate.

DEPUTY SPEAKER RYAN (139TH):

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

REP. BLUMENTHAL (147TH):

Thank you, Mr. Speaker. Under our current
criminal law this is a crime of voyeurism that prevents the photographing or recording the number of traditionally private areas that -- that law has an ambiguity currently and that it makes an exception for when a person being photographed or otherwise recorded is "plain view," that has been interpreted by prosecutors to be too vague to allow for the prosecution of a practice called upskirting, a practice I don't think I need to describe to members of the Chamber and one we obviously want to prohibit. This Bill corrects that ambiguity by clarifying that regardless of whether the person who is a victim of that upskirting is in a public location or not, that crime is prosecutable as long as that person has a reasonable expectation of privacy under the circumstances. So I urge this Chamber's support.

DEPUTY SPEAKER RYAN (139TH):

Thank you Representative. Will you remark further on the Bill? Will you remark further on the Bill? Representative Rebimbas.
REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker, I rise in support of the proposal before us. I think the good Vice-Chairman did an excellent job in describing what we have before us and certainly the Voyeurism Bill is something that this Chamber passed previously and it’s a very good Bill. This is some changes that are necessary. Just through you, some clarifying questions.

DEPUTY SPEAKER RYAN (139TH):

Please proceed, ma'am.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Through you Mr. Speaker to the good Vice-Chairman. Just to confirm again the reasonable expectation of privacy is a term that's already utilized in our criminal justice system; is that correct? Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Blumenthal.

REP. BLUMENTHAL (147TH):

Thank you, Mr. Speaker. Through you, yes it --
there's a healthy body of case -- case law defining that term.

DEPUTY SPEAKER RYAN (139TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker, I think that this is a very good fix because again a person could have an expectation of privacy even if they are actually standing in a public place. Now public place is already currently defined and it's referenced in this proposal, Section 53(a)-186. But it does talk about the equipment that could be used in order to photograph certain body parts in a public place and specifically it talks about photographing, filming and videotaping. But it talks about under or around a person's clothing, certainly under is pretty self-explanatory but if the good Vice-Chairman just clarify for us what around a person's clothing means. Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):
Representative Blumenthal.

REP. BLUMENTHAL (147TH):

Through you Mr. Speaker. It would mean any method that would somehow evade the covering quality of the clothing that was not necessarily under it. So some measure of recording or photographing or what have you that avoids the covering quality of the clothing to reveal a private area in which the person has a reasonable expectation of privacy.

DEPUTY SPEAKER RYAN (139TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And I want to thank the good Vice-Chairman for that explanation. Again, I think that's important just for legislative intent. Certainly under is self-explanatory as a person could reasonably understand what positioning a -- let's say a camera under someone's clothing. Around is a little bit more difficult but again we don't want to exclude that you could technically be invading a person's privacy and photographing body
parts that you otherwise wouldn't want to be invaded that could occur, but for under. So that's why I think that -- that phrase is there and again, hopefully it will appropriately be interpreted as these proposals and hopefully no allegations or crimes come forward, but if they do it is covered in this proposal. So with that said, Mr. Speaker I thank the good Vice-Chairman for bringing this to our attention and I certainly do rise in its support.

DEPUTY SPEAKER RYAN (139TH):

Thank you Representative. Will you remark further on the Bill before us? Will you remark further on the Bill before us? If not, will staff and guests please come to the well of the House? Will the members please take their seats. The machine will be open. (Ringing)

CLERK:

The House of Representatives is voting by roll. Members to the Chamber. The House of Representatives is voting by roll. Members to the
DEPUTY SPEAKER RYAN (139TH):

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

CLERK:

Senate Bill 1100 in concurrence with the Senate.

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DEPUTY SPEAKER RYAN (139TH):

The Bill passes in concurrence with the Senate. (Gavel) Any announcements, introductions? Hearing none, will the Chamber stand at ease. Chamber will come back to order. Will the Clerk please call
Calendar No. 133?

CLERK:


DEPUTY SPEAKER RYAN (139TH):

Thank you. We previously were on this Bill. We had PT'd it. We are now on House Amendment Schedule A. Would the Chairman please bring the Bill back out again, please? Thanks.

Representative Demicco.

REP. DEMICCO (21ST):

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

DEPUTY SPEAKER RYAN (139TH):

Question is acceptance of the Joint Committee's Favorable Report and passage of the Bill.

Representative Demicco, you have the floor.
REP. DEMICCO (21ST):

Thank you, Mr. Speaker. Mr. Speaker the Clerk has an Amendment, LCO 9130. I would ask the Clerk to please call the Amendment and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER RYAN (139TH):

Will the Clerk please call LCO 9130 which is designated -- has been designated House Amendment Schedule A.

CLERK:

House Amendment Schedule A, LCO No. 9130 offered by Representative Demicco.

DEPUTY SPEAKER RYAN (139TH):

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

REP. DEMICCO (21ST):

Thank you, Mr. Speaker. Mr. Speaker, this Amendment was previously introduced so no need to belabor it. I think everyone is well aware of what
the Amendment does at this point. I -- I move adoption.

DEPUTY SPEAKER RYAN (139TH):

Question before the Chamber is adoption of House Amendment Schedule A. Will you remark on the Amendment? Representative Harding of the 107th, sir you have the floor.

REP. HARDING (107TH):

Good afternoon, Mr. Speaker. How are you sir? Just a couple of comments if I may. Just want to -- through you Mr. Speaker, I just want to say that I do support this legislation particularly in my district, beautiful town of Brookfield that is bordered by two amazing lakes, Candlewood Lake and Lake Lillinonah, both of which have been ravaged with invasive species over the past years. Representative Smith who spoke earlier on this Bill had mentioned zebra mussels which have really a huge, huge negative impact on the environment of the lakes that our great state has and my community has. The beauty of this Bill is every single community
has a waterway, has a lake. I -- we are not unique
in Brookfield in having Lillinonah or Candlewood.
Every community either borders a lake or is near a
lake and I think it's fair to say that every
community can benefit from this piece of
legislation. I am one, you know to be leery of fees
and I -- I understand that this is a $5.00 fee on
boating registrations but if you talk to many, many
boaters here in the state they discuss how important
it is to address this particular issue and I think
many of them are happy to know that we're utilizing
these funds in such a positive manner towards
keeping and preserving our beautiful lakes here in
the state and our other waterways such as rivers
here in the state as well.

What's also important about this legislation is
that there will be a certificate that non-
Connecticut boats will have to attain in order to
utilize their boats within inland Connecticut
waterways. It's a $20.00 fee. It's an annual fee
and I think it addresses a lot of the issues that
we've had, not only in Candlewood but in many lakes throughout -- and rivers throughout the state of Connecticut. When out of state boats will come here that have had their boats in other lakes that have zebra mussels, that have other invasive species will then trailer their boats into our Connecticut lakes and then many times transport that invasive species into our state’s lakes. So now what this Bill does is ask some of these out of state boaters -- all of the out of state boarders to chip in towards addressing this very important issue that's impacting all of our waterways here in the state of Connecticut. So again, I'm very leery of fees but I think this is an initiative that is so important that I think many of us -- or I should say, I urge my colleagues to get behind this effort. It is so critical to my district and to many districts that have beautiful lakes and rivers throughout our great state. So thank you, Mr. Speaker. Thank you for the time. Thank you to all those who made this legislation possible.
DEPUTY SPEAKER RYAN (139TH):

Thank you Representative. Representative Zawistowski of the 61st. Ma'am, you have the floor.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. I actually had the wonderful experience of living lakefront for some time and invasive species is a real problem. But I do have in my district a lake that straddles the Connecticut and Massachusetts state line.

DEPUTY SPEAKER RYAN (139TH):

Ma'am, would you just give me a moment. I would ask the Chamber to keep it quiet so that the Chairman can hear the questions and the comments of the Ranking Member. Thank you. Continue Representative.

REP. ZAWISTOWSKI (61ST):

Thank you, Mr. Speaker. Yes, I wanted to explain I actually right now in my district I have a lake that straddles the Connecticut and Massachusetts state line and I wanted to find out through the -- through you Mr. Speaker. Do -- would
the waters in that lake be considered inland waters in the state of Connecticut?

DEPUTY SPEAKER RYAN (139TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. My understanding is yes. Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you for that. The main boat launch for that lake is actually located in Massachusetts so if we have lakes that -- boats that are being launched in Massachusetts, that are registered in Massachusetts but still coming into the Connecticut waters, what enforcement do we have from them bringing the invasive species there? Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Demicco.

REP. DEMICCO (21ST):
Yes, thank you Mr. Speaker. Thank you for the question to my good colleague. So the Bill requires the -- Amendment which will hopefully become the Bill, requires that an out of state vessel is required to pay a fee, which the good Ranking Member referred to a few moments ago in his remarks, would be required to pay a fee of $20.00 for that purpose. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

I do get that but if you have a boat that is registered in Massachusetts and launched in Massachusetts and travels into Connecticut waters, what remedies do we have and what way do we prevent them from bringing in invasive species? Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. I don't know that we
have any way of preventing them from bringing in invasive species but I do know that again, the Bill -- the Amendment requires that that fee be paid to the state of Connecticut. Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Would you suggest that perhaps the -- the -- I know we have police that have boats; I mean do we expect them to chase down the Massachusetts boats and exact a fee from them? Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. No, I don't know that they're going to be chasing down any boats but I believe the current practice of the Environmental Conservation Officials is when they do come upon an out of state boat and -- that may be in violation of any particular law that they -- if they are -- become aware of the fact that that boater has not
registered or has not paid a fee they require that to be done. And also before that takes effect the out of state boaters have the option of paying that fee online. That is already available. Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

And I thank the good Representative for that answer. Do other states have similar programs? Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Demicco.

REP. DEMICCO (21ST):

Mr. Speaker, if the gentlelady could repeat the question. I did not quite understand the question.

DEPUTY SPEAKER RYAN (139TH):

Once again can I ask the Chamber to quiet down. The Chairman is having difficulty hearing questions coming from his Ranking Member. We can wait. Representative Zawistowski, can you repeat the
question?

REP. ZAWISTOWSKI (61ST):

Yes, I'd be glad to. Thank you, Mr. Speaker.

Is the proponent aware of any other states that do have similar funds and similar fees? Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Through you Mr. Speaker. I am -- I don't have knowledge of that. Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you. I too am somewhat -- I'm not a big fan of fees but if it's something that I think can actually benefit by venting -- preventing and carrying invasive species; I have a followup question on that as well. Because my lake in my district straddles the state line, would they be eligible for funding through this program? Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):
Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. I believe the answer to that is yes.

DEPUTY SPEAKER RYAN (139TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):

Thank you. And concerning the fund as well, has this fund ever been raided or funds been diverted from it before they have been put into place? Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. This fund has only been in existence for a short period of time and I am not aware of any rating or sweeping of the fund up until now. Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Zawistowski.

REP. ZAWISTOWSKI (61ST):
Thank you. And I'm just concerned because I know the Passports to Park has only been in existence for a while and that has always been a -- also been a target, so that was the reason for my question.

As long as I am assured that if we put this into place that the district -- the lake in my district would be eligible for the funds because they'll be collecting for them, I would support this Bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative MacLachlan of the 110 -- of the 35th, excuse me. Sir, you have the floor.

REP. MACLACHLAN (35TH):

Thank you, Mr. Speaker. A brief question and then a comment on the Bill.

DEPUTY SPEAKER RYAN (139TH):

Please proceed, sir.

REP. MACLACHLAN (35TH):

Thank you, Mr. Speaker. Mr. Speaker, I'm proud
to represent the town of Killingworth in the 35th District where we are a host of Chatfield Hollow State Park and every year for a number of years one of my close friends, Ms. Cheryl Buckley has organized a group of volunteers to wade out into the -- into the lake there and remove invasive species and what started as you know a summer day with a few friends and family eventually grew to is known -- what is Friends of Chatfield Hollow State Park today. Through you Mr. Speaker to the good Chairman of the Committee. Would this Amendment, should it pass and -- and impact the underlying Bill, would the legislation that we're contemplating benefit state parks in the state of Connecticut that are host of lakes that are experiencing invasive species? Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. My understanding is that it would be to the benefit of lakes, rivers and
ponds within the state of Connecticut. Through you.

DEPUTY SPEAKER RYAN (139TH):

Representative MacLachlan.

REP. MACLACHLAN (35TH):

Thank you, Mr. Speaker. That's very encouraging to hear. It's been a joy of mine to participate with the Friends of Chatfield Hollow State Park to make our -- our local gem a place where families and friends can enjoy in the summer months and it looks like this Bill is going to assist the efforts, the volunteer efforts of the hardworking members of my community and I will stand in strong support of the Amendment and the underlying Bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Ferraro of the 117th, you now have the floor.

REP. FERRARO (117TH):

Thank -- thank you, Mr. Speaker and through you I just have a couple of comments. To begin with, as I stated earlier I think invasive species and
predatory species are -- it's really important to maintain the natural balance in an echo system regardless of what the echo system is because once that gets out of balance then it could actually destroy entire species in a very short period of time. And the point I brought up earlier was the Asian shore crab who just about wiped out the blow muscle population in Long Island Sound. There was also the -- years ago the issue of the starfish population when somebody had a bright idea in order to control the population they went out and sliced all the starfish in half and forgot that they automatically regenerate and instead of having the problem we had before, we had twice the problem. And so this type of remediation work is very, very important.

I can't speak for the thousands of other saltwater crafters but I can speak for myself. Spending $5.00 more to assist in water -- bodies of water and rivers in combatting invasive species even though in 30 years I've never taken my craft in a
fresh body of water; it's well worth the $5.00 to me to help that situation. But I would ask that maybe in the future the Chairman of the Environmental Committee and the Ranking Members consider what might be done to help remediate some of the invasive species problems that we have in saltwater bodies of water as well. And thank you, Mr. Speaker. That's all I have to say.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Borer of the 115th, ma'am you have the --

REP. BORER (115TH):

Thank you, Mr. Speaker. I also rise in support of this legislation. I want to thank the good Chair. I have a lake in my district as well so we're very familiar with the aquatic species, the invasive aquatic species, which earlier we mentioned how it's detrimental to the quality of water and the environmental impact, but we also want to acknowledge that they're dangerous. When you have something like mil foil weeds within your lake,
that's dangerous for children that are swimming those lakes and we want them to be safe. I think it's really key that we support and continue to support DEEP because they are studying and experimenting and addressing ways to eradicate these invasive species and sometimes these municipalities spend a significant amount of time and money and resources to eradicate them within a certain lake and then as we said before someone will come in with a kayak or a canoe from a lake from maybe Massachusetts that's infected and they bring it into the lake. So we need to do something. I think this is a good idea and I think the educational component for those that do like recreational activities on the lakes will be very helpful. So thank you.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Case of the 63rd, sir you have the floor. Please proceed.

REP. CASE (63RD):

Thank you, Mr. Speaker. Good afternoon. A few
questions to the proponent of the Bill if I may, sir.

DEPUTY SPEAKER RYAN (139TH):

Please proceed.

REP. CASE (63RD):

So I live on a lake and we've had this discussion many times. Years ago, I believe back then it was Senator Chapin who put it together. We had a fund that paid 50 percent of weed eradication or you know, to take care of the mil foil, to get the lakes treated. That fund since went insolvent. My question to you, what stopped a lot of the fees being charged at lakes was the previous administration taking Federal dollars to redo the seawalls and the boat launches throughout the state of Connecticut in many local lakes. We are no longer allowed to charge to enter those lakes through those boat launches because of that funding from the Federal government. Has that been discussed or looked into because we are not allowed to restrict out-of-state boaters from coming in and
therefore we can't charge them. Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Demicco.

REP. DEMICCO (21ST):

Thank you, Mr. Speaker. Through you, I appreciate the question of the kind gentleman. That has not been discussed or contemplated in the crafting of this legislation. However, I would invite my good colleague to introduce or investigate that with the Environment Committee in the future and I'll be happy to work on that. Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Case.

REP. CASE (63RD):

Thank you. Thank you, Mr. Speaker. I -- and I thank the good gentleman for that because it has been a sort of a little contention with people who live on lakes 'cause as we know, usually in a -- in a -- in a town the lake -- your property taxes are
much higher than surrounding areas and now we're putting another tax on those people that are living on the town -- living on the lakes. My lake there's over 500 homes there. Everybody has one or two boats.

My question is would this funding, if it was possible to do without violating the federal government's funding of the boat launches, would it be able to have that money that's collected for that lake earmarked for that lake? Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. I am not aware of any earmarking provisions as a result of this legislation. Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Case.

REP. CASE (63RD):

Thank you, Mr. Speaker. And it's been an
ongoing conversation because in this day and age we have a lot of recreational lakes, a lot of fishing lakes. Our lake happens to be stocked by the state of Connecticut but we have a boat launch that's funded by the federal government and therefore there's a lot of tournaments that come in from New York state, Massachusetts. We have the highest population of lakes in the northwest corner. I'm all for keeping these lakes clean and safe. In fact the next couple of weeks our lake will be being treated with Diquat, which is a cost to the town of about $18,000 to $20,000 because you have to do the mapping every year, get the permit, and then get the company to come in and do it and then the lake is shut down for two or three days until that product has actually gotten to where it needs to go to do its work.

My concern is once again, we're pulling money out of pockets of the people who pay the most taxes in my community. The people who spend money to purchase boats pay taxes on their trailers, not on
their vessels yet but I hear that might be coming; who put big investments in their homes and in order to make this work I need to be able to sell it to my community that if the 500 and so homes and the 500 or so families that have boats that are going to be paying this $25.00 fee, they're going to want to know is -- the $5.00 fee excuse me, the $25.00 for -- that that money's going to go to take care of the lake that they live on. And if that money for some reason doesn't make it back to that community and to that lake we have I think seven lakes in the 63rd district, it's going to be a problem. And if it goes to one certain community for some reason or one certain lake there's going to be an issue.

A lot of the issues we find is with these invasive species is educating people. A few years ago we talked about putting hot water pressure waters at the boat launches to clean the boats but we also had the problems with the ballast tanks of wakeboarders and others that come to our lake that come from other lakes. And if you don't pump those
ballast tanks out 100 percent and you go into another lake you could possibly be bringing in an invasive species. So in talking with DEEP we're trying to educate our people that a teaspoon of bleach in that tank before you move to the next lake can kill what is in those ballast tanks. And those ballast tanks when they're full they hold up to 100 to 150 gallons of water and unless you pump that out wholly you are bringing things to another lake.

So the other concern is you know when I had my vessels, which currently don't have one now but it was purchased on Candlewood Lake so it would be serviced down there, test run down there after it's serviced, bring it back to my lake but knowing what's going on before I ever entered it back into the water I always cleaned it, pressure washed it because I was educated on doing that. There's a lot of people who aren't educated.

I would hope that we could see -- if this goes through, I'm not sure I can vote on this because I'll be honest with you, the people in my district
that live on lakes are a little bit overtaxed right now. And we have some issues on the lake currently that DEEP is having some issues and we're trying to get figured out to -- how to get them fixed. I just don't see how charging another fee on the good homeowners and boat owners who pay some of the highest taxes already in the state of Connecticut is really a good idea. And I'm also concerned because we do some nonprofit stuff and we've asked to utilize the boat launch parking lots for parking for things that take place on the beaches right next door, we're not allowed to because it's not allowed in the federal government's contract with the state of Connecticut because it's only to be used for boating, boating recreation or fishing. I'm very concerned with -- because we were told specifically, no you cannot charge each boat $10.00 for them to launch at your boat launch because there are federal funds attached.

A big concern with that. I think we need to look into it. I don't want us to move forward and
then get called back on this because we haven't read the contract with the federal government but I believe almost every state boat launch had some sort of project done to it. You know ours was a new seawall on the lake that I'm in. It was just repaved and they cut down the number of parking spaces to try to eliminate congestion on the lake. So with that said, and also through you Mr. Speaker, with this are we going to be able to have enough ECON police to go out there and levy fines? Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. My understanding is based -- based on discussion that the Department of Energy and Environmental Protection does and will have enough ECON police to satisfy the good gentleman's concerns. Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Case.
REP. CASE (63RD):

Thank you, Mr. Speaker. And I guess the one good part that can really catch the people is at the boat launches but we don't have the money to pay the staff at the boat launches anymore. Those are part-time people. They used to be there all the time. They were retired people that came back to work and make sure -- 'cause our lake doesn't take over a 22 foot boat so if you came in with a 23 foot boat you were turned around and exited out of the boat launch. If you didn't have all the right safety apparatus on your boat, that person there turned you around and says you're not allowed on the lake. So my concern is how we're going to police is. How we're going to be fair with this. I guess those are my concerns. I really think there's a lot of restrictions right now on what we can on boat launches that have taken federal funding and I'm not in a position to vote for something that will put another tax on some of the most highest taxed people already. Thank you, Mr. Speaker.
DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative Case. Will you remark further on the Amendment? Representative Delnicki on the Amendment.

REP. DELNICKI (14TH):

If I can get my microphone cord up.

DEPUTY SPEAKER MORIN (28TH):

I only tied three knots on it. You should be okay. (Laughing)

REP. DELNICKI (14TH):

Can I sit down and engage here because --

DEPUTY SPEAKER MORIN (28TH):

I will let you sit down.

REP. DELNICKI (14TH):

Otherwise I'm liable to have [Crosstalk].

DEPUTY SPEAKER MORIN (28TH):

I don't want you to hurt your back, Representative. Please make yourself comfortable.

REP. DELNICKI (14TH):

Thank you, Mr. Speaker. (Laughing) And needless to say we've got to report this microphone
cable. Looking at this on the surface I see value in it but I also maintain a concern over what occurred with Passport to the Parks and I got a tremendous amount of feedback from folks saying why in the world did you support that when they grabbed the money out of the fund to which it was a very difficult explanation.

And I thank Representative Candelora here for solving the problem. I'm fully operation and I'm right as rain.

So to the -- to the proponent, through you Mr. Speaker a question.

DEPUTY SPEAKER MORIN (28TH):

Please proceed, sir.

REP. DELNICKI (14TH):

Thank you, Mr. Speaker. How do we intend to ensure that that $5.00 fee that's charged stays committed to this issue because it is an issue and needs to be addressed but if the money is going to be swept out of there; you know one step forward, two steps back. Through you Mr. Speaker.
DEPUTY SPEAKER MORIN (28TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. I suppose I will refer back to my previous comments of a few minutes ago. It is up to the vigilance and responsible nature of the legislature to make sure that that does not happen. Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Delnicki.

REP. DELNICKI (14TH):

And I thank the proponent for the answer there. And through you, Mr. Speaker line 61 through 65, which makes reference to 80 percent of any funds deposited, not less than 80 percent. The question through you, Mr. Speaker would be to the language there does that mean that 20 percent of that money could very well find itself going somewhere else as opposed to sticking with the issue of addressing invasive species? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):
Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. My understanding when we were crafting this Bill is that there was a concern that too much of the funds would go towards administrative expenses so this -- this section was put in to assure that at least 80 percent of the funding would go towards doing the job rather than administration. Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Delnicki.

REP. DELNICKI (14TH):

And to the proponent -- through you Mr. Speaker to the proponent I thank you for that answer. I -- I look at that and I always cringe when I see percentages dedicated saying, gee is the money going to go to something else? The -- the question of out-of-state boaters and how do you communicate it effectively and how do you get the word out and how in the world would that be policed? Through you Mr. Speaker a question to the proponent. With out-of-
state boaters not having any method or means of having identification on their vessel that they've actually paid this fee would we have -- the environmental folks -- the environmental police actually pulling out-of-state vessels over to do a spot check just based on that? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. I am not sure exactly the procedure of the Environmental Conservation Police that they would -- I cannot speak to whether they would be doing spot checks but my understanding is that if they are made aware of an out-of-state boater who has not paid this fee that they would take appropriate action. Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Delnicki.

REP. DELNICKI (14TH):

And again I thank the proponent for the answer
there. And for the record I've been a boater since
the mid-1980s, primarily Connecticut River,
primarily Long Island Sound. Never really spent
much time on the lakes and one of the real causes of
the invasive species issue that I've seen over the
years is the fact that you have barges that come up
the Connecticut River and when they offload they're
pumping water out and pumping water in and that is a
huge issue pertaining to the ballast water of a
barge. Now I'm not minimizing the issue of boaters,
recreational boaters that come from one area to
another and that's how -- that's basically how zebra
mussels got here in this area because of the
recreational boaters, but also I suspect based on
the fact that barges are dumping their ballast.

And I don't know if I'm opening up a can of
worms but I just want to mention that I'm going to
be listening to the rest of the conversation here
and I thank the proponent for the Bill that's
proposed. If there's way we can ensure all that
money with the exception of the 20 percent or -- or
less or so, went and stayed in the fund for that issue and didn't get swept up I wouldn't even have to think twice about it. But that is a concern that remains on my part. And I thank you Mr. Speaker for the opportunity to speak on the issue.

DEPUTY SPEAKER MORIN (28TH):

You're quite welcome. And as usual, Representative Candelora was very helpful keeping this Chamber running, so thank you. Will you remark further on the Amendment? Representative McCarty of the 38th District.

REP. MCCARTY (38TH):

Thank -- Thank you very much, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Please proceed, madam.

REP. MCCARTY (38TH):

Thank you. First I'd just like to state that I know that this is a very serious problem throughout the state. In my town we're surrounded by rivers, lakes, ponds and the sound. But I do have one question for the good Chair if I may, through you.
DEPUTY SPEAKER MORIN (28TH):

Of course you may.

REP. MCCARTY (38TH):

Thank you. I was just wondering, so this legislation talks about a non-lapsing account and do we have any idea first of all how much revenue we think this account would generate and then secondly, is this non-lapsing account in lieu of the hundreds of thousands of dollars that has been attributed to this area in the past? So it's a two question for you. Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. In reviewing the fiscal note associated with this Amendment it's estimated by the Office of Fiscal Analysis that this fee would generate approximately $500,000 annually and I'm not sure I -- and -- well this is an -- this is an existing account so we are not creating a new account. That account was established within the
last year or two. Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative McCarty.

REP. MCCARTY (38TH):

Thank you, Mr. Speaker. And thank you for that clarification. So this account is just adding the rivers to it and then the fee, the $5.00 fee and we think that there's going to be security in guarding that account? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. Yes, the vigilance of the General Assembly will guard that account.

Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative McCarty.

REP. MCCARTY (38TH):

Thank you very much. Thank you for your answers.

DEPUTY SPEAKER MORIN (28TH):
Will you remark further? Will you remark further on the Amendment before us? If not, Representative Case for a second time? Please proceed, sir.

REP. CASE (63RD):

Thank you, Mr. Speaker. It just sparked up another question. I know it's a big concern also because invasive species come in many ways. So how do we handle the invasive species on canoes and kayaks because they go from lake to lake to lake and there's no way of assessing this -- this fee onto them with a sticker; through you Mr. Speaker is that correct?

DEPUTY SPEAKER MORIN (28TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. One of the important aspects of this Amendment is the education piece which the good gentleman was referring to earlier. And with the robust funds that will be generated through this -- through this program, education will
be one of the primary means of seeking to ameliorate that situation with the canoes and the kayaks. Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Case.

REP. CASE (63RD):

I thank you, Mr. Speaker. And I guess you know one of the ways we could probably start this education might be through the personal watercraft licensing classes and have it as a question or how do we do this? How do you maintain your boat or your personal watercraft because we do have that robust program that you must have the license in order to be on the waters in Connecticut? And again, my concern is of my other colleagues, it's a fund. We have many funds in the state of Connecticut that do get used for other things. We do talk about you know that one -- I'm not going to talk about the fund too much, that everybody gets their $1.00 a month on their insurance but now it's going to fund many different things other than the
one purpose it was really made for. Passport to Parks is supposed to go to the parks, now it's being spread out. I just don't know where to go with this and at this point I don't believe I can support this given the lake residents that I have to answer to with the four lakes in my community of the 63rd District, so I thank you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

    Thank you. Will you remark further on the Amendment? Representative Gucker of the 138th.

REP. GUCKER (138TH):

    Thank you, Mr. Speaker. So I just wanted to clarify some of the stuff with the -- with the stamp. Anytime we -- when we're dealing with the out-of-state boaters that are going to come in, just like any other law you know, laws are enforced once somebody is pulled over for doing something. I mean you could drive in the state of Connecticut without a license until you get caught and they find you don't have a license on you. You could be running a vehicle that's not registered and it's not until you
get pulled over that they realize, hey you're not registered. So this -- this stamp for out-of-state boaters they need to you know, get this stamp. They need to get this paperwork and keep it with their registration which is staying with their boat. And would I be wrong to assume, through you Mr. Speaker, that we can take some of this money from the invasive species stamp and use that for say cleansing stations or to support lake authorities or to support -- you know, you know it's a question with it -- could we use some of that money to support these organizations that are out there for say, education but also use it to set up some of these preventative methods? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. I believe the answer is yes.

REP. GUCKER (138TH):
Thank you -- thank you for that answer, sir.

DEPUTY SPEAKER MORIN (28TH):

Representative Gucker.

REP. GUCKER (138TH):

Sorry, I'm getting -- I'm getting use to this.

So also my understanding is that we would at the various boat launches, even though we can't charge for these boat launches like we have that in my -- in my district, through you Mr. Speaker, would we put educational information at these boat launches to let people know of the importance of dealing with invasive species, to be dealing with what they need to do to be education wise, but also that they are going to be required to get this stamp? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. Yes.

DEPUTY SPEAKER MORIN (28TH):

Representative Gucker.
REP. GUCKER (138TH):

And thank you -- thank you for that answer. So again, going back to my favorite subject, which is you know, of course Candlewood Lake. My community has reached out and wants this. We have in our -- in our community we have a lake authority that is -- that has five towns around it. It has three members from each town on that lake authority and they've been asking for more help as we combat this problem. And it's -- I think one of the reasons for the genesis of this Bill is to help those lake authorizations get more teeth, get some more funding to be able to carry forward some of these programs to be able to make sure that the boating crafts are clean like they do up in Lake George. I mean Lake George is one of the models for this to where you can't go in their lake unless you've -- you've been cleaned and you -- you've been checked out.

So again I urge my -- my colleagues to support this. I think it's great. It's something we desperately need and the sooner we get a hold of
this problem with invasive species, maybe we'll have
to do less work to keep them under control. Thank
you.

DEPUTY SPEAKER MORIN (28TH):

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

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MORIN (28TH):

Those opposed Nay. The Ayes have it. (Gavel)
The Amendment is adopted. Will you remark further
on the Bill as amended? Representative Lanoue.

REP. LANOUE (45TH):

Thank you, Mr. Speaker. I rise for a couple of
questions to the proponent of the Bill.

DEPUTY SPEAKER MORIN (28TH):

Please proceed.

REP. LANOUE (45TH):

Before I do so though I want to just make a
comment. In my district as I mentioned the other day whenever I was -- we have a Pachaug Pond, which is one of our -- the states most beautiful gems. People from all over the state go to Pachaug Pond. It's absolutely gorgeous, beautiful. We want to keep it that way and unfortunately we do have a weed problem. We want to get that eradicated. There's a group of very hard-working residents that are trying to make that happen. So I want to -- I want to thank the proponent first of all for what you're trying to accomplish. I appreciate that.

But I just want to -- just a couple of questions through you, Mr. Speaker. Just to make sure I understand this correctly. The -- the Commissioner -- are you going to assess a $5.00 fee to boaters in state, $20.00 out of state. Those funds are collected and will go into the Connecticut Lakes, Rivers and Ponds Preservations account and then the DEEP Commissioner will then -- one of the things he or she can do would essentially appropriate funds to programs that would go to
eradicate invasive species; do I understand that correct? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Demicco.

REP. DEMICCO (21ST):

Yes, Mr. Speaker the gentleman is correct. Through you.

REP. LANOUE (45TH):

Okay.

DEPUTY SPEAKER MORIN (28TH):

Representative Lanoue.

REP. LANOUE (45TH):

My second question is what's the criteria or basis that the Commissioner will have to decide which particular lake, which particular program will get -- assess those funds, to allocate those funds to take care of that. Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. I believe that is up
to the discretion of the Commissioner. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Lanoue.

REP. LANOUE (45TH):

Is there -- is there a more -- would there be more of a stricter criteria that we could institute to make sure -- and no disrespect to the current Commissioner or the current makeup of this legislature but for years to come this is going to put into law assuming this passes; can we -- can we include some kind of criteria that would enumerate or list or specify what's the most crucial, the most critical that need to get rectified first and go down in ascending order? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Demicco.

REP. DEMICCO (21ST):

Through you Mr. Speaker. The Amendment which has now -- which is now before us, the Amendment does not contemplate that. Again I would answer the gentleman's question by responding that the -- the
Department of Energy and Environmental Protection has the expertise and that they would -- as they currently do, they would be expected to use their discretion and expertise in how these funds are specifically allocated. Through you Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Representative Lanoue.

REP. LANOUE (45TH):

Okay. I -- I thank the gentleman for his answers and I want to get to a place where I can say yes to this. The eradication of these invasive species I think is critical not only to the environmental integrity of the different ponds and the different lakes but also the commerce that it generates to the supporting industries, particularly in my district and surrounding areas that rely very heavily on Pachaug Pond and Ashland Pond for -- for commerce and various different industries. However, I think we need -- I would like to see some type of criteria put into law and we could -- we could certainly utilize DEEP and their expertise in doing
that, but I think we need to hammer that out before we move forward simply to keep -- keep at a level playing field to make sure it's fair for everybody and we can have -- we have -- have a clear understanding every -- every legislator so we can articulate that to our constituents, what's the most critical to the least critical regardless of where the lake is located or whatever the situation may be, we can focus strictly on the criteria and the environmental and commerce considerations. Thank you again and I appreciate the answers from the good gentleman.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Smith of the 108th, sir you have the floor.

REP. SMITH (108TH):

Thank you, Mr. Speaker. I rose earlier to speak in favor of the Bill. I remain in favor of the Bill. I think it's a great step forward to the protection of our bodies of water, especially Candlewood Lake where I represent many towns who
serve, or actually border the lake. Mr. Speaker the Clerk has an Amendment. It's LCO 10476. I'd ask the Clerk to call it be allowed to summarize.

DEPUTY SPEAKER RYAN (139TH):

Will the Clerk please call LCO 10476 which will be designated House Amendment Schedule B?

CLERK:

LCO 10476 designated House Amendment Schedule B and offered by Representative Smith.

DEPUTY SPEAKER RYAN (139TH):

Representative seeks leave of the Chamber to summarize the Amendment. Is there objection to summarization? Is there objection? Hearing none, Representative Smith.

REP. SMITH (108TH):

Thank you, Mr. Speaker. Candlewood Lake which I indicated earlier is the largest man-made lake in New England, 32 miles long. On certain sections of the lake we have a -- a group of folks who get their boats tied together and they sit out in the middle of the lake, a little bit off shore actually and
they bring their stereos and their speakers and they unfortunately play music at a decimal that's really uncomfortable to not only those surrounding them on the lake, those folks who are actually on the shore line have to close their windows during the middle of the summer and it's become a real nuisance. So what this Amendment does, Mr. Speaker is to give the -- to give DEEP the authority to actually enforce the noise ordinances which the towns may adopt. So it doesn't require the town to adopt an ordinance but if they one, DEEP can enforce it. There's no obligation on DEEP to actually hire any additional personnel. There's no fiscal note to it. So based on that, Mr. Speaker I move adoption.

DEPUTY SPEAKER RYAN (139TH):

Question is acceptance -- question before the Chamber is adoption of House Amendment Schedule B. Will you remark further on the Amendment? Will you remark further on the Amendment? Representative Smith.

REP. SMITH (108TH):
I'd like to thank Representative Demicco and my colleagues from the Danbury community; certainly Rep. Gucker and Rep. Arconti and Rep. Godfrey and all the folks in the Danbury community who support this Amendment. I believe it's a friendly Amendment. I hope it would be considered as such. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Harding of the 107th, sir.

REP. HARDING (107TH):

Thank you very much and I'll thank myself for the work (laughing) as being part of the Danbury delegation. So if there -- I just want to quickly say I do support this Amendment. We've worked this out with DEEP. The fiscal note is now alleviated and I would ask my colleagues to do the same.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. Representative Demicco, sir you have the floor.

REP. DEMICCO (21ST):
Yes, thank you Mr. Speaker. I would like to also voice my support for this Amendment. I consider it to be a friendly Amendment. I would urge my colleagues to — to give their acquiescence to it.

SPEAKER ARESIMOWICZ (30TH):

Thank you, sir. Will you remark further on the Amendment? Will you -- will you remark further on the Amendment before us? Will you remark further on the Amendment before us? If not, let me try your minds. All those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER ARESIMOWICZ (30TH):

Those opposed, Nay. The Ayes have it, the Amendment is adopted. (Applause) He's taking all the fun out of this. (Laughter) Will you remark further on the Bill before us as amended? Will you remark further on the Bill before us as amended? If not, will staff and guests please come to the well
of the House and the members please take their seats. The machine will be open. (Ringing)

CLERK:

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

DEPUTY SPEAKER RYAN (139TH):

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

CLERK:

House Bill 6637 as amended by House A and B.

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DEPUTY SPEAKER RYAN (139TH):

The Bill as amended passes. (Gavel) Are there any announcements or introductions? Representative Dathan of the 142nd, ma'am you have the floor.

REP. DATHAN (142ND):

I rise for the purpose of an introduction.

DEPUTY SPEAKER RYAN (139TH):

Please proceed, ma'am.

REP. DATHAN (142ND):

I'd like to introduce my son to the People's House where the room where it happens. My William Dathan is a sophomore at New Canaan High School and as you see, he really wants to go to George Washington and I do fear for my seat because he is an avid politician. He may primary me some day so this is Will, if everybody can give him a nice House welcome. (Applause) And I've really embarrassed him now.

DEPUTY SPEAKER RYAN (139TH):

Thank you, Representative. It's good to have your son here. Are there any other introductions or
announcements? Representative O'Dea of the 126th, sir you have the floor; 125th, excuse me.

REP. O'DEA (125TH):

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

DEPUTY SPEAKER RYAN (139TH):

Please proceed, sir.

REP. O'DEA (125TH):

Thank you very much. I have with me friends and fellow New Canaan residents, Lisa Platt, Serena Platt who is an 8th grader at Saxe Middle School where all my children went, and Jeff Platt all from New Canaan. And Lisa Platt's father Robert, excuse me grandfather, Robert Bliss was a state senator for New Canaan a number of years ago and I would ask the Chamber give my friends a warm welcome if you would, please. (Applause)

DEPUTY SPEAKER RYAN (139TH):

Thank you and thank you for being here on a Saturday. The Chamber will stand at ease. The Chamber will come back to order. Representative
Currey. Can you turn on Representative Currey's microphone please, not walk away? I know it was easy to walk away.

REP. CURREY (11TH):

Thank you, Mr. Speaker. I move that -- for suspension for the immediate consideration of Calendar No. 692.

DEPUTY SPEAKER RYAN (139TH):

Is there objection? Is there objection? Hearing no objection the rules are suspended. The Clerk will please call Calendar 692.

CLERK:

Calendar 692, Substitute Senate Bill No. 647, AN ACT STREAMLINING THE LIQUOR CONTROL ACT. Favorable Report of Joint Standing Committee on Finance Revenue and Bonding.

DEPUTY SPEAKER RYAN (139TH):

Representative D'Agostino, the man in white you have the floor today, sir.

REP. D'AGOSTINO (91ST):

Thank you, Mr. Speaker. Off white. (Laughing)
Thank you, Mr. Speaker. The -- at the start of the session we heard from dozens of members, both Republican and Democrat looking for changes to our Liquor Control Act -- looking for changes to our Liquor Control Act wanting additional limits with respect to the sale of beer, with respect to the sale of wine, with respect to the sale of cider and so the General Law Committee took everyone’s input, both Republican and Democrat and worked very hard over the last few months to update and modernize and streamline our Liquor Control Act. The issue of course is when -- the Liquor Control Act in this state is like a Jenga puzzle. You move one piece; you risk the whole thing collapsing because of the three-tier system. So we had to go through and make sure that changes we were making in one area wouldn't negatively impact another area. We worked very hard to do that and I want to describe for a minute just the scene that is every legislator’s worst nightmare which is 24 lobbyist sitting around a table, each with different interests, different
goals in mind and trying to convince them to come to an agreement on a comprehensive Bill that impacted all of them. That asked them all to give a little to gain a lot and that's what this Bill is.

DEPUTY SPEAKER RYAN (139TH):

Representative?

REP. D'AGOSTINO (91ST):

Yes?

DEPUTY SPEAKER RYAN (139TH):

Could you move acceptance of the Joint Committee's Favorable Report?

REP. D'AGOSTINO (91ST):

I'm about to do that.

DEPUTY SPEAKER RYAN (139TH):

I knew you would. Thank you.

REP. D'AGOSTINO (91ST):

I move acceptance of the Joint Committee's Favorable Report and passage of the Bill.

DEPUTY SPEAKER RYAN (139TH):

Question is acceptance of Joint Committee's Favorable Report and passage of the Bill. There's
no clapping in the Chamber. (Laughing) Favorable Report and passage of the Bill. Representative D'Agostino, you may continue.

REP. D'AGOSTINO (91ST):

Thank you, Mr. Speaker. So we worked very hard on this so the Clerk has an Amendment that really puts everything in place. It is LCO No. 1 -- excuse me LCO No. 95 -- 9541. I'd ask the Amendment be called and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER RYAN (139TH):

Will the Clerk please call LCO 9541, which will be designated Senate Amendment A?

CLERK:

LCO No. 9541 designated Senate Amendment Schedule A and offered by Senators Witkos, Fonfara et. Al.

DEPUTY SPEAKER RYAN (139TH):

The Senate -- the Representative seeks leave of the Chamber to summarize the Amendment. Is there objection to summarization? Is there objection?
Hearing none, Representative D'Agostino you may continue.

REP. D'AGOSTINO (91ST):

Thank you, Mr. Speaker. So this Amendment does a lot. I'll try to summarize it as briefly as I can but basically in response to a lot of requests, we had from representatives we are allowing now our -- our craft beer industry to grow and thrive even more. They can sell a bit more out the door to customers. Instead of 9 liters that goes up to 9 gallons and importantly now, we are creating a different permit -- café permit that our manufacturers of ciders and beer and now a new permit for mead can take advantage of and cross sell each other's products. That's a terrific development. You go into a cidery, you want a glass of wine, now you can buy a glass of Connecticut wine. You want a -- you go into a brew -- a brew pub, you want a glass of cider, you can buy Connecticut cider at the brew pub. So there's all sorts of cross selling involved with that, which we
think is terrific.

We've streamlined a number of permits to make it easier for our businesses, our restaurants on down, our colosseums, our golf clubs, etc. to go through our permitting process. That's something that a lot of people wanted as well.

We've also -- and this is important; we've kept and preserved our farm wineries so they get to continue to do what they're doing. They've been very successful as well. And we're letting them and only them, when they grow their wine using Connecticut grapes that they grow on site, sell their product as Connecticut wine. So we've really dragged this whole industry into the 21st century with this Bill and I move adoption.

DEPUTY SPEAKER ROSARIO (128TH):

The question before the Chamber is adoption of Senate Amendment Schedule A. Will you remark on the Amendment? Representative D'Agostino.

REP. D'AGOSTINO (91ST):

I'm done. I moved adoption.
DEPUTY SPEAKER ROSARIO (128TH):

Will you remark further on the Amendment?
Representative Cheeseman of the 37th, you have the floor, madam.

REP. CHEESEMAN (37TH):

Thank you very much, Mr. Speaker and through you Mr. Speaker I have a couple of questions for the good Chairman of General Law about the Amendment.

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed madam.

REP. CHEESEMAN (37TH):

So as the Chairman described, there were extensive consultations with all parties involved including the Brewers Gild, the package stores, beer and wine wholesalers, is that correct? Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative D'Agostino.

REP. D'AGOSTINO (91ST):

Though -- Through you Mr. Speaker. Yes, correct. Everybody involved in the three-tier
system from package stores to manufacturers to wholesalers was involved in it and there's -- there's something in this Bill for all of them.

Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Cheeseman.

REP. CHEESEMAN (37TH):

And again as the good Chairman mentioned, there were numerous requests from members on both sides for instance of some new permits and changes to permits, particularly with regard to cider and mead?

Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative D'Agostino.

REP. D'AGOSTINO (91ST):

Through you Mr. Speaker. Yes, we've taken the existing cider permit, we're allowing the cideries now to sell their product to consumers on site as well up to a certain amount and then they have to go through the three-tier system and we've created that new mead permit, which is -- which is a fermented
drink brewed from honey so the mead industry will now grow and thrive in Connecticut. And we've created that as well. Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Cheeseman.

REP. CHEESEMAN (37TH):

And again my understanding was distillers were asking that they be allowed to serve non-alcoholic beverages along with their spirits as a mixer and this Bill -- this Amendment includes that? Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative D'Agostino.

REP. D'AGOSTINO (91ST):

Through you Mr. Speaker. That is correct, the distillers can now sell when they sample a drink. When you buy a sample at their distillery they can mix it with a non-alcoholic mixer and create a mixed drink for somebody to -- to consume on premises. Through you.

DEPUTY SPEAKER ROSARIO (128TH):
Representative Cheeseman.

REP. CHEESEMAN (37TH):

Thank you and through you Mr. Speaker. The Chairman mentioned consolidation of permits. People with existing permits will be allowed to keep those permits until the date of the renewal; is that correct? Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative D'Agostino.

REP. D'AGOSTINO (91ST):

Through you Mr. Speaker. That's a terrific point from the Ranking Member of General Law. I want to be clear that these changes, most of them only go into effect in July of 2020 so we've given the entire industry a year to transition to the new process, to -- to build for it and expect for it and to get the new permits. No one who has an existing permit will be -- will be out of business. We're just consolidating and streamlining that process. But everybody who has an existing permit will have one under the new regime. Through you.
DEPUTY SPEAKER ROSARIO (128TH):

   Representative Cheeseman.

REP. CHEESEMAN (37TH):

   Thank you. And my final question with regard to the fiscal note, this results in a net positive to the general fund; is that correct? Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

   Representative D'Agostino.

REP. D'AGOSTINO (91ST):

   Through you Mr. Speaker. On the fees alone we're anticipating a net positive to the general fund of about three-quarters of a million dollars net. That's terrific and of course that doesn't even include the tremendous growth and industry that we expect in the liquor industry with respect to the new permits, the cross selling. This is really a pro Connecticut, pro-consumer, you know pro-business Bill that's truly bipartisan. I want to thank the Ranking Member for her support on this.

   I do need to also put on the record just the
tremendous work that Senator Witkos did in the Senate and Senator Fonfara but also Representative Rutigliano in this Chamber who -- who knows this industry backwards and forwards. Did an amazing job getting people to the table. Like I said, you should have seen -- we were surrounded on a table at one of the -- at one of the breweries. All of these industry representatives and Representative Rutigliano was really able to command the room and get everybody together and I really appreciate all the work we've done on this -- that everybody has done on this on a bipartisan basis. Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you. Representative Cheeseman.

REP. CHEESEMAN (37TH):

Thank you. And I want to echo the Chairman's remarks with regard to everybody who worked hard on this and I would urge adoption. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, madam. Will you remark further on
the Amendment before us? Representative Steinberg of the 136th, you have the floor sir.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. A brief comment if I may?

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I rise in support of this Amendment of the underlying Bill. I want to congratulate Representative D'Agostino for all of his hard work working for all the parties. Frankly we contemplate changes to our liquor laws roughly once a generation if -- if that often. And to have achieved so many changes that reflect opportunities for business in this state, I think is a tremendous accomplishment. I want to thank him particularly for adding mead to the mix. Mead is not only a wonderful beverage option, it also ties into our pollinators, our bees which are important for us environmentally. And not only do I urge adoption, I
raise my glasses on high and favor the Bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Cheers to that.

Will you remark further on the Amendment before us? Representative Case of the 63rd, you have the floor sir.

REP. CASE (63RD):

Thank you, Mr. Speaker. Just a few questions to the proponent of the Bill.

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed, sir.

REP. CASE (63RD):

Mr. Speaker, in the northwest corner we have some wineries and there have been some concerns and emails that have come across to us and the concern was the amount that they have put into their investment on the property for the wineries in order to be considered a winery. Have those certain wineries that are on the Connecticut Wine Trail been talked to and how does this affect them? Through
you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative D'Agostino.

REP. D'AGOSTINO (91ST):

Through you Mr. Speaker. Yes, actually I just spoke with the Chair of the Connecticut Wineries Group last night. There was some initial concern when we had -- when we had an original draft of this Bill. We actually took out the farm winery permit because we thought we would just consolidate them under one manufacturers permit. They spoke up, they spoke loudly, we heard them, we've carved out and preserved the farm winery permit. And I mention this briefly but I really -- I really want to home in on it. This is -- this is the -- this is what's in this Bill that only they get because they grow their grapes, because they use Connecticut grown grapes up to a certain percentage or more. They are the only people who can sell their wine in a liquor store as Connecticut wine. You go into the liquor stores; you see that Connecticut wine section. Only
our farm wineries can be in there. They're also the only wine manufacturers, the vendors in the state who can be on the Connecticut Wine Trail. So that's literally millions of dollars in free advertising that they get by virtue of being Connecticut vineyards growing their grapes here. There is a percentage. We haven't changed those percentages. You have to use up to 25 percent and then 50 percent of Connecticut grown grapes. We don't have anybody at 100 percent yet. We hope to get there eventually so many of them are still bringing in wine from -- and grapes from out of state, but those that are growing, those threshold percentages in the state of Connecticut are the only ones who can sell Connecticut wine. And when a Connecticut craft brewery now wants to sell, as we mentioned before, wants to sell a Connecticut -- a wine on site as well. Somebody goes in. I'd like something besides beer. The only thing they can sell in the Connecticut craft brewery under the Connecticut Café Permit is the Connecticut wine made by our wine
manufacturers Connecticut. So we've given them also a new audience to sell to, business to business. The cideries, the mead, the beer guys can now buy the Connecticut wine as well and sell it on site. So we've tried to preserve them as much as possible and encourage our farmers and our agriculture in the state through this permitting process. Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you. Representative Case.

REP. CASE (63RD):

Thank you, Mr. Speaker. And I thank the -- the good proponent because these -- these wineries have spent millions of dollars with their fields and growing their grapes and taking them under consideration, and that one's in the -- a few of them are in the town of Goshen and now I have a new brewery in the town of Colebrook that has over 200 acres and they're growing their own hops. So they feel as though, you know they want to make sure that their Connecticut grown and their brewed is preserved and they want to make sure that we are
just not throwing this out there in such a way that could negatively affect what they've invested in their properties with their families, and hoping that you know and incentivize them to keep going with the Connecticut grown. So I thank the good proponent for his answers and the work on this Bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the Amendment before us? Representative Haines of the 34th, you have the floor madam.

REP. HAINES (34TH):

Thank you Chairman and I want to thank the good proponent of the Bill. I want to thank everybody. All of my questions have been answered and I appreciate all the work that everybody has done on this Bill. The cideries in the state of Connecticut, the wineries, the breweries; this is such a wonderful cottage industry that we have growing in Connecticut. It provides many jobs. It protects our agricultural lands. Thank you again so
much and I look forward to voting on this Bill.

DEPUTY SPEAKER ROSARIO (128TH):

    Thank you, Representative. Will you remark further on the Amendment before us? Representative Wilson of the 66th, you have the floor sir.

REP. WILSON (66TH):

    Thank you, Mr. Speaker. I look at this is a pro small business Bill here in the state of Connecticut and we all know how desperately we need to keep business in the state of Connecticut but I also want to thank everyone that worked on this Bill. I appreciate it very much as the folks listened to us. They listened to our constituents. I have to mention the Litchfield Distillery and the Baker brothers from Litchfield which is a growing distillery in northwest Connecticut. They're looking to really make substantial investments into the state of Connecticut. Just historic background; these are the folks who formally owned for about 100 years, Crystal Rock Waters. So they have the resources, they need to be able to grow their
business. I appreciate the listening that was done to increase some of the liquor distal gallonage limits that they were asking for, and that means a lot and it will go a long way. So I definitely support this Amendment. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the Amendment before us? Representative Davis of the 57th, you have the floor sir.

REP. DAVIS (57TH):

Thank you, Mr. Speaker. I just wanted to rise in support of the Amendment, which will become the Bill. I want to thank the Chairman of the General Law Committee, all the Chairman of the General Law Committee and the Ranking Member and Representative Rutigliano for their hard work on this issue and I want to thank them for including me in the Bill as those on General Law remember, I have -- I have a Meadery in Ellington. They came to us, called me, told me their specific issues that they had with trying to start that business here in Connecticut, a
product that I think people will very much enjoy it if they get the opportunity to try it and pair it with ciders, which is a great thing that they're able to do under this Bill now. Be able to do on-site tasting, be able to grow their business here in Connecticut. So I'm very thankful to the Committee for listening to their concerns, incorporating their concerns and ultimately having a Bill that will help them expand here in Connecticut, a great example of what we can do when we listen to our business community and we work together in a bipartisan basis to get things done so I want to thank the Committee for that. They did a tremendous job and look forward to supporting the Bill. Thank you, Mr. Chair -- Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Will you remark further? Will you remark further on the Amendment before us? The gentleman from the 1st district, Representative Ritter you have the floor sir.

REP. RITTER (1ST):
Thank you, Mr. Speaker. I just again also want to echo the comments and poor Representative D'Agostino had to deal with us on some of these issues. We had many requests but this industry has been huge for the City of Hartford. The craft brews that have gone in, I think in Hooker, certainly the ones in West Hartford have just been phenomenal. But what came to me and one of the reasons I love the legislature and why we run is you can help your constituents. And we got an email from the Hartford Flavor Company. Some of you may have heard of it. They make liqueurs that they mix their drinks. And they needed some small changes to make their business profitable. Just a West Hartford couple take their -- you know retired and decided to start a business on their own and this Bill will let it grow. So Mike got harassed by me and Ricky for months and he worked his tail off to get it done, but everybody did; Senator Witkos, Representative D'Agostino listed all the people that worked on this. It's a great victory and I really do
appreciate the bipartisan support for this. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

    Thank you, Representative. Will you remark further? Will you remark further on the Amendment before us? Representative Gresko of the 121st, you have the floor sir.

REP. GRESKO (121ST):

    Thank you, Mr. Speaker. And to echo the comments of our distinguished Majority Leader, I have two words to say and one of them is two, and it's two roads. Thank you. (Laughing)

DEPUTY SPEAKER ROSARIO (128TH):

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

REPRESENTATIVES:

    Aye.

DEPUTY SPEAKER ROSARIO (128TH):

    All those opposed Nay? The Ayes have it. The
Amendment is adopted. (Gavel) Will you remark further on the Bill as amended? Representative Rutigliano, you have the floor sir.

REP. RUTIGLIANO (123RD):

Thank you, Mr. Speaker. Many have spoken about the good Bill before us. I just wanted to echo some of those comments and give my congratulations to the good Chairman, Chairman Crocket (laughing) -- I mean D'Agostino. I have never been around a table before with 24 people reading a Bill page by page by page and he did it, Senator Witkos did it. I was truly appreciative to be part of it. I think we're trying to do good for small business and for people and for the state of Connecticut and I encourage everyone to vote for it. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the Bill as amended? Representative Cheeseman, you have the floor madam.

REP. CHEESEMAN (37TH):

Thank you very much for the second time. I
just want to thank everyone on the General Law Committee. As a new Ranking Member, their input was invaluable as we shepherded this Bill through and with three breweries, craft breweries in my district that I will know will thrive and continue to thrive and prosper, again I urge everyone to vote in support of this Bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

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

CLERK:

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

DEPUTY SPEAKER ROSARIO (128TH):

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

CLERK:

Senate Bill 692 as amended by Senate A and in
concurrence with the Senate.

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DEPUTY SPEAKER ROSARIO (128TH):

The Bill as amended has passed in concurrence
with the Senate. (Gavel) Will the Clerk please
call Calendar No. 340?

CLERK:

On page 20, Calendar 340, Substitute House Bill
No. 7183, AN ACT CONCERNING ALCOHOLIC LIQUOR
WHOLESALER PERMITS. Favorable Report of Joint
Standing Committee on General Law.

DEPUTY SPEAKER ROSARIO (128TH):

Representative D'Agostino, you have the floor sir.

REP. D'AGOSTINO (91ST):

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

DEPUTY SPEAKER ROSARIO (128TH):

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

REP. D'AGOSTINO (91ST):

Thank you, Mr. Speaker. This Bill makes some changes to our wholesale liquor permitting statutes. This is a Companion Bill to 647. The Clerk does have an Amendment. It's LCO No. 10145. I would ask that the Amendment be called and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER ROSARIO (128TH):
Can you repeat the number please, Representative?

REP. D'AGOSTINO (91ST):

LCO 10145.

DEPUTY SPEAKER ROSARIO (128TH):

Will the Clerk please call LCO 10145, which will be designated House Amendment Schedule A?

CLERK:

LCO No. 10145, designated House Amendment Schedule A and offered by Representative D'Agostino.

DEPUTY SPEAKER ROSARIO (128TH):

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

REP. D'AGOSTINO (91ST):

Thank you, Mr. Speaker. This is what I believe is another Compromise Bill. We worked very hard with our wholesalers and also our beer manufacturers and other folks to -- to work out an additional
piece. This is a House Bill that amends our liquor laws a little bit further. It says for beer wholesalers -- when a beer manufacturer signs up with a beer wholesaler they have a certain amount of time by which they can move to a different wholesaler. Previously in our laws it was 24 months, then it went down to six months and this Bill would change that up to 12 months now. So you have 12 -- a 12-month period where for any excuse, any reason, you can move to a different wholesaler. After that you need what's called just cause and you have to go through a hearing at the Department of Consumer Protection. So this moves for the beer wholesaler relationship with the beer manufacturers again our smaller craft brewers. They're signing up with wholesalers, maybe the relationship doesn't work out. You give them a year to see if it works out and if it does, you hope that they stick with it. If it doesn't they can move to somebody else before that year is up.

Additionally we heard from a number of our
wholesalers. They would like the opportunity to bring in liquor and beer from our territories. Puerto Rico, the US Virgin Islands. Right now they can, but it's a much more cumbersome process where they have to go through a third party and pay additional fees to a third party, often a mailbox somewhere and what they proposed and we agreed is to let them bring it in, increase the fee to do this, an annual fee of $1250 and now you're going to see more Puerto Rican brewed beer, US Virgin Islands rum. This is a good economic development issue for our US territories but also it helps our Connecticut-based wholesalers streamline the process by which they can bring in that beer or liquor from the US territories into the state of Connecticut working through the retail system and get it into our package stores.

One other thing that this Bill does is we just -- we just did a Bill where we consolidated a lot of the fees and a lot of the permits for different types of permittees under the liquor laws. We want
to make sure that our -- that various non-profit entities are held harmless and so this preserves the fees for particular certain for example, VFW halls so their fees don't shoot up under the new structure. We understand that there might be another permit out for them. This Bill doesn't -- doesn't deal with that but because this doesn't go, those fees that we did in the last Bill don't go into effect until July of 2020, we've committed in the General Law Committee to look at that next session as well for them. We -- we want our -- our VWH halls to thrive. You know it's been tough for them and so we're going to preserve their fees in this Bill as well. So it's a Compromise Bill again. Our wholesalers have signed off on it. The package stores are -- are okay with it. The -- the beer manufacturers obviously like it, particularly obviously the beer manufacturers in Puerto Rico and our -- our US territories now. They're going to have an easier time getting their products into the state of Connecticut and we think that's great again
for businesses in Connecticut and obviously for consumers and I move adoption.

DEPUTY SPEAKER ROSARIO (128TH):

The question before the Chamber is adoption of House Amendment Schedule A. Will you remark on the Amendment? Representative Cheeseman of the 32nd, you have the floor madam.

REP. CHEESEMAN (37TH):

Thank you. Through you Mr. Speaker. I thank the good Chairman for his explanation of all the elements of this Bill and through you, my understanding is like the Bill we just voted on, this in terms of a fiscal note results in a revenue gain to the state? Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative D'Agostino.

REP. D'AGOSTINO (91ST):

Through you, that is correct.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Cheeseman.

REP. CHEESEMAN (37TH):
Thank you. I have no further questions but I would urge everyone to support adoption of this Amendment.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, madam. Will you remark further on the Amendment before us? Representative Candelora of the 86th you have the floor sir.

REP. CANDELORA (86TH):

Thank you, Mr. Speaker. Mr. Speaker if I may, just a couple of questions to the proponent.

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed, sir.

REP. CANDELORA (86TH):

Thank you, Mr. Speaker. I know in the General Law Committee we had discussions over the franchise piece and how -- how long to lengthen or shorten the time to get out of an agreement. Does this provision generally apply to -- to all you know, manufacturers of products or is it just dealing with craft brewery? Through you.

DEPUTY SPEAKER ROSARIO (128TH):
Representative D'Agostino.

REP. D'AGOSTINO (91ST):

Through you, I was using them as an example but it applies to everyone. Everyone who's got a manufacture relationship whether it's Anheuser-Busch or Ken Falls Brewery, has a relationship with the whole -- typically a wholesaler in the state of Connecticut, so it's all manufacturers and all wholesalers. Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Candelora.

REP. CANDELORA (86TH):

Thank you, Mr. Speaker. And I know the last portion we discussed about you know making sure that as we're changing to liquor laws and consolidating permits which was done in the previous Bill that we're keeping; you know doing no harm to certain industries. I know what was discussed is trying to make sure in particular the non-profit halls that hold liquor permits aren't going to end up paying more. And just to clarify, so I see that we're
keeping the permit 30-22(a) at the current levels so that their fees wouldn't necessarily be raised. I think there's another permit that non-profits such as VFWs and you know the Knights of Columbus may hold, that the facilities that are clubs that don't rent out their facilities for events may pay about only $300 for their permit. A lot of these laws don't go into effect for another year or so and so if -- if it is found that there is a lower fee I just wanted to make sure and ask the proponent would the intent be to make sure that we then lower that fee so that those types of halls will be paying the same amount for their liquor permit going forward? Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative D'Agostino.

REP. D'AGOSTINO (91ST):

Through you Mr. Speaker. Yes, this particular permit here we understands deals with some VFWs but if we didn't capture all of them with that lower fee structure the Representative described, he's got my
commitment and the General Law Committee's commitment to look at that next session and before those fee increases go into effect, to make sure we freeze that for anybody on a -- under a different permit such as other VFWs that may be under that different permitting structure that he described so that they are not negatively impacted. We will absolutely do that. Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Candelora.

REP. CANDELORA (86TH):

Thank you, Mr. Speaker. And I -- I appreciate those answers to my questions. I think this Amendment certainly makes the underlying Bill better. I still do have some concerns about the Amendment and I know there was discussion in particular with the craft industry and how they're impacted with entering into distributorships. My one concern that I have continued to put on the record, we get into unchartered territory and I think we created a good industry when we developed
craft breweries just as we developed the farm wineries and the farm breweries. And I just want to make sure we are striking appropriate balances because as we brought in this new industry, they do impact our traditional industries like our liquor stores, and like our beer distributors. And as somebody who has interacted with our wholesale market as a private business, I've seen the good that they do do where they'll enter into contracts with -- with the sellers of the product. They help with marketing. So when we have restaurants who are starting up throughout the state of Connecticut, these wholesalers are providing marketing tools and different paraphernalia that decorates the bars and makes things more appealable to customers, items that these organizations would not otherwise be able to afford.

I appreciate the concerns that the craft industry has when they're interacting with out wholesale distributors but what our craft industry has and nobody has is the ability to sell direct to
customers as well as selling to package stores. The previously legislation expands that ability and I did support it. But I think we need to be careful about giving them too much and I feel as if they're treading into a territory that is currently held and enjoyed by the traditional manufacturers in the distribution markets, which is you know sort of known as our three-tiered system. And every time we continue to erode this I think it does impact those traditional industries like our restaurants and all the support that our wholesale market gives to them. And I think Connecticut is very unique in that way and so I would like to see that continue and I -- I get concerned with that.

The final piece I am concerned with is the increasing of the amount of package store permits that are going to be allowed to held by one organization. We're going from five to six and we certainly continue to have this battle because I don't think it's a good idea to allow the big box retail to get into Connecticut because that
translates to job loss. And I go back to we're doing a lot this session. And one thing we should all be mindful of you know we did -- we passed Paid Family Medical Leave; we passed an increase in the minimum wage. Those are going to affect our current moms and pops that are selling at package stores. They're going to need to adjust to that market over the next four years. If we're then now going to change the way our distributorship market is looking, the amount of permits that could be held, we are setting up a ripe situation for large big box retails to come into the state of Connecticut. And frankly it's my opinion that businesses like Wal-Mart and like Amazon are the businesses that drive the push to increase the minimum wage because frankly those businesses look at the corporate bottom lines, they're publicly traded so they want to make sure that their margins are great. And our small businesses, I think are frankly the more moral compassed businesses in the state of Connecticut and those are the ones that we should continue to be
supporting.

So the unintended consequences that we do in this building could impact them. And so moving forward I want to make sure that we have those small businesses thriving because those are the ones that are going to be developing the good paying jobs, not our box stores as we've seen and so I do have a lot of reservations with the Bill, but I think this Amendment certainly improves the Bill. Thank you.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the Amendment before us? Representative Carney of the 23rd, you have the floor sir.

REP. CARNEY (23RD):

Thank you very much, Mr. Speaker. Just through you a few questions to the good proponent of the Bill.

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed, sir.

REP. CARNEY (23RD):

Okay. Thank you very much. So my first
question, I'm just curious, it starts on line 24 as to why beer products specifically are given this longer opt out of 12 months from a distributor versus other types of -- of alcohol? Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative D'Agostino.

REP. D'AGOSTINO (91ST):

Through you Mr. Speaker. That's a good question. And again this is in further to what Representative Candelora was saying. You know, trying to make sure that when we do things we're looking holistically at the entire system. So right now, I don't know if people are aware of this, when -- when you are a beer manufacturer and you sign up with a wholesaler in Connecticut they have by virtue of our laws an exclusive monopoly on that territory, an exclusive state sanctioned monopoly on that territory. This is -- has been an issue with the Bottle Bill they've been talking about. And so because they have an exclusive monopoly you must use that one distributor for that territory to say to
them, a new brewery that's getting up off of the ground, they sign up with a wholesaler; and to say to them within six months you have to know if that relationship is good enough -- good for you or not. And if you don't challenge it within six months you're locked in and you can only get out of that relationship through a just cause requirement embedded in statute. Just cause is embedded in the statute and hearing the DCP and a lot of the small guys have told us, we can't afford to do that so we're locked in maybe with a distributor we don't like after six months exclusive. I can't use anybody else unless I get out of that relationship.

Originally, this is interesting, originally when we passed this law the time period was 24 months. I think in a -- in a recognition of the fact that boy, you're locking somebody in in an exclusive state sanction monopoly territory. For some reason it went down to six months back in 1981. I looked at the legislative history. I couldn't figure out why. So this was the result of a number
of discussions with participants in the industry, including the wholesalers, the beer wholesalers who said we can live with 12 months. And I had originally proposed going back up to 24 months and further Representative Candelora's you know, admonition we want to make sure that if we make changes here they're incremental, they're not going reverberate too much and -- and really destroy a very stable and working three-tier system. But it really was that monopoly power that the wholesalers have that -- and the fact that we've -- we've embedded in statute a just cause requirement where you can't get out of that relationship; that is the reason for that change. Just for beer.

On the wine and liquor side it is -- it is exclusive at first but you can appoint a different wholesaler for -- for your liquor products in the same territory unlike beer. So it's a little different for wine and liquor. You are still locked in with that original wholesaler and have to go through the just cause requirement after six months
if you want to jettison them completely, but at least with wine and liquor you can appoint somebody else in the same territory. And so we kept that one exactly the same, six months for wine and liquor. That has not changed at all. Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Carney.

REP. CARNEY (23RD):

All right. I appreciate the very good explanation from the good Chairman of the General Law Committee. It definitely cleared that up.

My second question is, I'm just -- I think it -- yeah, it starts Section 2 and Section 3, if he could just explain -- I'm having a little trouble understanding the changes in the out-of-state shipper's permit fees. It looked like $90.00 for a Connecticut manufacturer or wholesaler holding such a permit; that's been eliminated and just the $1,250 if you could just explain that. Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):
Representative D'Agostino.

REP. D'AGOSTINO (91ST):

Through you Mr. Speaker. So that change goes hands -- hand and glove with the changes in the section before it. So this is what I was mentioning about our US territories. Right now when one of our Connecticut wholesalers wants to bring in beer from Puerto Rico or rum from the Virgin Islands they have to pay a third party, typically not in Connecticut, significant amounts of money to just really throw a stamp on the product so they can get it from Puerto Rico or the US Virgin Islands, get it into Connecticut and then distribute through our three-tier system. So what we said -- so what they said to us is, look, help -- help us out here. We want to bring these things in. We'll pay -- we'll pay more of a fee. They're -- they can do this already now with beer from say Germany and they pay $90.00 to be able to do that. They said make it a flat fee of $1250 which everybody has to pay for this out-of-state permitting stamp. You're saving us a ton
money, Connecticut wholesalers a ton of money because we don't have to pay these third parties or somewhere else, and we're going to bring in more product from our US territories. So in return for the benefit the wholesalers get of being now able to bring in those products, they were all -- they were all willing to pay that increased fee. So that's that change that the Representative sees. It just makes it a flat $1250 fee. The wholesalers were fine with that for obvious reasons because now they don't have to set -- pay somebody else out of Connecticut to throw an extra stamp on something and they're going to bring in more products from these manufacturers in our US territories. Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you. Representative Carney.

REP. CARNEY (23RD):

Okay. Again I appreciate the very good explanation from the good Chairman of General Law. My final question is, I'm just curious who if anybody -- who actually requested raising it from
five to six alcoholic beverage retail permits?

Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative D'Agostino.

REP. D'AGOSTINO (91ST):

Through you Mr. Speaker. And again Representative Candelora mentioned this as well. That -- that original request was to go up to ten so -- so right now obviously we have a number of liquor stores in the state of Connecticut, one entity or person can own up to five of them. We've heard from some guys who have got five, they'd like to buy another one. They'd like to buy six. And so again we're trying to be very incremental here just going from five to six. Yes, those are some of the larger liquor stores. I don't -- I don't know if I'd call them big box but they're the larger liquor stores.

I would -- the only thing I would ask people to think about is -- is this from the other end of the spectrum, right? Because you've got a lot of small liquor store owners who may want to sell their
business and right now if you restrict the number of permits somebody has unreasonably, who's going to buy it, right? So if you've got somebody who wants to buy and who wants to sell, I mean there's an argument saying you should just let the free market control that but we absolutely heard the concerns Representative Candelora with respect to moving incrementally here and making sure that we achieve an appropriate balance. So we're only moving from five to six and that is being driven by -- by a market where somebody wants to sell and somebody wants to buy but we don't allow it now because we only allow one person or entity to hold -- to own five liquor stores instead of six. But again you know, we're not going to ten. I don't expect we're going to touch this number anytime soon. It hasn't been touched for a while. It won't be touched for a while since now, but we thought five to six was an incremental change. Let's see how that goes. And again, it's to -- it's to allow that -- that buying and selling to work on that -- on that level, so
that's where that came from. Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Carney.

REP. CARNEY (23RD):

Thank you very much. I do appreciate the good Chairman's response to that question as well. I mean I certainly do have concerns about one particular big box store which is not a -- which is not a Connecticut company requesting more and more stores. Having said that, I would just like to say that there is a very good liquor store that is in southeastern Connecticut, Grand Wine and Spirits, they have five stores. They do have one on Old Lime. They bought an older liquor store and they really cleaned it up. It's a wonderful store and I think you know, giving them an additional store is not bad. They are a Connecticut company, owned by a local person so I will be supporting this Bill with having said though, I am concerned about another box store though requesting more and more and more having our folks not be able to compete with that.
So I do thank the good Chairman for his answers to my questions. Thank you very much, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

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

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ROSARIO (128TH):

All those opposed, Nay. The Ayes have it. The Amendment is adopted. (Gavel) Will you remark further on the Bill as amended? Will you remark further on the Bill as amended? If not, will staff and guests please come to the well of the House? Will the members please take your seats? The machine will be open. (Ringing)

CLERK:

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

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

CLERK:

House Bill 7183 as amended by House A.

Total Number Voting 145
Necessary for Passage 73
Those voting Yea 74
Those voting Nay 71
Those absent and not voting 6

DEPUTY SPEAKER ROSARIO (128TH):

The Bill as amended is passed. (Gavel)

Representative Ritter of the 1st, you have the floor sir. The Chamber will stand at ease.

The Chamber will come back to order.

Representative -- The Chamber will stand at ease.
The Chamber will come back to order.
Representative Ritter of the 1st, you have the floor sir.

REP. RITTER (1ST):

Thank you, Mr. Speaker. I would also move that we immediately transit Calendar, House Calendar 692 to the Governor, thank you.

DEPUTY SPEAKER ROSARIO (128TH):

If there's no objection, so ordered. Is there business on the Clerk's desk?

CLERK:

Yes, Mr. Speaker. Favorable Reports, Senate Bills to be tabled for the Calendar.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Currey of the 11th, you have the floor sir.

REP. CURREY (11TH):

Thank you, Mr. Speaker. I move that we waive the reading of the Senate Favorable Reports and the Bills be tabled for the Calendar immediately.

DEPUTY SPEAKER ROSARIO (128TH):
Is there objection? Hearing none, no objections it is so ordered. (Gavel) Will the Clerk please call Calendar No. 289?

CLERK:

On page 17, House Calendar 289, House Bill No. 5139, AN ACT CONCERNING TOBACCO BARS. Favorable Report of Joint Standing Committee on General Law.

DEPUTY SPEAKER ROSARIO (128TH):

Representative D'Agostino, you have the floor sir.

REP. D'AGOSTINO (91ST):

I'm here for acceptance of the Joint Committee's Favorable Report and passage of the Bill.

DEPUTY SPEAKER ROSARIO (128TH):

No question -- the question is acceptance of Joint Committee's Favorable Report and passage of the Bill. Representative D'Agostino, you have the floor sir.

REP. D'AGOSTINO (91ST):

Thank you, Mr. Speaker. This Bill will
establish and allow the growth of a new industry in Connecticut, tobacco bar and I will explain that momentarily. But the Clerk has an Amendment, LCO No. 10398. I'd ask that the Amendment be called and be granted leave of the Chamber to summarize.

DEPUTY SPEAKER ROSARIO (128TH):

Will the Clerk please call LCO No. 10398 which will be designated House Amendment Schedule A.

CLERK:

House Amendment Schedule A, LCO No. 10398 offered by Representative D'Agostino, Representative Perillo.

DEPUTY SPEAKER ROSARIO (128TH):

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

REP. D'AGOSTINO (91ST):

Thank you, Mr. Speaker. So when we passed our -- our laws with respect to smoking in public places
several years ago some people may be aware that we've actually grandfathered in the ability of an establishment to have a cigar lounge, a Humidors, etc. where you can go and smoke cigars, purchase cigars, but also operate a full bar subject to Connecticut's café requirements of operating a bar. It's completely independent requirements. But because of the way we wrote that statute several years ago really only one establishment in the state of Connecticut has existed under that -- that structure. And so what this Bill does is now let's entrepreneurs establish a tobacco bar where they will be able to operate a bar subject to Connecticut's café permit requirements, all those requirements that you'd have for a bar, but also if they have a walk-in Humidor, they meet local zoning requirements, they take care of all the requirements we've put in here with respect to controlling smoke, all local requirements as well that may be established and that's very important. This only exists if a municipality lets it exist and you sell
up to 50 percent of your product, is tobacco then you can open up a tobacco bar in the state of Connecticut. We've had requests from a number of entrepreneurs who want to do this with -- particularly on the tobacco side as well. We've tried to account as best we can for health and safety requirements, café requirements, bar requirements, and also as I mentioned most importantly, local zoning requirements all of which are embedded here and I move adoption.

DEPUTY SPEAKER ROSARIO (128TH):

The question before the Chamber is adoption of House Amendment Schedule A. Will you remark on the Amendment? Representative Cheeseman of the 37th, the Ranking Member, you have the floor madam.

REP. CHEESEMAN (37TH):

Thank you Mr. Chair, and I just want to establish this has no fiscal impact. Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed.
REP. CHEESEMAN (37TH):

I do -- through -- I ask the good Chair about the fiscal impact; this has no fiscal impact if I understand correctly? Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative D'Agostino.

REP. D'AGOSTINO (91ST):

Through you Mr. Speaker. That's correct. The Bill has no fiscal impact and obviously as we -- as we explained, we hope it will have an economic development impact. Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Cheeseman.

REP. CHEESEMAN (37TH):

Thank you very much. No further questions.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, madam. Will you remark further on the Amendment? Representative Michel of the 146th, you have the floor sir.

REP. MICHEL (146TH):

Thank you, Mr. Speaker. I just rise to make a
DEPUTY SPEAKER ROSARIO (128TH):

You may proceed.

REP. MICHEL (146TH):

Thank you, Mr. Speaker. I just want to point out that cigar lounges pay high taxes on cigars they sell and they're very limited in their sales because they're not able to serve alcohol to their clients. So I just rise in support of this Bill and I urge the General Assembly to vote in favor of this Bill. Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

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

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ROSARIO (128TH):

All those opposed Nay. The Ayes have it. The Amendment is adopted. (Gavel) Will you remark
further on the Bill as amended? Will you remark
further on the Bill as amended? If not will staff
and guests please come to the well of the House?
Will the members please take your seats? The
machine will be open. (Ringing)
CLERK:

The House of Representatives is voting by roll.

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

DEPUTY SPEAKER ROSARIO (128TH):

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

CLERK:

House Bill 5139 as amended by House A.

Total Number Voting 145

Necessary for Passage 73
Those voting Yea 125
Those voting Nay 20
Those absent and not voting 6

DEPUTY SPEAKER ROSARIO (128TH):

The Bill as amended is passed. (Gavel) Will the Clerk please call -- Are there any announcements or introductions?  Announcements or introductions?  Representative Ferraro of the 117th, you have the floor sir.

REP. FERRARO (117TH):

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

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed.

REP. FERRARO (117TH):

Thank you, Mr. Speaker.  I have with me today two residents from the great town of Milford, Connecticut, Mr. Jon Drapp who is an attorney in the town and his wife, Katie Martino who owns a paralegal -- legal business in the town of Milford.  I'd like everybody --
DEPUTY SPEAKER ROSARIO (128TH):

Pardon me one second Representative. It's a bit noisy in the Chamber. The good gentleman from Milford is introducing some guests. Thank you. You may proceed.

REP. FERRARO (117TH):

I'd like everybody to rise and give our formal welcome to both Katie and Jon. Thank you very much. (Applause)

DEPUTY SPEAKER ROSARIO (128TH):

Welcome to our Chamber on a beautiful Saturday afternoon. Thank you. Will the Clerk please call Calendar No. 343?

CLERK:

On page 64, House Calendar 343, Substitute House Bill No. 7294, AN ACT CONCERNING BOTTLE REDEMPTION IN THE STATE. Favorable Report of Joint Standing Committee on Finance, Revenue and Bonding.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Gresko, you have the floor sir.

REP. GRESKO (121ST):
Thank you, Mr. Speaker. I move for acceptance of the Joint Committee's Favorable Report and passage of the Bill.

DEPUTY SPEAKER ROSARIO (128TH):

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

REP. GRESKO (121ST):

Thank you, Mr. Speaker. As we all know there's no question that our current Bottle Bill here in the state of Connecticut is in need of some serious modernization. Between multiple things happening over the recent months between China not accepting our product, our redemption rate falling to somewhere around 50 percent, contamination of the end product, the necessity of removing glass from our single stream, we're seeing all these issues pop up and the need also for potential expansion of the product to additional items, it's pretty clear that we need to modernize. As we spoke about this during the course of -- of the session, I want to say to my
colleagues that I appreciate their willingness to listen to this debate and listen to the issues surrounding the Bottle Bill and their perceived approval of an upgrade. But to that end I have an Amendment and I would like the -- the Clerk who also has the Amendment, to call LCO 10256. I would ask the Clerk to place that -- to call that Amendment and I be granted -- granted leave of the Chamber to summarize.

DEPUTY SPEAKER ROSARIO (128TH):

Will the Clerk please call LCO 10256, which will be designated House Amendment Schedule A.

CLERK:

House Amendment Schedule A, LCO No. 10256 offered by Representative Gresko.

DEPUTY SPEAKER ROSARIO (128TH):

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

REP. GRESKO (121ST):
Thank you, Mr. Speaker. This strike-all Amendment establishes a task force on Connecticut's recycling and beverage container redemption programs. The task force will hopefully examine, review and analyze our existing beverage container redemption law and see how we can take it into the 21st century. I want to say a special thanks to the -- our Speaker of the House who will be leading this task force, and try to get to the bottom of -- of how we're going to improve going forward. I know that it's a complicated issue with many moving parts and many individuals who take part in the -- the cycle but Mr. Speaker, if we have to look to an example of a successful extended product responsibility system; our Bottle Bill that has been in existence for 40 years is proof of that. It just needs a tweak to be modernized going into the future and hopefully the results of this task force once they complete their work, which would be by the end of the year and hopefully get recommendations to us for our session next year, we will have those
answers. And Mr. Speaker, I move adoption.

DEPUTY SPEAKER ROSARIO (128TH):

The question before the Chamber is adoption of House Amendment Schedule A. Will you remark on the Amendment? Representative Harding of the 107th, you have the floor sir.

REP. HARDING (107TH):

Thank you very much, Mr. Speaker and I want to thank my good colleague the Vice-Chair of the Environment Committee for all of his work on making this Amendment, on working on this Bill. I know that he has brought many of the interested parties involved into the room to work out potential solutions. And I think we need something more formal to potentially get everyone in the room once again and try to work out a real solution. I think this Bill goes a long way in moving forward towards that goal. So I ask my colleagues to support this Amendment. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark
further on the Amendment before us? Representative
Dathan of the 142nd district, you have the floor
madam.

REP. DATHAN (142ND):

Thank you very much, Mr. Chair -- Mr. Speaker.
Thank you to the Committee who’s done a lot of work.
I will say I'm supporting this Bill but I'm very
dischanted that it's just become a task force
because I saw this Bill as a good opportunity for us
to reform the Bottle Initiative in our state. I
will be supporting it today but I would love to see
us move ahead and try to make real reform next
session. Thank you very much.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, madam. Will you remark further on
the Amendment before us? Representative Mushinsky
of the 85th, you have the floor madam.

REP. MUSHINSKY (85TH):

Thank you, Mr. Speaker. This Amendment for
anyone who was not paying attention guts the Bottle
Bill modernization, which is the underlying Bill.
This Amendment to be clear, guts the Bill and I oppose it strenuously. The public does not want another study or another task force. They were very clear at the public hearing. They want to expand the Bottle Law, they want to cover additional containers, they want to give the redemption centers a raise, they want to reduce the unrecyclable content of municipal solid waste. They want the recycling rate to rise. They want to stop picking up litter that has no value. They would like the industry to pay more for cleaning up their mess and not shift the burden onto the municipalities and that is why CCM and COST support the underlying Bill and will be unhappy about this Amendment which is a study instead of the underlying Bill. There was support from the Housatonic Resources Authority, Connecticut Fund for the Environment, Rivers Alliance, Environment Connecticut, Citizens Campaign for the Environment, League of Women Voters, Connecticut River Conservancy. All these groups want the underlying Bill, not the Bill -- not the
Amendment to strip the underlying Bill. And the redemption centers, one of which is in my town have been waiting since 1983 for a raise, which only the legislature can authorize. They have not had a raise since 1983 and that is why they are disappearing.

We just did a task force. Just recently we did a task force on this very issue and here are some of the recommendations of the task force. To fix the Bottle Bill. The existing deposit program in Connecticut has one of the lowest collection rates compared to other Bottle Laws in the United States. They also recommended earmarking the unclaimed nickels to recycling programs including education activities and infrastructure investments. The task force also recommended expanding the deposit to other glass containers including wine and liquor bottles to increase the recycling of glass in the state and to ensure removal of glass from the Single Stream Program where it's causing great difficulty for the municipalities.
The task force also said we should consider making other recyclable materials such as plastic bottles and aluminum cans not under the Bottle Bill system and instead into the curbside but this task force reported before China changed their National Sewer Policy and is no longer taking the single stream materials and so that portion of the study is actually out of date.

So who does want this Amendment? Since we just did a task force, who wants this Amendment? Well we know who it is because they were just here last week. The suits were here from the Beverage Association. Coke and Pepsi were here, and I know Anheuser-Busch would also appreciate this Amendment because it does gut the Bill. It prolongs and delays modernization of the Bottle Law. And if we do this Amendment we give them what they want which is a further delay. In exchange we get a small amount of money for the redemption centers. There are eight left and if you take the $400,000 that the Beverage Industry is willing to give them as grants
you have $50,000 for the redemption centers which is suppose to go -- keep them alive for another year. Obviously that will not keep them alive for more than a month.

So I really think this is a bad exchange. It's a bad deal. It's here to delay the modernization of the Bottle Law. It's not going to help our municipalities. Quite the contrary. The municipalities will be paying more to send their recyclables out of state to a landfill and that's not what we should be -- not what we should be doing in Connecticut. It's a proud state with along history of recycling. We're not doing as well now and we need to upgrade. So I hope we will oppose this Amendment. Instead I hope we will pass the underlying Bill, which the public does support. I may not have the support of my colleague from Stratford on this but this Amendment after we gut this Bill is probably going to cost jobs and redemption center employees. It is likely to reduce the recycling rate and it is likely to not save the
redemption centers. I hope you will reject this Amendment. I hope you will support the underlying Bill which modernizes the Bottle Law and which is way overdue. Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, madam. Will you remark further on the Amendment before us? From the center of the new universe, Waterbury, Connecticut Representative Reyes, you have the floor sir.

REP. REYES (75TH):

Thank you, Mr. Speaker. Mr. Speaker I rise in -- I have to frame my words. I'm really disappointed that this has turned into a study. I think that the state of Connecticut really has a redemption bottle program that's really on life support and my esteem colleague, Representative Mary Mushinsky could not have said it any better, Mr. Speaker. I think that the -- this is one of those times that I have to agree, this is probably one -- one study too many. And I think that we as state legislators have to take a look at this holistically
and make some hard decisions. These folks are on life support and I think that what's not needed now is a study but a real plan of action and I do want to thank the proponent of the Bill, Representative Gresko for the work and I do have a few questions for him, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed, sir.

REP. REYES (75TH):

Mr. Speaker, my question on this proposed study is when would it take place and when -- and who actually would be on the study?

DEPUTY SPEAKER ROSARIO (128TH):

Representative Gresko.

REP. GRESKO (121ST):

Thank you, Mr. Speaker. It would commence from passage of the -- of the Amendment, it would have until the end of the year to have its recommendations and there are a series of individuals to be appointed to the task force. For example the -- the grocery stores, the recycling,
collection and processing industry, a member of the independently operated redemption centers, a state-based environmental group and also an individual that is -- has expertise in -- in glass recycling and then also a member from the Department of Energy and Environmental Protection. Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Reyes.

REP. REYES (75TH):

And through you, Mr. Speaker. Has any of the redemption centers been notified about this potential study? Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Gresko.

REP. GRESKO (121ST):

Through you Mr. Speaker, yes.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Reyes.

REP. REYES (75TH):

Mr. Speaker through you, has any of them
volunteered to be on this study?

DEPUTY SPEAKER ROSARIO (128TH):

Representative Gresko.

REP. GRESKO (121ST):

Through you Mr. Speaker. Volunteered? I've asked them to be. Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Reyes.

REP. REYES (75TH):

Thank you, Mr. Speaker. And through you, the - - the question that I -- the last question that I have is, it's time I think that -- that we really look at this -- this real challenge that we have and I just really can't express how disappointed that this Bill has turned into a study. I'm really not interested in supporting a study but I do want to thank the good Chair for answering the questions and I'll listen to the rest of the debate. Thank you, Senator.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark
further on the Amendment before us? Representative Horn of the 64th, you have the floor madam.

REP. HORN (64TH):

Thank you, Mr. Speaker. I join my colleagues in concern about this Amendment turning to study. I'm new here but when I hear that this has been an issue for 30 years it seems to me that we have had plenty of time to study this. It raises to me the concerns of -- of pitting concentrated financial resources of a certain industry against dispersed and limited resources of municipalities, redemption centers and other smaller businesses. And at one point during the debate on the original battle, the underlying Bill I asked my colleagues why was it that certain containers were treated differently than others and the answer that I got was the power of a certain lobbying group. That's not a good answer. And I think when -- I think my colleague, Representative Mushinsky said it very well. When you look at the support of the small towns like those in my district, COST, CCM, because of the
significant recycling costs that this is imposing upon them, I am really concerned that this is -- this study, although well intentioned is just another way to kick the can down the road and not solve a real problem. So I would encourage my colleagues to support the underlying Bill. Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, madam. Will you remark further on the Amendment before us? Representative Steinberg of the 136th, you have the floor sir.

REP. STEINBERG (136TH):

Thank you, Mr. Speaker. I've listened very carefully to the comments of my colleagues with regard to this Bill. I'm not sure any of us are jumping up and down because we're scaling it back to the -- to a study. What I'd ask everybody to consider, this allows us to live to fight another day. And I think that when Representative brought up the point about a holistic solution, that's really the point we're making here. We need an
opportunity to work with the Committee, to work with DEEP and come up with a real solution to the waste management issues we have as a state. It's not simply about bottles. It's not simply about single stream. It's about a solution that reflects the changing reality of China no longer accepting waste and coming up with a solution that's fair to our municipalities, it's fair to the -- to the bottle collection companies and fair to consumers. So I'm excited to get this Amendment passed and then to work collaboratively with others to come up with a better answer for next year. And I pledge that I'll work towards that and hopefully next year we'll have a Bill that will solve the entire problem rather than just sort of accepting half a loaf. Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

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

REP. HARDING (107TH):
Thank you very much, Mr. Speaker for the second time. And I thank the Speaker for indulging me. I just wanted to just make a quick comment. I've worked with Representative Gresko on this Bill. Representative Gresko and I have discussed this, gee, since I became Ranking Member which at this point is two years ago. I don't more of a champion in this building for our redemption centers and for the environment advocates than Representative Gresko. I know very little individuals in this building that work harder for the redemption centers. I know very little individuals in this buildings who have worked harder to contact me and work with me on getting something done and getting a solution done.

And I think the good Majority Leader mentioned this a couple of weeks ago and that is working together and coming up with compromises. And sometimes compromises, both people walk away from the table not too happy but in a lot of instances with those compromises, when both people walk away a
little frustrated, it might be the good solution. And so I agree, substantively it doesn't do enough to address the issue at the moment but as Representative Steinberg noted, there needs to be a holistic approach to this issue and I know, I know Representative Gresko will continue working as hard as he always has with me in making something happen next session and I think this is an important step forward. Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the Amendment before us? Representative Nolan of the 39th, you have the floor sir.

REP. NOLAN (39TH):

Thank you and through you, sir. I was very, very, very happy about the original Bill and I'm still happy in regards to that original Bill along with a little disappointment for the Amendment because I do believe that a study or a task force will delay what we've been trying to do for so long even longer. I understand that it's a good next
step to try and use that holistic point but I heard from a lot of constituents that were really gung-ho about the original Bill, and to see it go from that high that -- that we all had to now this low in regards to an amendment is -- is just a little disappointing and I just wanted to make that statement. But I do believe that the task force still gives us opportunities to do something. Unfortunately it's at a later date. So thank you for championing what you have championed. Thank you.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the Amendment before us? Representative Winkler of the 56th, you have the floor sir.

REP. WINKLER (56TH):

Thank you, Mr. Speaker. One point that has not been mentioned -- well, first this is not a compromise. A compromise would be doing something less than 10 cents. This is a task force, not a compromise. As Representative Mushinsky said, it's
a gutting of the Bill. What hasn't been mentioned yet is that the Connecticut Council on Small Towns testified in favor of this Bill and if you go on the Connecticut Conference on Municipalities website right now you'll see a long dissertation on why the Bill prior to this Amendment was so important. Certainly the environmental groups want to improve the redemption rate to improve recycling but speaking simplistically, we have the environmental groups, Connecticut Conference of Municipalities, and the Connecticut Council on Small Towns on one side and we have Coke and Pepsi on the other side. And Coke and Pepsi are winning. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the Amendment before us? Representative Comey, you have the floor madam.

REP. COMEY (102ND):

Thank you very much, Mr. Speaker. I rise for the purpose of a question for the proponent of the
Bill.

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed, madam.

REP. COMEY (102ND):

I was wondering on this task force if -- if in fact it is the corporate industries that are pushing back on this as we've heard, is the -- is there representation from them on this task force?

DEPUTY SPEAKER ROSARIO (128TH):

Representative Gresko.

REP. GRESKO (121ST):

Thank you, Mr. Speaker. I wouldn't know if I would characterize it in that way. I could just let you know that there will be grocery stores around the table, the recycling collection and processing industry, our independently owned and operated redemption centers, basically everybody that's involved in the current system will be around the table whether or not they're a member of the task force. As we were discussing before, this -- this issue is very complicated. It's got many threads
that go through many different -- many different industries and many different sectors and just when you think you've wrapped your brain around the process, something new comes up. So it's very complicated but I'm sure that anyone who is going to be interested in seeing us modernizing this going forward will be at the task force meetings and -- because we don't want to do this in a vacuum, we want to let everybody have their say so that when we come back next year with a piece of legislation everyone will have had the chance to have their say. Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Comey.

REP. COMEY (102ND):

Thank you very much. Through you. When I did my survey out to my community this -- I wanted to know what was on my folks -- my constituent's minds I had this as one of my priorities on -- on the -- on the survey, and 86 percent of the people who filled out my survey were in support of expanding
this Bottle Bill so -- and expanding the rates on
the -- the exemption. So I would just like to say
that I am disappointed as well that it is a study.
I know that -- I want to thank the Representative
for -- for working on this. I know how hard he's
been working and my understanding is that you've
been working on it for years. But I did want to
stand and I would hope that we can get all the
players to the table for the task force. Thank you
very much.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, madam. Will you remark further on
the Amendment before us? Representative Dillon of
the 92nd, you have the floor madam.

REP. DILLON (92ND):

Thank you, Mr. Speaker. I too am disappointed
and I -- I have allergies today so I apologize. But
I had filed another Amendment which would ban single
stream recycling in the state October 1, 2020. I
have not called that Amendment. You can look it up
in the system. There are actually two versions. I
can't say strongly enough, when I first went into public service on the local level I had no idea that I was going to end up dealing with volume reduction yet as the Chair of the Budget Committee on the New Haven Board of Alderman I spent my time at our landfill and working with tipping fees. All these years later we are -- we were dependent on China for our system and it is broken. It is absolutely broken. I don't have much faith in what this task force will do. I certainly would never want to belittle anything that the Vice-Chair of Environment has done. He is a man with a good heart who has worked very hard on this as well. I have worked on this since I was a local official. This system is broken. It needs a kick and some of the people who are milking it need to come to the table and figure out how to fix it. I'm not going to my taxpayers and telling them that they should be subsidizing the cost of disposing of somebody else's product. We should be making everyone pay into that system. It's not fair to working families. Thank you.
DEPUTY SPEAKER ROSARIO (128TH):

Thank you, madam. Will you remark further? Will you remark further on the Amendment before us? Representative Borer of the 115th, you have the floor madam.

REP. BORER (115TH):

Thank you, Mr. Speaker. I rise in support of this legislation and I'm actually not disappointed that this is a task force because there are multi-layers, many players, many issues that really need to come together and we really need the right people at the table and there have been a lot of attempts over the past couple of years. But I think this is something where we want to make the best educated decision that we can. And unlike some other tasks forces, I know that Representative Gresko will make sure the day after this passes that that task force is convened, the right people are at the table and that the report comes to us as a legislative body so that we can make some really good decisions and change, as many of you said this industry and move
it forward and modernize it. Thank you.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, madam. Will you remark further?

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

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ROSARIO (128TH):

All those opposed Nay.

ALL:

Nay.

DEPUTY SPEAKER ROSARIO (128TH):

The Chair's in doubt. We'll order a roll call vote. If not will staff and guests please come to the well of the House? Will the members please take your seats? The machine will be open. (Ringing)

CLERK:

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

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

CLERK:

House Amendment A.

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DEPUTY SPEAKER ROSARIO (128TH):

The Amendment passes. (Gavel) Will you remark further on the Bill as amended? Will you remark further on the Bill as amended? Representative Genga of the 10th, you have the floor sir.

Representative Demicco of the 21st, you have the
Thank you, Mr. Speaker. Mr. Speaker, I voted in favor of this Amendment but I have to tell you that -- no one in this Chamber is more disappointed other than Representative Gresko. No one in this Chamber is more disappointed than I about the outcome of this. As several speakers mentioned, what we need to do is modernize this Bottle Bill. It's been a long time coming and if this Amendment and this task force gets us to that point, so much the better but I think everybody, or most people would acknowledge that it's long past time to fix this situation. So reluctantly voted yes and I hope that the task force and this group comes up with real positive solutions and I hope that -- that the -- that the redemption centers who are the workhorses of our Bottle Bill that has worked so well for us for so many years, I hope that those redemption centers are able to hang on over the next several months until we find a comprehensive
solution. So that's all I have to say. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

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

CLERK:

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

DEPUTY SPEAKER ROSARIO (128TH):

Have all the members voted? Have all the members voted? Will the members please check the board to determine if your vote is properly cast? If all members have voted the machine will be locked and the Clerk will take a tally. The Clerk will please announce the tally.
House Bill 7294 as amended by House A.

Total Number Voting 144
Necessary for Passage 73
Those voting Yea 118
Those voting Nay 26
Those absent and not voting 7

DEPUTY SPEAKER ROSARIO (128TH):

The Bill is amended as passed. (Gavel) Are there any announcements or introductions? Are there any announcements or introductions? Representative Kokoruda of the 101st, you have the floor madam.

REP. KOKORUDA (101ST):

Thank you, Mr. Speaker. I rise to -- for an introduction please.

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed, madam.

REP. KOKORUDA (101ST):

I have a couple from Madison here today and I wanted you to greet them. It's John and Nancy Leckerling. They're up in the galley and in their
retirement they've gotten very involved in the environmental issues of not just Connecticut but of our country so I'd like you to give a warm welcome to Nancy and John Leckerling from Madison.  (Applause)

DEPUTY SPEAKER ROSARIO (128TH):

Welcome to our Chamber and spending your Saturday with us. Are there any announcements or introductions? Representative Doucette, you have the floor sir.

REP. DOUCETTE (13TH):

Thank you, Mr. Speaker. I rise for an introduction. With me today my son, Charlie Doucette and my son, Teddy Doucette. My wife Heather and dog Forest, if anyone would like to meet him are outside. I'd like to welcome these guys to the Chamber.  (Applause)

DEPUTY SPEAKER ROSARIO (128TH):

Welcome to our Chamber and your dad will be home soon. Cine dine is upon us. The Chamber will stand at ease. Will the House come back to order?
Will the Clerk please call Calendar No. 556?

CLERK:

On page 39, Calendar 556, Substitute Senate Bill No. 1028, AN ACT CONCERNING CONNECTICUT INNOVATIONS, INCORPORATED AND PRIVATE EQUITY INVESTMENT. Favorable Report of Joint Standing Committee on Commerce.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Elliott.

REP. ELLIOTT (88TH):

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

DEPUTY SPEAKER ROSARIO (128TH):

Question is acceptance of the Joint Committee's Favorable Report and passage of the Bill. Representative Elliott, you have the floor sir.

REP. ELLIOTT (88TH):

Mr. Speaker, the Clerk has Amendment LCO 7971. I would ask the Clerk to please call the Amendment and that I be granted leave of the Chamber to
summarize.

DEPUTY SPEAKER ROSARIO (128TH):

Will the Clerk please call LCO No. 7971, which will be designated Senate Amendment Schedule A?

CLERK:

LCO No. 7971 designated Senate Amendment Schedule A and offered by Senator Hartley.

DEPUTY SPEAKER ROSARIO (128TH):

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

REP. ELLIOTT (88TH):

Thank you, Mr. Speaker. All this Bill does is take the CBRA, that is the Connecticut Brownfields Redevelopment Authority; they basically don't have any more responsibility anymore as most of what they were doing has been taken over by both DECD and CI, which stands for Connecticut Innovations. So basically what this is doing is Connecticut
Innovations will be taking over anything that the CBRA was doing and their investment portfolio is looking into biosciences and other investments in Connecticut and with that I move adoption.

DEPUTY SPEAKER ROSARIO (128TH):

The question before the Chamber is adoption of Senate Amendment Schedule A. Will you remark on the Amendment? Representative Cummings of the 74th, you have the floor madam.

REP. CUMMINGS (74TH):

Thank you, Mr. Speaker. Mr. Speaker a question through you to the proponent of the Bill.

DEPUTY SPEAKER ROSARIO (128TH):

You may proceed madam.

REP. CUMMINGS (74TH):

Thank you, Mr. Speaker. Mr. Speaker, my understanding is that the CBRA is now defunct but this will not impact any of the Brownfield projects that are currently going on in the state of Connecticut; is that correct? Through you Mr. Speaker.
DEPUTY SPEAKER ROSARIO (128TH):

Representative Elliott.

REP. ELLIOTT (88TH):

Mr. Speaker, that's correct. Through you, sir.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Cummings.

REP. CUMMINGS (74TH):

And through you Mr. Speaker. Is there a fiscal note associated with any of the changes in the Amendment? Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Elliott.

REP. ELLIOTT (88TH):

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

DEPUTY SPEAKER ROSARIO (128TH):

Representative Cummings.

REP. CUMMINGS (74TH):

Thank you, Mr. Speaker. I rise in support of the Amendment and I encourage my colleagues to do the same. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):
Thank you, madam. Will you remark further? Will you remark further on the Amendment before us? If not, I'll try your minds. All those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ROSARIO (128TH):

All those opposed Nay. The Ayes have it. The Amendment is adopted. (Gavel) Will you remark further on the Bill as amended? Will you remark further on the Bill as amended? Representative Cummings, you have the floor madam.

REP. CUMMINGS (74TH):

Thank you, Mr. Speaker. Mr. Speaker, this Bill is a mere cleanup and getting rid of a defunct organization. It does not impact any of the Brownfields projects and I support this Bill. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

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

CLERK:

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

DEPUTY SPEAKER ROSARIO (128TH):

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

CLERK:

Senate Bill 1028 as amended by Senate A and in concurrence with the Senate.

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Those voting Yea 139
Those voting Nay 4
Those absent and not voting 8

DEPUTY SPEAKER ROSARIO (128TH):

The Bill as amended is passed. (Gavel) The Chamber will stand at ease.

The Chamber will come back to order. Will the Clerk please call Calendar No. 645?

CLERK:

On page 51, Calendar 645, Substitute Senate Bill No. 706, AN ACT CONCERNING EPINEPHRINE AUTO INJECTORS. Favorable Report of Joint Standing Committee on Judiciary.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Comey, you have the floor madam.

REP. COMEY (102ND):

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

DEPUTY SPEAKER ROSARIO (128TH):

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

REP. COMEY (102ND):

Thank you, Mr. Speaker. The Clerk has an Amendment. It's a strike-all Amendment, LCO 9080 and I would ask the Clerk to please call the Amendment and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER ROSARIO (128TH):

Will the Clerk please call LCO No. 9080, which will be designated Senate Amendment Schedule A.

CLERK:

LCO No. 9080 designated Senate Amendment Schedule A and offered by Senators Lesser, Daugherty Abrams et alia.

DEPUTY SPEAKER ROSARIO (128TH):

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

REP. COMEY (102ND):

Thank you very much, Mr. Speaker. This Bill is an act concerning Epinephrine auto injectors. It is a -- it is a Bill that will make sure that Epinephrine is available in public places with trained -- with people that can get a stock entity prescription of it and when people have food allergies or bee stings it will allow -- and don't know about them in advance, it allows them to have the Epinephrine available on hand in public places.

Right now food allergies, the data shows that food allergies can occur at any time and this is -- this Act would have -- make sure that if someone is having an unexpected anaphylactic reaction away from home if -- there would be a stock auto injector nearby. This is not mandated. There is no fiscal note and there will be someone who is dispenses the medication that is trained and that could administer Epinephrine, recognize the symptoms and this is a good Bill. We can do -- we can and must do anything
that we can to save lives. 34 other states have this in place and I look forward to making sure that Connecticut is the next one. I move adoption.

DEPUTY SPEAKER ROSARIO (128TH):

The question before the Chamber is adoption of Senate Amendment Schedule A. Will you remark further on the Amendment? Will you remark further on the Amendment? If not, I'll try your minds. All those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ROSARIO (128TH):

All those opposed Nay. The Ayes have it. The Amendment is adopted. (Gavel) Will you remark further on the Bill as amended? Will you remark further on the Bill as amended? Representative Comey.

REP. COMEY (102ND):

Nope, I definitely urge all my friends to vote for it, for colleagues to vote for it and it's a good Bill and it ought to pass. Thank you.
DEPUTY SPEAKER ROSARIO (128TH):

Thank you, madam. Will you remark further on the Bill as amended? Representative Petit of the 22nd, you have the floor sir.

REP. PETIT (22ND):

Thank you, Mr. Speaker. Through you Mr. Speaker to the good proponent. This Bill does not mandate that establishments require Epinephrine auto injectors does it? Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Comey.

REP. COMEY (102ND):

Thank you, through you. No, it does not mandate it. This is totally voluntary. If a facility like a ballpark or a trampoline place or a restaurant would like to have opportunity to have a stock Epinephrine on hand, they can do so.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Petit.

REP. PETIT (22ND):

Thank you. And if a facility, a non-profit or
other establishment determines that they would like to have Epinephrine auto injectors available, what are their responsibilities once they obtain said Epinephrine auto injectors? Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Comey.

REP. COMEY (102ND):

Through you Mr. Speaker. Their responsibilities would be to store it properly and to have someone that knows how to recognize the symptoms of anaphylaxis and be able to administer Epinephrine. Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Petit.

REP. PETIT (22ND):

Thank you. Through you Mr. Speaker. I would also presume that under this -- under this amended Bill that the Good Samaritan Rules would apply and if someone in -- in good faith would appropriate training administered the Epinephrine using the auto
injector and there is an untoward event, that the --
the bystander or the trained personnel would not be
subject to civil litigation. Through you Mr.
Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Comey.

REP. COMEY (102ND):

Yes, through you. This law also is -- does say
that people in good faith are acting in good faith
and especially if they are not an emergency person
that a lay person could in fact do so and it would --
immunity would be shielding volunteer from any
claims involving ordinary negligence only. Through
you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Petit.

REP. PETIT (22ND):

Thank you, Mr. Speaker. I believe in many ways
this Bill is akin to previous actions this body has
taken concerning Narcan and Naloxone. It's a drug
that can save lives. This is a Bill in attempt to
make the Epinephrine auto injector available in more places with appropriate controls. Used in the appropriate manner it should be available to save lives and I urge my colleagues to support this Bill as amended. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the Bill as amended? Representative Felipe of the 130th, you have the floor sir.

REP. FELIPE (130TH):

Thank you, Mr. Speaker. I rise in strong support of this legislation as somebody who uses an EpiPen and somebody who has had an allergic reaction who has brought me to a near death experience. When you're in public and you're in these places, sometimes people don't have their EpiPen on them; in their pocket, in their bag or maybe it's in the car. And it can be a matter of minutes how much time that you have to get to -- to get the Epinephrine in your leg injected into you and to save your life. And I rise in strong support because this is something
that affects me, something that affects members of my family and members of my community and I urge my colleagues to support as well. Thank you.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, Representative. Will you remark further on the Bill as amended? Will you remark further on the Bill as amended? Representative Baker of the 124th, you have the floor sir.

REP. BAKER (124TH):

Good afternoon Mr. -- good afternoon Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Good afternoon.

REP. BAKER (124TH):

It's nice to see you up there. I rise in support of this Bill. I'm a parent whose child is -- needs to use -- a child who has the need to use the EpiPen. Although he has never had to use it, it's just an assurance that I have that there is something that's there and a mechanism to take care of his allergic reaction. So I urge my colleagues
here in the Chamber to fully support this. Thank you.

DEPUTY SPEAKER ROSARIO (128TH):

    Thank you, Representative. Will you remark further on the Bill as amended? Representative D'Amelio of the 71st, you have the floor sir.

REP. D'AMELIO (71ST):

    Thank you, Mr. Speaker. Question through you to proponent of the Amendment.

DEPUTY SPEAKER ROSARIO (128TH):

    You may proceed, sir.

REP. D'AMELIO (71ST):

    I'm a -- I was always under the impression that an EpiPen has to be prescribed by a physician so if -- as a restaurant owner how would I be able to obtain an EpiPen to have in my establishment? Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

    Representative -- Representative Comey.

REP. COMEY (102ND):

    The process would be -- through you. Thank you
for your question. The process would be that you would -- you could do one of two things. You could go to your doc -- a pharmacy and get a -- get a -- get -- you could get a host or you could go through a wholesaler and get a -- get it filled. So the DCP has been working with us, Department of Consumer Protection has been working with us to make sure that -- that -- that you -- that it's going to part of their notice on how to do it on the website. They've -- they've agreed to put it on the website on how to get access to Epinephrine. Through -- through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative D'Amelio.

REP. D'AMELIO (71ST):

Thank you. So through you, Mr. Speaker. Once this is enacted into law there would be a website where I would be able to go to to obtain the EpiPen without going through a physician? Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):
Representative Comey.

REP. COMEY (102ND):

Through you. So my understanding is that pharmacists will be made aware and wholesalers will be made aware that -- that they will have to -- when someone requests an Epinephrine that they will be able to dispense it. Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative D'Amelio.

REP. D'AMELIO (71ST):

Thank you, Mr. Speaker. And I thank the gentlelady for her answers. I rise in support of this legislation. You know when you're dealing with the public and today there are so many severe allergies that are out there, to have that assurance at your fingertips I think is a great thing. So I thank the proponent and I urge everyone to adopt it. Thank you.

DEPUTY SPEAKER ROSARIO (128TH):

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

CLERK:

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

SPEAKER ARESIMOWICZ (30TH):

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

CLERK:

Senate Bill 706 as amended by Senate A in concurrence with the Senate.

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<th>Total Number Voting</th>
<th>144</th>
</tr>
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<tbody>
<tr>
<td>Necessary for Passage</td>
<td>73</td>
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</tbody>
</table>
Those voting Yea 144
Those voting Nay 0
Those absent and not voting 7

SPEAKER ARESIMOWICZ (30TH):

The Bill passes as amended in concurrence with the Senate. (Gavel) Ladies and gentleman of the Chamber, I know it's the weekend. We do have a lot of business to do but we're going to be moving in a rather quick fashion. I would ask every member to stay near the Chamber. I would ask every member to stay close to the Chamber. I can't guarantee I will hold the votes open.

Will the Clerk please call House Calendar 249?

CLERK:

On page 62, House Calendar 249, Substitute House Bill No. 6096, AN ACT LIMITING CHANGES TO PRESCRIPTION DRUG FORMULARIES AND LISTS OF COVERED DRUGS. Favorable Report of Joint Standing Committee on Appropriations.

SPEAKER ARESIMOWICZ (30TH):

Representative Cook of the 65th, you have the
floor.

REP. COOK (65TH):

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

SPEAKER ARESIMOWICZ (30TH):

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

REP. COOK (65TH):

Mr. Speaker, the Clerk has an Amendment LCO 10394. I would ask the Clerk to please call the Amendment and I request leave to summarize.

SPEAKER ARESIMOWICZ (30TH):

Will the Clerk please call LCO No. 10394, which will be designated House Amendment Schedule A.

CLERK:

House A, LCO No. 10394 offered by Representative Aresimowicz, Representative Ritter et Al.

SPEAKER ARESIMOWICZ (30TH):
Representative seeks leave of the Chamber to summarize the Amendment. Would you object to summarization? Any objection to summarization? Seeing none, Representative Cook you have the floor.

REP. COOK (65TH):

Mr. Speaker, this is a strike-all Amendment. The Amendment becomes the Bill. This piece of legislation prohibits insurance companies to change your prescription mid-year and if there is a need for a change of prescription, it requires a $40 co-pay at no max per month per prescription. It also does not limit. If there is exploratory medications out there specifically for diseases like MS. This Bill also ensures good public health, good public policy and as we change a formulary midstream it could also put people in a downward spiral. I move adoption.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, madam. Will you remark further on the Amendment before us? Will you remark further on the Amendment before us? If not, I'll
try your minds. All those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER ARESIMOWICZ (30TH):

Those opposed Nay. The Ayes have it. The Amendment is adopted. (Gavel) Will you remark further as the Bill is amended? Representative Pavalock-D'Amato of the 77, madam you have the floor.

REP. PAVALOCK-D'AMATO (77TH):

Thank you, Mr. Speaker. Just a couple of questions for the proponent of the Bill. Are alternatives allowed under this Amendment and -- which is now the Bill? Through you Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Cook.

REP. COOK (65TH):

Yes, through you Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Pavalock-D'Amato.
REP. PAVALOCK-D'AMATO (77TH):

And is there any notification requirement if you could go through that? Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Cook.

REP. COOK (65TH):

Through you Mr. Speaker. Yes, there is. There's a 90-day notification to patients and to providers and it also gives the physician the opportunity to reject the -- the removal if he feels that the prescription that he's prescribed is necessary. Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Pavalock-D'Amato.

REP. PAVALOCK-D'AMATO (77TH):

Thank you, Mr. Speaker. In Committee I know we go back and forth and we discuss different ways to fix of course the high cost of prescriptions and I think this is one possibility that has been brought forward in the past. I know we have some other Bills that possibly we'll be discussing that could
also address this issue. And again I know that for a lot of people, their constituents this is probably one of the biggest issues that we face, however there has been brought up the concern that possibly again with this type of legislation that ultimately the cost would be passed on to the consumer. Again, I appreciate everybody on the other side of the aisle and this side of the aisle; their hard work in this Bill and again I -- I hope we also look for other alternatives to again making prescriptions affordable for our seniors, and for everybody.

Thank you.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much madam. Will you remark further on the Bill? On the Amendment before us? Oh, we amended it; on the Bill as amended. Will you remark further? If not will staff and guests to the well of the House? Members take your seats. The machine will be open. (Ringing)

CLERK:

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

SPEAKER ARESIMOWICZ (30TH):

Have all the members voted? Don't run madam, I will wait. Has the Minority Leader voted? Again ladies and gentleman I want to remind you all to stay near the Chamber. There's a lot of work to be done and I value what little time you do have off. I would like to move quickly and I do not guarantee I will hold the votes open. Have all the members voted? If all the members have voted, please check the board to ensure your vote has been properly cast. If all the members have voted the machine will be locked, the Clerk will take a tally. Clerk will announce the tally.

CLERK:

House Bill 6096 amended by House A.

Total Number Voting 143

Necessary for Passage 72

Those voting Yea 121
Those voting Nay 22
Those absent and not voting 8

SPEAKER ARESIMOWICZ (30TH):

The Bill as amended passes. (Gavel)

Representative Miller of the 145th, madam you have the floor.

REP. MILLER (145TH):

Yes, Mr. Speaker. For the first time in ten years I missed a vote while sitting at my seat. That's not true. I would like my vote to be cast in the affirmative. Thank you.

SPEAKER ARESIMOWICZ (30TH):

The Journal so note. Thank you madam. Will the Clerk please call House Calendar 553?

CLERK:

On page 38, House Calendar 553, Substitute Senate Bill No. 607, AN ACT CONCERNING APPRENTICESHIP PATHWAYS TO EARNING A BACHELOR'S DEGREE. Favorable Report of Joint Standing Committee on Higher Education and Employment Advancement.
Representative Turco of the 27th, you have the floor sir.

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

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

Thank you, Mr. Speaker. This Bill requires the Labor Department and the Board of Regions for Higher Education to jointly create a plan for the establishment of a non-traditional pathway for earning a bachelor's degree at our state universities and our Charter Oak State College. This is through the inclusion of credits earned through an apprenticeship. There are many people that are going through apprenticeships and these
experiences could be used toward earning a bachelor's degree and we'd like a plan to be created for that by January 1, 2020. The plan will then be presented to the Labor Committee and the Committee on Higher Education and then hopefully from there will be implemented.

Mr. Speaker, the Clerk has an Amendment LCO 7542. I would ask the Clerk to please call the Amendment and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER ROSARIO (128TH):

Will the Clerk please call LCO 7542, which will be designated Senate Amendment Schedule A.

CLERK:

Senate Amendment Schedule A, LCO No. 7542 offered by Senator Haskell, Representative Haddad et Al.

DEPUTY SPEAKER ROSARIO (128TH):

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

REP. TURCO (27TH):

Thank you, Mr. Speaker. This Amendment just makes one small change to the definition of apprenticeship in the underlying Bill and that is just to match the definition with the Department of Labor. I move adoption.

DEPUTY SPEAKER ROSARIO (128TH):

The question before the Chamber is adoption of House -- Senate Amendment Schedule A. Will you remark further on the Amendment? Representative Hall of the 59th, you have the floor madam.

REP. HALL (59TH):

Thank you, Mr. Speaker. I will hold my comments for the underlying Bill. Thank you.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, madam. Will you remark further? Will you remark further? If not, I'll try your minds. All those in favor please signify by saying Aye.
REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ROSARIO (128TH):

All those opposed, Nay. The Ayes have it. The Amendment is adopted. (Gavel) Will you remark further on the Bill as amended? Representative Hall, you have the floor madam.

REP. HALL (59TH):

Thank you, Mr. Speaker. This came out of Committee unanimous. It also came out of the Senate unanimous. It's a great Bill for our non-traditional learners and good Bill, ought to pass. Thank you, Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, madam. Will you remark further on the Bill as amended? Representative Lavielle 143rd, you have the floor madam.

REP. LAVIELLE (143RD):

Thank you, Mr. Speaker. I just have a question for the proponent of the Bill, please.

DEPUTY SPEAKER ROSARIO (128TH):
You may proceed, madam.

REP. LAVIELLE (143RD):

Thank You. I'm curious about something. We have been talking for a very long time with reason about preparing many of our students who are not necessarily interested in a traditional college degree to be able to learn a trade, to get a qualification, to do apprenticeships, to work towards a certificate or another type of qualification that would allow them to get jobs in different areas including things like advanced manufacturing and we've been encouraging our technical schools to move in that direction as well.

What my question concerns is we're talking here about using apprenticeships and I know it's already being done in some places; but using apprenticeships as a credit qualification towards a college degree, a traditional college degree which we have always viewed as something that's academic as opposed to the certificates and other similar qualifications that are more related to skills. And I'm -- I'm
just curious as to whether we're blurring the distinctions here and when we're talking about people who are leaning toward a college degree, are we -- are we accommodating what they're interested in doing just by changing the definition of an academic degree as opposed to allowing them to proceed quickly towards a qualification? I hope that was clear. It was a bit twisted, but that's my concern and I -- I would like to ask the Representative that question.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Turco.

REP. TURCO (27TH):

Thank you, Mr. Speaker. And I appreciate the Representative's question. So part of the intent of this Bill is there are certain fields, certain industries and careers that require an advanced degree, require a bachelor's degree. Are there areas in -- where this is being done currently? In engineering for example or an example that I was given was in ship building where you need a
bachelor's degree to be in that field and excel in that field. So what we're trying to do here is allow those more non-traditional learners like you mentioned. People that are you know doing work in skill -- in skill fields, to be able to use that work they're doing in an apprenticeship and then apply it towards getting a bachelor's degree so that then they will be able to succeed in that field and maybe be able to move up the ranks within that industry that they just currently can't do with that apprenticeship now without an advanced degree like a bachelor's degree. I hope that answers the Representative's question. Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you and through you, Mr. Speaker. How then does the university or college evaluate or grade the performance of a student who is completing credits through an apprenticeship? Through you.

DEPUTY SPEAKER RYAN (139TH):
Through you Mr. Speaker. That's exactly what this Bill is doing. It is having the Labor Department and the Board of Regions of Higher Education actually put together that plan. So they're going to take a look at exactly the different subject matters, how many credits someone will get for their apprenticeship, what courses they're going to have to take after the apprenticeship is counted towards a degree; so it's a really comprehensive plan that we're asking the Department of Labor and the Board of Regions of Higher Education to put together that will account for the different things that you're asking. Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you and once the plan is developed, is there another approval stage say through the Higher Ed Committee? Is there further oversight once it's completed before it's implemented? Through you Mr.
Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Turco.

REP. TURCO (27TH):

Through you Mr. Speaker, and thank the Representative for her question. There is not a formal vote that will be taken once the plan is presented by January 1, 2020 to the Committees on Labor and Higher Education, however it is expected that those Committees once they receive the plan will be able to give input, ask questions and make any recommendations for improvements to that plan before it's implemented. Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Thank you. And this would be -- the plan would apply just to our public colleges and universities or also to any school in Connecticut? Through you.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Turco.
REP. TURCO (27TH):

Through you Mr. Speaker. At this point in time the Bill only applies to our state universities and our Charter Oak State College. Perhaps in the future we can incorporate our private universities to be part of this or it may be something they can adopt individually on their own and by using the plan that's put together. Through you Mr. Speaker.

DEPUTY SPEAKER ROSARIO (128TH):

Representative Lavielle.

REP. LAVIELLE (143RD):

Okay. Thank you very much, Mr. Speaker and I thank the Representative for his answers. Appreciate it.

DEPUTY SPEAKER ROSARIO (128TH):

Thank you, madam. Representative Ritter of the 1st you have the floor sir.

REP. RITTER (1ST):

Mr. Speaker, I move we pass temporarily. Thank you.

DEPUTY SPEAKER ROSARIO (128TH):
If there's no objection, so ordered. The Chamber will stand at ease. The Chamber will come back to order. Representative Ritter of the 1st, you have the floor sir.

REP. RITTER (1ST):

Mr. Speaker, if we could just have everybody in the Chamber's attention please. Before we do anything, we right now are about to do the Conveyance -- what used to be the Conveyance Bill. We have 13 conveyances. This is a new process for both the House and the Senate because of the Constitutional Amendment that passed with voters last November. So we have to do all of these separately, okay? The thought is that because they are pretty noncontroversial, we think, that you could do a Consent Calendar and instead of voting 13 times, do one vote. However, the Minority Leader and I and the Speaker have talked about this and could not agree more. If you do not want anything, and there will be 13 of them and you object to one item not going on to Consent or all of them, just
please stand up and say, I object to this going on the Consent Calendar and we will vote it individually.

So let me repeat. This is not a pre-baked notion. No one is assuming anything. We think we know that they're going to be okay but at any time before we vote, there will be a motion made to put something on a Consent Calendar. Somebody can stand up and say, I object and it will not go on the Consent Calendar and we will vote it, okay? But I think other than that we can start this process for the first time, but it is different for Veteran members than it's been in the past where we could do one Bill. With that Mr. Speaker, I make a motion that we suspend our rules for immediate consideration of Calendars 701 through 705. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is suspension of our rules for immediate consideration of Calendar No. 701, 702, 703, 704, 705. Is there objection to
suspension? Seeing none, rules are suspended. Will the Clerk please call House Calendar 701?

CLERK:

House Calendar 701, Substitute Senate Bill No. 1123, AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND IN THE TOWN OF CHESHIRE. Favorable Report of Joint Standing Committee on Government Administration and Elections.

SPEAKER ARESIMOWICZ (30TH):

Representative Lopes of the 24th, you have the floor.

REP. LOPES (24TH):

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

SPEAKER ARESIMOWICZ (30TH):

Question for the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the Bill. Representative Lopes.

REP. LOPES (24TH):

Thank you, Mr. Speaker. The Clerk has an
amendment, LCO 10463. I would ask the Clerk to please call the Amendment and I be granted leave of the Chamber to summarize.

SPEAKER ARESIMOWICZ (30TH):

Will the Clerk please call LCO No. 10463, which will be -- which will be designated Senate Amendment Schedule A. Is a House -- House Amendment Schedule A.

CLERK:

House Amendment Schedule A, LCO No. 10463 offered by Representative Lopes and Representative France.

SPEAKER ARESIMOWICZ (30TH):

Representative seeks leaves of the Chamber to summarize the Amendment. Without objection Representative Lopes.

REP. LOPES (24TH):

The underlying Bill is for the conveyance of three parcels of land in the town of Cheshire for economic development. The proceeds from the sale will go to the -- the State Transportation Fund.
The Amendment simply fix a -- fixes more or less a technical error that didn't properly specify that the DOT Commissioner could set the appraisals.

SPEAKER ARESIMOWICZ (30TH):

Will you remark on the Amendment before us? Representative France.

REP. FRANCE (42ND):

Thank you, Senator. And just to clarify the Amendment, it does address the concerns that our Commissioner of Transportation had and I recommend approval.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much. Let me try your minds. All in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER ARESIMOWICZ (30TH):

Those opposed Nay. The Ayes have it. The Amendment is adopted. (Gavel) Will you remark further on the Bill as amended?

REP. FRANCE (42ND):
Mr. Speaker I ask that this Bill be put on the Consent Calendar.

SPEAKER ARESIMOWICZ (30TH):

The question before the Chamber is to add to the Consent Calendar. Is there objection? Seeing none, so ordered.

SPEAKER ARESIMOWICZ (30TH):

Will the Clerk please call House Calendar 702?

CLERK:

House Calendar 702, Substitute Senate Bill No. 1125, AN ACT CONCERNING THE CONVEYANCE OF A PARCEL OF STATE LAND IN THE CITY OF NEW HAVEN. Favorable Report of Joint Standing Committee on Government Administration and Elections.

SPEAKER ARESIMOWICZ (30TH):

Representative Lopes of the 24th.

REP. LOPES (24TH):

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

SPEAKER ARESIMOWICZ (30TH):
Question before the Chamber is on acceptance of the Joint Committee's Favorable Report and passage of the Bill. Representative Lopes.

REP. LOPES (24TH):

This Bill is a conveyance of the City of New Haven. It's excess property that was purchased by the Department of Transportation for a project that will now be sold back to the City of New Haven.

SPEAKER ARESIMOWICZ (30TH):

Will you remark further on the Bill before us? Representative France.

REP. FRANCE (42ND):

Thank you, Mr. Speaker. And this was debated in public hearing and came out of Committee unanimously. Recommend approval.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much. Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, I ask that this also be placed on the Consent Calendar.

SPEAKER ARESIMOWICZ (30TH):
Question before the Chamber is on adding to the Consent Calendar. Is there objection? Seeing none, so ordered. Will the Clerk please call House Calendar 703?

CLERK:

House Calendar 703, Substitute Senate Bill No. 1126, AN ACT CONCERNING THE CONVEYANCE OF A PARCEL OF STATE LAND IN THE TOWN OF HAMDEN. Favorable Report of Joint Standing Committee on Government Administration and Elections.

SPEAKER ARESIMOWICZ (30TH):

Representative Lopes.

REP. LOPES (24TH):

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

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is on acceptance of the Joint Committee's Favorable Report and passage of the Bill. Representative Lopes.

REP. LOPES (24TH):
Mr. Speaker, this is as the Clerk said, in the town of Hamden, a large parcel of land 55 acres I believe being sold to the town for $1.7 million.

SPEAKER ARESIMOWICZ (30TH):

Representative France.

REP. FRANCE (42ND):

Thank you, Mr. Speaker. Just to address some confusion during the original Bill, it was to be transferred at no cost. The McCaw, OPM objected because of that cost. Had indicated in testimony that the assessed value was $6.5 million. The actual assessed value of the land is $1.7 million which is the amount of the deed the town will be paying for. Recommend approval.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, I ask this also be placed on the Consent Calendar.

SPEAKER ARESIMOWICZ (30TH):
Question before the Chamber is on placing it on the Consent Calendar. Is there objection? Seeing none, so ordered. Will the Clerk please call House Calendar 704?

CLERK:

House Calendar 704, Senate Bill No. 1127, AN ACT CONCERNING THE REPEAL OF A CONVEYANCE OF A PARCEL OF STATE LAND TO THE TOWN OF NORWALK. Favorable Report of Joint Standing Committee on Government Administration and Elections.

SPEAKER ARESIMOWICZ (30TH):

Representative Lopes.

REP. LOPES (24TH):

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

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the Bill. Representative Lopes.

REP. LOPES (24TH):
Mr. Speaker, in the town -- in the City of Norwalk, this is simply a repeal of an old conveyance.

SPEAKER ARESIMOWICZ (30TH):

Representative France.

REP. FRANCE (42ND):

Thank you, Mr. Speaker. Once again in accordance with the Constitutional Amendment we had a proper public hearing and it passed out of Committee unanimously. Recommend adoption.

SPEAKER ARESIMOWICZ (30TH):

Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, I asked that this be placed on the Consent Calendar.

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is placing on the Consent Calendar. Without objection, so ordered. Will the Clerk please call House Calendar 705?

CLERK:

House Calendar 705, Substitute Senate Bill No.
1128, AN ACT AMENDING A CONVEYANCE OF A PARCEL OF STATE LAND IN THE TOWN OF FARMINGTON. Favorable Report of Joint Standing Committee on Government Administration and Elections.

SPEAKER ARESIMOWICZ (30TH):

Representative Lopes.

REP. LOPES (24TH):

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

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the Bill. Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, this is a parcel of land in Farmington that the DOT used for a project and it will be conveyed back to this town.

SPEAKER ARESIMOWICZ (30TH):

Representative France.

REP. FRANCE (42ND):


Thank you, Mr. Speaker. And concurs the same thing. We had a public hearing, unanimously out of Committee, recommend adoption.

SPEAKER ARESIMOWICZ (30TH):

Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, I ask that this be placed on the Consent Calendar.

SPEAKER ARESIMOWICZ (30TH):

Question is placing this item on the Consent Calendar. Is there objection? Is there objection? Seeing none, so ordered. Will the Clerk please call House Calendar 318?

CLERK:


SPEAKER ARESIMOWICZ (30TH):

Representative Lopes.

REP. LOPES (24TH):
Mr. Speaker, I move for acceptance of the Joint Committee's Favorable Report and passage of the Bill.

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the Bill.

REP. LOPES (24TH):

Mr. Speaker, we --

SPEAKER ARESIMOWICZ (30TH):

Hang on one second Representative Lopes, we just need it on the board. It will be there momentarily. Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, the Clerk has an Amendment LCO 10439. I ask the Clerk please call the Amendment and be granted leave of the Chamber to summarize?

SPEAKER ARESIMOWICZ (30TH):

Will the Clerk please LCO No. 10439, which will be designated House Amendment Schedule A.

CLERK:
House Amendment Schedule A, LCO No. 10439 offered by Representative Lopes, Representative France.

SPEAKER ARESIMOWICZ (30TH):

Representative seeks leave of the Chamber to summarize the Amendment. Is there objection? Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, this is a conveyance of the town of Groton so that they can build a Sailor's Monument. The Amendment simply gives the DOT or DOT Commissioner discretion as to the final size of the property based on a surveyor and the location of the monument.

SPEAKER ARESIMOWICZ (30TH):

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

REP. FRANCE (42ND):

Thank you, Mr. Speaker. And just to clarify this conveyance actually came in after the public hearing for the remainder of the Conveyance Bills.
We did hold a public hearing and was out of Committee I was the one objected. The Amendment resolves the objection which was related to objections from the Department of Transportation. Recommend adoption.

SPEAKER ARESIMOWICZ (30TH):

Just for a correction for the Chamber's identification. It is House Amendment Schedule B and not A. We will change the machine. Without objection we will proceed. We already did the summarization. Is there any need for clarification? Seeing none, let me try your minds. All those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER ARESIMOWICZ (30TH):

Those opposed Nay. The Ayes have it. The Amendment is adopted. Will you remark further on the Bill as amended? Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, may we place this on the Consent
Item -- the question before the Chamber is placing on the Consent Calendar. Is there objection? Seeing none, so ordered. Will the Clerk please call House Calendar 625?


Representative Lopes.

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

Question before the Chamber is acceptance of
the Joint Committee's Favorable Report and passage of the Bill. Will you remark?

REP. LOPES (24TH):

Mr. Speaker, this is the sale of a property to an adjacent property owner who is land-locked.

SPEAKER ARESIMOWICZ (30TH):

Representative France.

REP. FRANCE (42ND):

Thank you, Mr. Speaker. And this conveyance like the others had a public hearing April 29th, promptly passed unanimously out of the commit and recommend adoption.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much. Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, may we place this on the Consent Calendar?

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is adding this item to the Consent Calendar? Is there objection? Seeing none, so ordered. Will the Clerk please call

SPEAKER ARESIMOWICZ (30TH):

Representative Lopes.

REP. LOPES (24TH):

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

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the Bill. Will you remark? Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, this is a conveyance of the town
of Newington, part of the former Cedar Press Hospital property conveyed to the town of Newington for open space.

SPEAKER ARESIMOWICZ (30TH):

Representative France.

REP. FRANCE (42ND):

Thank you, Mr. Speaker. Once again this had a public hearing on April 29th, Unanimous out of Committee. Recommend adoption.

SPEAKER ARESIMOWICZ (30TH):

Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, I ask that it be placed on the Consent Calendar.

SPEAKER ARESIMOWICZ (30TH):

Without objection, so ordered. Will the Clerk please call House Calendar 628?

CLERK:

On page 50, House Calendar 628, Substitute House Bill No. 7422, AN ACT CONCERNING THE CONVEYANCE OF A STATE RIGHT-OF-WAY ON MILL STREET IN

SPEAKER ARESIMOWICZ (30TH):

Representative Lopes.

REP. LOPES (24TH):

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

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the Bill. Will you remark?

REP. LOPES (24TH):

Mr. Speaker, this is a property in Berlin conveyed -- state property in Berlin conveyed to a property owner. It's an easement the state no longer needs.

SPEAKER ARESIMOWICZ (30TH):

Representative France.

REP. FRANCE (42ND):
Thank you, Mr. Speaker. Once again the public hearing was held on April 29th, unanimous out of Committee, recommend adoption.

SPEAKER ARESIMOWICZ (30TH):

Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, may we place this on the Consent Calendar please?

SPEAKER ARESIMOWICZ (30TH):

Is there objection on the Consent Calendar? Seeing none, so ordered. Will the Clerk please call House Calendar 626?

CLERK:

On page 49, House Calendar 626, Substitute House Bill No. 7148, AN ACT AMENDING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND IN THE TOWN OF MANSFIELD. Favorable Report of Joint Standing Committee on Government Administration and Elections.

SPEAKER ARESIMOWICZ (30TH):

Representative Lopes.
REP. LOPES (24TH):

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

SPEAKER ARESIMOWICZ (30TH):

    Question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the Bill. Representative Lopes.

REP. LOPES (24TH):

    Mr. Speaker, the Clerk has Amendment LCO 10449.

SPEAKER ARESIMOWICZ (30TH):

    Will the Clerk please call LCO No. 10449, which will be designated House Amendment Schedule A?

CLERK:

    House Amendment Schedule A LCO No. 10449 offered by Representative Haddad, Representative Lopes and Representative France.

SPEAKER ARESIMOWICZ (30TH):

    Will you remark on the Amendment before us?

Representative France.

REP. FRANCE (42ND):


Thank you, Mr. Speaker. And this clarifies the intent of the use for that land. Recommend adoption.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Let me try your minds. All those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER ARESIMOWICZ (30TH):

Those opposed Nay. The Ayes have it. The Amendment is adopted. Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, may be place this on the Consent Calendar?

SPEAKER ARESIMOWICZ (30TH):

Is there objection to placing on the Consent Calendar? Seeing none, so ordered. Will the Clerk please call House Calendar 624?

CLERK:

On page 49, House Calendar 624, House Bill No.

SPEAKER ARESIMOWICZ (30TH):

Representative Lopes.

REP. LOPES (24TH):

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

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the Bill. Will you remark?

REP. LOPES (24TH):

Mr. Speaker, a small parcel of land in Waterbury is going to be used for a community garden.

SPEAKER ARESIMOWICZ (30TH):

Representative France.

REP. FRANCE (42ND):
Thank you, Mr. Speaker. Once again I'd like to we had a public hearing and of course the Constitutional Amendment for -- on April 29th, unanimous out of Commit, recommend adoption.

SPEAKER ARESIMOWICZ (30TH):

Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, may we place this on the Consent Calendar please?

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is placing on Consent Calendar. Is there objection? Seeing none, so ordered. Will the Clerk please call House Calendar 627?

CLERK:


SPEAKER ARESIMOWICZ (30TH):
Representative Lopes.

REP. LOPES (24TH):

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

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the Bill. Will you remark? Representative Lopes.

REP. LOPES (2$TH):

Mr. Speaker, will the Clerk please call LCO 10465?

SPEAKER ARESIMOWICZ (30TH):

Will the Clerk please call LCO No. 10465, which will be designated House Amendment Schedule A?

CLERK:

House A, LCO No. 10465 offered by Representative Lopes, Representative France.

SPEAKER ARESIMOWICZ (30TH):

Representative seeks leave of the Chamber to
summarize the Amendment. Is there objection?

Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, two parcels of property in the town of Naugatuck -- burrow of Naugatuck for -- sold for clear-market value from the town -- from the state to the town of Naugatuck. The Amendment simply gives the DOT discretion on an easement.

SPEAKER ARESIMOWICZ (30TH):

Representative France.

REP. FRANCE (42ND):

Thank you, Mr. Speaker. And the Amendment before us does address concerns of the Commissioner of Transportation. Recommend adoption.

SPEAKER ARESIMOWICZ (30TH):

I will try your minds. All those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER ARESIMOWICZ (30TH):

Those opposed, Nay. The Ayes have it. The
Amendment is adopted. Will you remark further on the Bill as amended? Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, may we place this on the Consent Calendar please?

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is placing it on the Consent Calendar. Is there objection? Seeing none, so ordered. Will the Clerk please call House Calendar 629?

CLERK:


SPEAKER ARESIMOWICZ (30TH):

Representative Lopes.

REP. LOPES (24TH):

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

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the Bill. Representative Lopes, you have the floor.

REP. LOPES (24TH):

Mr. Speaker, the Clerk has an Amendment, LCO 10464. I would ask the Clerk to please call the Amendment and --

SPEAKER ARESIMOWICZ (30TH):

Be allowed to summarize, yes sir. (Laughing) Will the Clerk please call 10 -- LCO No. 10464, which will be designated House Amendment Schedule A?

CLERK:

House A, LCO No. 10464 offered by Representative Lopes, Representative France.

SPEAKER ARESIMOWICZ (30TH):

Representative seeks leave of the Chamber to summarize the Amendment. Is there objection? Seeing none, Representative Lopes.
REP. LOPES (24TH):

Before I do I have to say, last year I made some sort of comment that the way we changed things would make things more inconvenient and difficult for us. I didn't realize that it was for me. (Laughing) More than anyone else.

SPEAKER ARESIMOWICZ (30TH):

Duly noted, Representative.

REP. LOPES (24TH):

Thank you very much. This is for property in Beacon Falls to relocate a schoolhouse. The Amendment simply gives the DOT Commissioner discretion over an easement.

SPEAKER ARESIMOWICZ (30TH):

Representative France.

REP. FRANCE (42ND):

Thank you, Mr. Speaker. And the Amendment before us does address concerns that were expressed the Commissioner of Transportation. The underlying Bill had a public hearing April 29th and was unanimous out of GA. Recommend adoption.
SPEAKER ARESIMOWICZ (30TH):

Thank you. Will you remark further on the Amendment before us? Let me -- did I adopt? Let me try your minds. All those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER ARESIMOWICZ (30TH):

Those opposed, Nay. The Amendment is adopted. Representative Lopes.

REP. LOPES (24TH):

Mr. Speaker, I also would like this on the Consent Calendar, please.

SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is placing on Consent Calendar. Is there objection? Is there objection? Seeing none, it will be placed on the Consent Calendar. Representative Lopes, to your comment, it's good that you have such a good Ranking Member that worked with you on what could have been a more difficult process. (Laughing)
REP. FRANCE (42ND):

Mr. Speaker, we could do that if you'd like, make it more difficult. (Laughing)

SPEAKER ARESIMOWICZ (30TH):

Fair enough, sir. We're going to pause for a minute just to ensure all the information is correct as we place it up on the board. Will the Clerk please call House Calendar 701? Will the Clerk please call House Calendar 701 et Al?

CLERK:


SPEAKER ARESIMOWICZ (30TH):

I will pause briefly just to have the members double check to ensure those are the votes that we all agreed. Is there objection to any of the items
on this Consent Calendar? Is there objection to any of the items on this Consent Calendar? If that's the case staff and guests to the well of the House, members take your seats. The machine will be open. (Ringing)

CLERK:

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

SPEAKER ARESIMOWICZ (30TH):

Representative Ritter.

REP. RITTER (1ST):

Mr. Speaker, I move passage of Consent Calendar 1, thank you.

SPEAKER ARESIMOWICZ (30TH):

Thank you. The Journal will so note. Have all the members voted? If all the members have voted, check the board to ensure your vote has been properly cast. If all members have voted the machine will be locked. The Clerk will take a
tally. Clerk will announce the tally.

CLERK:

Consent -- Consent Calendar No 1.

Total Number Voting 145
Necessary for Passage 73
Those Voting Yea 145
Those Voting Nay 0
Absent not Voting 6

SPEAKER ARESIMOWICZ (30TH):

Consent Calendar passes. (Gavel)

Representative Klarides.

REP. KLARIDES (114TH):

Thank you, Mr. Speaker. Mr. Speaker, upon our recess the House Republicans will be caucusing briefly for 15 minutes.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, madam. Representative Ritter.

REP. RITTER (1ST):

I move that we recess subject to the Call of the Chair. Thank you.
SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is recess subject to the Call of the Chair. Without objection, so ordered. (Gavel)

(On motion of Representative Ritter of the 1st District, the House recessed at 4:19 o’clock p.m., to reconvene at the Call of the Chair).

(The House reconvened at 5:20 o’clock p.m., Deputy Speaker Cook in the Chair).

DEPUTY SPEAKER COOK (65TH):

Will the Chamber please come back to order? Will the Clerk please call Calendar No. 613?

CLERK:

On page 47, House Calendar 613, Substitute Senate Bill No. 3, AN ACT COMBATTING SEXUAL ASSAULT AND SEXUAL HARASSMENT. Favorable Report of Joint Standing Committee on Appropriations.

DEPUTY SPEAKER COOK (65TH):
Representative Stafstrom.

REP. STAFSTROM (129TH):

Good evening, Madam Speaker.

DEPUTY SPEAKER COOK (65TH):

Good evening, sir.

REP. STAFSTROM (129TH):

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):

Question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the Bill in concurrence with the Senate. Is there objection? Is there objection? Hearing none, Senator -- or Representative Stafstrom, you may proceed, sir.

REP. STAFSTROM (129TH):

Thank you, Madam Speaker. Madam Speaker, the Clerk is in procession of an Amendment. It was previously designated Senate Amendment A. It's LCO No. 6991. I ask the Clerk to please call the
Amendment and I be granted leave of the Chamber to summarize? Sorry, it is 8991, sorry LCO 8991.

DEPUTY SPEAKER COOK (65TH):

Will the Clerk please call LCO 8991, which will be designated Senate Amendment A?

CLERK:

Senate Amendment Schedule A, LCO No. 8991 offered by Senator Looney, Senator Duff et al.

DEPUTY SPEAKER COOK (65TH):

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

REP. STAFSTROM (129TH):

Thank you, Madam Speaker. Madam Speaker, the Amendment before us a strike-all Amendment of the underlying Bill and it's a product of several years of work by many advocates and members of this building to combat the issues of sexual assault and sexual harassment, particularly in the workplace.
As folks are well aware, certainly over the last several years there has been an uptick, not just in the number of instances but also in reporting of instances -- instances of sexual assault and sexual harassment. This Bill, colloquially referred to the Time's Up Act responds to those concerns and begins to address issues associated with sexual assault, sexual harassment and Me Too Movement. I move adoption.

DEPUTY SPEAKER MORIN (28TH):

Question before the Chamber is adoption of Senate Amendment Schedule A. Will you remark further on the Amendment? So he did. Will you remark further? Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker, I'm going to reserve my comments and allow Senate Amendment A certainly if the Chamber agrees to pass and reserve my comments once it's amended.

DEPUTY SPEAKER MORIN (28TH):

Chamber will stand at ease. So will you remark
further on the Amendment? Will you remark further on the Amendment before us? If not, I'll try your minds. All those in favor please signify by saying Aye.

REPRESENTATIVES:

   Aye.

DEPUTY SPEAKER MORIN (28TH):

   All those opposed, Nay. The Ayes have it.

(Gavel) The Amendment is adopted. Will you remark further on the -- on the Bill as amended?

Representative Stafstrom.

REP. STAFSTROM (129TH):

   Thank you, Mr. Speaker. The Bill has three main components to it. The first component of the Bill is as indicated, it responds to issues of sexual harassment and workplace discrimination by tightening up and strengthening our laws in those areas, many of which have not been looked at in some time.

   With respect to the sexual harassment piece, the Bill requires training of all employees in
issues of sexual harassment within six months of the start of their employment. Current law requires employers to provide -- employers of 50 employees of more to provide training of at least two hours on sexual harassment to its supervisory employees. This Bill as mentioned, would extend it to all employees and to employers three or more.

The video -- the training will done by a video which is two hours in length which will be prepared by the Connecticut Commission on Human Rights and Opportunities and will be available on CHR's website free of charge.

The Bill also seeks to clean up and strengthen what's called our Corrective Action Requirements and this would be that before someone who accuses another of sexual harassment could be moved or their job function is changed, they would have to give consent to that in writing.

The Bill also makes several changes with respect to CHR's jurisdiction concerning the workplace discrimination statutes. By highlight it
allows victims to seek punitive damages. It extends the timeline for filing complaints. It increases CHRO's authority to ensure compliance with discovery requests. It addresses the backlog in the CHRO by allowing more cases to proceed directly to Superior Court, and it allows for the availability of attorney's fees in certain instances.

Moving on to the second major component of the Bill. This is the component that addresses our civil statute of limitations. For the Chamber's benefit, obviously civil cases are those that seek monetary relief brought by private parties. Currently a claim by a minor, which is defined as someone under the age of 18, must be brought within 30 years of the minor's 18th birthday. So on or before the age of 48. Under the Bill we would extend the age of minor from 18 to 21, thus counting someone who is 19 or 20 as being a minor as well and they would be afforded the 30 year statute of limitations, so up to their 51st birthday.

The final section of the Bill deals with our
criminal statute of limitations. Again, these are obviously criminal charges brought by the State's Attorney Office. Currently we have no statute of limitations in Connecticut where there is DNA evidence of a sexual assault crime. But our current five-year statute of limitations where there is not DNA evidence for felony offenses is among the lowest in the country. This Bill would seek to increase the statute of limitations where there's no DNA evidence for felony offenses to 20 years and for misdemeanor offenses, predominantly misdemeanor Class A offenses from the current one-year statute of limitations to ten-year statute of limitations.

Mr. Speaker, the Bill also with respect to criminal statute of limitations eliminates the statute of limitation for crimes that are committed against minors. With that I urge support of the Chamber.

DEPUTY SPEAKER MORIN (28TH):

Will you remark further on the Bill as amended?

Representative Rebimbas of the 70th district.
REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker I'd like to start off by certainly thanking the good Chairman for the summarization that he provided and also I'd like to take the opportunity to thank leadership on both sides of the aisle as well as the proponent of the Bill for having the opportunity to sit down with everyone today and further discuss some of our concerns, and further discuss any potential, what we believe to be a good Amendment that may appear not today but in the future that will directly make some modifications to the proposal we have before us. So I think for many of us here in the Chamber, obviously what's before us is important but also we rely on what we believe to be something that we will be seeing if not sooner, certainly come Monday as to what the ultimate end product may be regarding this topic. So I just wanted to make that clear in that regard.

So through you, Mr. Speaker just some clarifying questions regarding the proposal that's
before us to the good Chairman.

DEPUTY SPEAKER MORIN (28TH):

Please proceed.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Through you Mr. Speaker. I believe the good Chairman had indicated that under current law these provisions apply for any employer that has 50 or more employees. What we're essentially doing is now lowering that threshold to any employer that has three employees and we're not making any exceptions as to whether or not those three employees happen to be related by blood, or related by marriage, or anything along those lines in this proposal; is that correct? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. That's correct. Certainly the intent of the proposal is to include more employers within the requirement of providing
training on sexual harassment certainly based on the understanding that sexual harassment can occur in any size employment. It doesn't just happen in place of workplace that has 50 or more employees and by lowering the threshold we would be providing training to individuals who may work in smaller business as well. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker and I certainly agree with the good Chairman and the indication of whether you have an employment -- employees, three employees, one employee, two employees, no one should be subject to sexual harassment or sexual assault. Specifically, one of our concerns certainly though is some of the other things regarding posting of items, posting of the regulations that are coming through, that sometimes it's a little bit more difficult for a mom and pop shop. Either difficulties in locations or just
making sure that they're keeping up with the amended rules, regulations and posting properly in that regard. But through you Mr. Speaker, just for clarification purposes because now for those employers that have three or more employees, we certainly have some timelines that have been laid out in this proposal as to when trainings of those employees need to take place when posting of the requirements under this proposal take place as well. So through you Mr. Speaker, regarding the training in and of itself, it is understood that this is training that CHRO will be putting together some type of video that would be available to the public in this specific situation, specifically to employers free of charge maybe through a link of their website at which the employers, once that video is up and loaded on their website would have the ability then to fulfil the training requirement that we're requesting in this proposal? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):
Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. That's exactly correct -- correct, and I should take the opportunity before I forget to thank CHRO for their work and weigh in and support in the drafting of this Bill. Certainly it's CHRO's intent to have that two hour video up and running sooner rather than later and they have agreed to do that within the resources that they currently have at their disposal in their office and to have not just the video available, but also a landing page with respect to sexual harassment training and policies -- sample policies available on that landing page so that it's easily accessible to all employers in the state of Connecticut. Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And Mr. Speaker, if this proposal ultimately becomes law and certainly
CHRO may require additional time in order to put whatever training video together and if they need more time past this proposal is it correct that this allows for any employer to fulfill the requirement of the training six months -- at least six months after that video is made available? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. That's correct. The requirement for training of current employees for every employer will be the later of October 1, 2020 so a year and a half from now or a year and some months from now, or six months after the training video is available. So it will be no sooner than October 1, 2020 that current employees must be provided training with this video. But if the video is not available it could be later than that date. Through you.

DEPUTY SPEAKER MORIN (28TH):
Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And certainly I do want to also echo the good Chairman's thanks to CHRO for putting this and making this obviously free and available to employers and I hope as we move forward, once that video is completed that we make sure that we appropriately get the word out so that the employers can certainly fulfil the requirements that are being requested of them in this proposal. Because unfortunately there is a penalty that is being applied to those employers that do not train within the requirements of this proposal; and just for some clarification through you Mr. Speaker, is that penalty up to a $1000 fine?

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. It is.

DEPUTY SPEAKER MORIN (28TH):

Representative Rebimbas.
REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And again, because that is up to $1000 fine I certainly also hope that CHRO will take it upon themselves to take this as a learning process for employers so heaven forbid there's an employer who for one reason or another and maybe could have been a family emergency; in small businesses that happens often and may impact their businesses; that it wouldn't be a fine but certainly an educational aspect. And then certainly if someone abuses it, that's a different story.

Through you Mr. Speaker. Ensuring the compliance of training or the posting requirements in this provision, what are -- is the requirements to allowing an official from CHRO to ensure that compliance has been made through training and posting? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. It's expected that
the primary method of compliance will be obviously an employer wanting to provide this training understanding that not is -- not only is a requirement of the law but certainly it's the best practice to provide a minimum level of sexual harassment training as outlined in the Bill. And in fact often times in court cases alleging sexual harassment, the issue of whether training has been provided or not is an issue and can be used an affirmative defense in those types of action. So the first -- the first method of compliance and the preferred method of compliance will be obviously the employers doing it on their own.

If an employer does not, I suspect the main -- the main way it would come to CHRO's attention that someone has not complied is there would be a report from an employer -- I'm sorry an employee; an employee may report their employer and say you know there is this requirement, my employer has not complied with it. Certainly that could be raised as part of an underlying court action or -- or CHRO
action by somebody who was the victim of sexual harassment.

And then the final way in which compliance could be assured is under Section 9(d) of the Bill. There is an opportunity for the Executive Director of the CHRO to assign a designated representative to conduct business inspections. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And through you Mr. Speaker, for those businesses that may have a -- let's say a commercial location, we can understand obviously the accessibility in that regard; but let's say there's a store front that is the business. Are -- is the owner or the employer going to have any type of notice or notification or what would trigger someone from CHRO coming into the business to inspect compliance? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):
Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. Under the current version of the Bill before us there is no requirement that notice be given to the employer. It would allow the CHRO to come and inspect compliance during normal business hours without advanced noticed. I understand that there's been -- not I understand; I know there's been conversations going on in the building -- or today as the Ranking Member indicated. There will be some tweaks and amendments to this Bill as it as it moves on toward signature over the next couple of days and one of those will be to require that there be some sort of triggering event or cause before this CHRO investigator will come to a business. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And I'd like to thank the good Chairman for highlighting that because one
of the concerns again you know, certainly maybe it's our legal training that we try to think of best case scenarios and worst case scenarios and I don't think that this certainly would be intentional by any official from CHRO, but we wouldn't want the ability of someone abusing the ability to just stop in and potentially even harass an employer for one reason or the other so we did request that some modifications be done to the language; that there would be a reason. So someone either files a complaint whether formally or reports a complaint, and we thought that that would be appropriate.

Now if an employer has their business out of their home, are they going to afforded that same notice? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. That's correct, they will be afforded that same notice and it's my understanding that there's also discussion ongoing
about providing permission to be able to enter the home. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And through you Mr. Speaker, if the good Chairman would be able to highlight for us what the deadlines for filing complaints are and -- in this proposal that we have before us? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. I'm looking for the right section of the Bill. My understanding is that the deadlines will generally increase for filing complaints to 300 days from the date the alleged act of discrimination occurred and that's in section 6 of the Bill. Through you Mr. Speaker.
REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And through you Mr. Speaker, is that doubling of the deadline that we currently have in law? Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. Yes, in many cases it's doubling but I should mention that the deadline for filing a claim with CHRO will be extended 300 days, not just for sexual harassment and workplace discrimination based on sex claims but this would also apply to any sort of -- any sort of discrimination claim, be that based on race or sex or sexual orientation or age or any other type of discrimination claim. Somebody bringing a claim would have to 300 days in the workplace. Although the current 180-day deadline for filing a housing discrimination case would remain unchanged. Through you.

DEPUTY SPEAKER MORIN (28TH):
Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And through you Mr. Speaker, if the good Chairman mind opposed to making hypotheticals, maybe just an explanation of what the expectation of an employer is under this proposal that a complaint of either harassment or sexual assault was made, reported to the employer between two employees at the workplace? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. The expectations are that the employer will promptly investigate that and take action as necessary as outlined under Section 4 of the Bill. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. If the employer takes
corrective action, and I believe one of the requirements under this proposal is that then one --
the employee would sign off on it as accepting whether on a temporary basis or maybe even on a permanent basis; if that employer were to say you know, I disagree with your correction action. It either doesn't go far enough or I want something different. Through you Mr. Speaker, if that employee doesn't sign off on it has the employer fulfilled his or her obligations under the proposal before us?

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Yes. Through you Mr. Speaker. If the employer has made a good-faith effort to ask the victim or the alleged victim whether they would like to work a different shift or move offices or make other accommodations to be removed from the vicinity of the accused and the employee refuses then the employer has fulfilled their obligations. Through
you.

DEPUTY SPEAKER MORIN (28TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And through you Mr. Speaker, it's my understanding that there is also in the underlying proposal a task force that's going to be formed. If the good Chairman wouldn't mind just highlighting what the purpose of the task force would be.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. As I indicated we made a slight modification to the civil statute of limitations under this Bill by raising the age of a minor from 18 to 21, but we did not extend the timeline for the filing of a claim by an adult; the task force recharged with evaluating that issue. Through you.

DEPUTY SPEAKER MORIN (28TH):
Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And through you Mr. Speaker, who will the task force be reporting a report out to? Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. Back to the Judiciary Committee.

DEPUTY SPEAKER MORIN (28TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And just some clarifying questions. Again, we've been talking about employers and employees and specifically who are the employees that would be subject to this? Would part-time employees be subject to these provisions? Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.
REP. STAFSTROM (129TH):

Through you Mr. Speaker. I believe they would.

DEPUTY SPEAKER MORIN (28TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And again, would that be any part-time employee who works more than 20 hours per week? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. That's my understanding.

DEPUTY SPEAKER MORIN (28TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Just for further clarification, so in line 140 and 141, if we have -- there's a part-time employee that works less than 20 hours, are they subject to these requirements? Through you Mr. Speaker.
DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. They are not.

DEPUTY SPEAKER MORIN (28TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And through you Mr. Speaker, in the general definition of an independent contractor would they be subject to these provisions? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. An independent contractor would not fall within the requirements for training. I should note and maybe with respect to my last answer I should be clear too, that certainly a part-time employee or an independent contractor may have a claim for sexual harassment and certainly the CHRO provisions of who can bring a
sexual harassment claim against someone would not be affected by this Bill, but with respect to the two-hour training video, that only applies to employees, not independent contractors and employees is defined as those working 20 hours or more. So I just want to make sure I was clear on my last answer as well. Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And through you Mr. Speaker, certainly we had discussed that the penalties that the employer would be facing under this provision would be up to $1000 but we are anticipating that that may be modified in the future and it actually might be up $750 per penalty; is that correct? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. That's my
understanding.

DEPUTY SPEAKER MORIN (28TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. And through you Mr. Speaker, conceivably this is going to require potentially CHRO to have to investigate and/or obviously adjudicate additional complaints. Do we foresee that CHRO is going to be able to do this within available funds that they have or is there going to be extra funding that's going to be necessary? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. It's my understanding from my conversations with CHRO that they anticipate they can do this with existing staff and they're not seeking additional appropriation at this time. Through you.

DEPUTY SPEAKER MORIN (28TH):
Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Again Mr. Speaker, just for clarification is it mandatory that CHRO actually proceed with a penalty if they found an employer in noncompliance with the training or a posting? Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker, no. In fact they have discretion toward the penalty and discretion in the amount of the penalty up to the cap. Certainly as indicated earlier, it would be my expectation and hope that certainly as this new requirement rolls out that if there are employers who inadvertently miss the deadline you know say by a couple of days, couple of weeks, a month or so that CHRO would in fact waive any penalty there may be in an effort to ensure compliance. The objection here certainly is to get employers to comply, to provide sexual
harassment training to many more employees in the state of Connecticut than currently are receiving training. It is not to trap employers and have them be paying fines for not -- for not having an employee to watch a video. Through you.

DEPUTY SPEAKER MORIN (28TH):

   Representative Rebimbas.

REP. REBIMBAS (70TH):

   Thank you, Mr. Speaker. And through you Mr. Speaker to the good Chairman if we can clarify specifically lines approximately 472 through 474. I believe that the proposal before us was making a slight difference in penalty when it came to an individual who took advantage of someone who was mentally incapacitated versus somebody who was in a situation unable to consent to an action. With that, because we've highlighted that, is it the anticipation of the good Chairman that in the future we're going to be correcting that to make that equal, an equal penalty because again both actions are just as egregious. Through you Mr. Speaker.
DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. That is precisely correct and I want to take the opportunity to thank the Ranking Member and the House Republican Caucus for catching what I believe was an inadvertent wordsmithing issue in Sections 15 and 16 of the Bill. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Rebimbas.

REP. REBIMBAS (70TH):

Thank you, Mr. Speaker. Mr. Speaker at least at time I'm not going to have any further questions for the good Chairman. I think what we're attempting to do is understand the proposal that we have. Certainly also then look forward to the communications that have had and agreements regarding negotiating some amendments to the proposal and my again, humble opinion would make this proposal better. Certainly it's a proposal
that is not perfect but again it is one that we believe after all of the work and negotiations, one that certainly can be supported. It's going to be a big change for those small businesses to obviously be aware of what's occurring. Many of them are not necessarily connected to a local chamber and getting information in changes of laws or requirements sometimes can be challenging. But hopefully again, having these resources available on the CHRO website and free of charge to these employers we can slowly make sure that they're educated and they certainly implement it. No one wants to be harassed. No one wants to be sexually assaulted in the workplace or anywhere else and certainly having the information and education, training aspect of it is certainly then having the power to stop it and to report it and that's what we hope to do here.

Again, it is another thing that small businesses have to do with three employers, but hopefully it's a hurdle that they could certainly achieve and certainly fulfil in that regard because
the intent again is to prevent these types of actions. So again, just want to take the
cportunity to thank the good Chairman and everyone in leadership on both sides and having those
discussions. And I know that many others just for legislative intent will be flushing out some
additional questions regarding the sections that we have and some of the proposed changes. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you Representative Rebimbas. Will you remark further on the Bill as amended? From the 125th district, Representative O'Dea.

REP. O'DEA (125TH):

Thank you very much, Mr. Speaker. I rise for just a few brief questions for the proponent for legislative intent if I may through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Of course you may, sir. Please proceed.

REP. O'DEA (125TH):

Thank you. On line 265 we've got the comment
that if there is a discriminatory practice that the CHRO could award an amount determined -- or determine the amount of damages suffered by the complainant including the actual costs incurred by the complainant as a result of the discriminatory practice. And my question to the good proponent is generally the definition of actual costs, those presumably would be costs that are proximately caused by the complained of conduct? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. That's correct. We're talking about the actual costs incurred as a result of the conduct. Sometimes in the law we refer to the concept of proximate cause or direct corollary relation. That is what I believe is envisioned by this language here at lines 264 through 266 of the Bill. Through you.

DEPUTY SPEAKER MORIN (28TH):
Representative O'Dea.

REP. O'DEA (125TH):

Thank you very much, Mr. Speaker and a good -- I thank the good proponent. So we're not changing the -- the law with regard to proximate cause in so far as there are multiple causes and the complaint of conduct was merely trivial or inconsequential therefore not proximately caused by the conduct; there would be no award of damages in that scenario? Correct? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Yeah. Through you Mr. Speaker. Obviously tort law is well established both here in the United States and in the British Common Law. Beyond that and certainly a -- an element of any tort claim is proximate causation and that -- proximate causation continues to remain a -- a key element in proving any type of claim through this nature. Through you.

DEPUTY SPEAKER MORIN (28TH):
Representative O'Dea.

REP. O'DEA (125TH):

Thank you, Mr. Speaker. And I've got some questions on lines 201 through 210. I'm going to wait on those 'cause my understanding, and I just want to confirm through the good proponent -- through the Speaker rather to the good proponent that there's going to be a work in progress to fix that language with -- at some point in the near future; is that correct? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. That's my understanding as I mentioned to the Ranking Member. I believe we're going to make the language here clear that if there is no other reasonable option that the employer can take to try to relocate an employee that the employees -- the employee who is accusing another of sexual harassment is willing to accept then the employer will have fulfilled their
obligations and does not in fact have to take corrective action if the accusing employee is unwilling to accept that proposal. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative O'Dea.

REP. O'DEA (125TH):

Thank you, Mr. Speaker. Obviously there are many parts of this Bill that I'm in favor of. There are some parts of it though that concern me, particularly with regard to small business. One of the things I campaigned on was the fact I believe the only way we're going to get out of our fiscal problems is by growing small business and making it easier for small businesses to grow and increase the number of jobs in our state.

I have a daughter, 17 who I love more than anything else on this planet so obviously there are many aspects of this that I appreciate and support. However, there are a number of issues in this Bill that affect small business negatively and so with that in mind Mr. Speaker, the Clerk is -- has an
Amendment. It's LCO 10467. And I ask that the Clerk call it and I be allowed to summarize.

DEPUTY SPEAKER MORIN (28TH):

Will the Clerk please call LCO 10467, which will be designated House Amendment Schedule A?

CLERK:

LCO No. 10467 designated House Amendment Schedule A and offered by Representatives Rebimbas, Candelora, O'Dea et Al.

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 O'Dea you may proceed with summarization.

REP. O'DEA (125TH):

Thank you very much, Mr. Speaker and I'll try to get through this as quickly as possible and if the good Chair of Judiciary wishes to sit and relax for a moment, he may. Section 1 in Senate Bill 3 the number of employees, the threshold for the size
of the business went from 50 to 3. In this section we proposed to meet in the middle with 25 employees so that the mom and pop shops are given some more flexibility as many of our other Bills are tied at 50 employees -- or many of our other laws. So I would ask -- we seek to have in Section 1 that the number be increased from 3 to 25 as the threshold.

In Section 2 Senate Bill 3 includes a violation of the notice and training requirements in Section 1 to include if you fail to post, the failure of a posting becomes a discriminatory practice. We ask that that be eliminated. We understand through discussions that that is going to be corrected in the fix, but this actually does it here in our Bill. In addition, the fines are not included for -- or lowered to $250.

Senate Bill 3 we leave Section 3 intact as is.

In Section 4 Senate Bill 3 requires any corrective action that -- any corrective action and condition of employment for the sexual harassment against the complainant be agreed to in writing. We
believe that's already -- and failure to get that in writing basically doesn't allow the corrective action to happen. Under current law, and I understand the intent of this is to make sure there's no retaliation against the complainant, however, that's already current law. This Section 4 we believe -- I know it's going to be a fix. Our proposed fix is that we strike this section because the current law already prevents retaliation.

In Section 5 we leave intact. We don't change Senate Bill 3 at all.

Section 6 the deadline for filing a CHRO complaint for sexual harassment goes from 180 to 300 days. We -- we in this section, our Bill it goes back to the 180 days statute of limitations. We don't believe there's been any real complaints about that statute of limitation that would need it to go to 300.

In Section 7 Senate Bill 3 has a mandatory award of attorney's fees and costs. And similar to what we did with the AG's Bill, when that came here
we eliminated the attorney's fee provision and cost provision. As an attorney who deals in these types of cases or has over my 28 years in practice, no offense to my fellow members of the Bar but the more we encourage attorney's fees, provisions in laws the more attorneys get involved in bringing actions that may be questionable. Not anybody in this Chamber of course would do that, but it happens. So that's what Section 7 eliminates the provision for attorney's fees and costs.

Section 8 in our Bill, Senate Bill 3 there's some documentary discovery. I think we're going to hear about this. And there's some problems with current Senate Bill 3 with regard to Section 8. We leave it intact but we clarify that the adverse inference so currently CHRO complaint some employers may not fully comply with a request of the CHRO. So here the CHRO can take an adverse inference. It's similar to some of you may heard of a situation where a defendant may delete evidence or get rid of evidence and so there's a spoliation charge. The
court in that case can take an adverse inference. Here we say in our Bill, in our fix is that the adverse inference would not continue into the Superior Court if it's removed out of the CHRO. I know this is riveting, Mr. Speaker. I can see you're hanging on every word. (Laughing)

Section 9 Senate Bill 3 increases penalties from $250 to $1000. I understand though good Chair of the Judiciary that there's been an agreement to reduce it to $750. Our fix brings it back to the current level of $250.

In Section 10 -- oh I'm sorry. Also in Section 9 and we respectfully believe this is important. Right now under Senate Bill 3 the CHRO can go into any business at any time without notice. Again I understand there's a fix in place for that. This fixes that by requiring that there be a complaint within the previous year before anybody can go in and if it's somebody's home, they need permission. If you run a business out of your home, you need permission of the homeowner to actually do that.
In Section 10 again SB 3 allows punitive damages. We take out the punitive damage’s aspect unless the underlying claim on the CHRO complaint, the statute being raise allows for punitive damage. Similar to the AG fix that we had, that we agreed to in this Chamber.

Senate -- Section 11 allows the CHRO to bring a complaint in their own name as we did with the AG's Bill. We propose eliminating this section. And the threshold for civil penalties we propose that it be clear in convincing standard rather than preponderance of the evidence.

In Section 12, we leave it intact.

In Sections 13 and 14 the statute of limitations as many of you may recall, in Judiciary almost unanimously we passed -- it was 34 to 6 SB913 so we propose in the statute of limitations generally speaking we go from five years to ten years. Current law is five years. SB 3 has generally 20 years. So we near SB 13 which again came out of Judiciary almost unanimously 34 to 6 so
we have those statutes go from five to ten.

So I can get into more detail with -- if there are any questions Mr. Speaker but I think that summarizes it fair enough. So I would ask that when the vote is taken that it be taken by roll. Thank you very much, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

And Representative O'Dea I believe you move adoption, right?

REP. O'DEA (125TH):

Oh, I'm sorry. I move adoption and when the vote is taken, it be taken by roll. Thank you very much.

DEPUTY SPEAKER MORIN (28TH):

When the vote is taken, it will be taken by roll. And Representative O'Dea you had me at good evening, so. (Laughing) The question before the Chamber is adoption of House Amendment Schedule A. Will you remark further on the Amendment?

Representative Stafstrom.

REP. STAFSTROM (129TH):
Thank you, Mr. Speaker. Mr. Speaker I'm glad that Representative O'Dea has had his first experience in understanding what it's like to take a Bill out over here and go through section by section but you know I want to especially thank and I appreciate Representative O'Dea and Representative Rebimbas for sharing a draft of this earlier today which I believe was part of a framework for the discussions that have been going on for the better part of the day between the four caucuses to arrive at a compromise proposal between Senate Amendment A and what has now been offered at House Amendment A. I would at this point respectfully ask my colleagues to reject this Amendment as I believe the compromise between the two versions that will be coming down on Monday is the better course of action that we should take to reconcile our differences on this Bill. Through -- with that, Mr. Speaker I -- I ask my colleagues to reject the Amendment. Thank you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Stafstrom. There are
many people on the board. Would you like to remark further on the Amendment before us? Is there someone that would like to remark on the Amendment? Please just either stand up or waive your hand and I'll call on you. To the right, Representative Linehan.

REP. LINEHAN (103RD):

Thank you very much, Mr. Speaker. I have a few questions for the proponent of the Amendment if you will.

DEPUTY SPEAKER MORIN (28TH):

Representative O'Dea please prepare yourself. Representative Linehan please proceed.

REP. LINEHAN (103RD):

Thank you, Mr. Speaker. Through you to the proponent of the Amendment. In addition to the Amendment in the entirety which I oppose there was a section that you struck from the original Bill in your Amendment, strike Section 4 which is the immediate corrective action piece. And in your description of striking that piece you had said that
you believed that this was regarding retaliation; is that correct? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative O'Dea.

REP. O'DEA (125TH):

So in part, yes. The -- I mean there could be an argument of retaliation in the CHRO complaints and this -- getting it in writing could be addressed by that, yes.

DEPUTY SPEAKER MORIN (28TH):

Representative Linehan.

REP. LINEHAN (103RD):

Thank you. And through you Mr. Speaker to the good proponent of the Amendment. I believe that this actually has only partially to do with retaliation and that it's actually a way to remove roadblocks for victims of sexual harassment coming forward. The original Bill Section 4 which this Amendment strikes, it prohibits modifying the terms of employment including relocation, a different work schedule or changes to the employer -- employee's
terms and conditions of employment. This means that if I as a victim was to come forward and require immediate corrective action that the employer cannot say, in order to do that corrective action I'm going to take you off of -- let's say if you're a waitress and you work Friday nights and the night that you work is the best money maker. And unfortunately there is someone that works with you that is consistently harassing you, touching you, asking you out, sexually harassing and possibly sexually abusing you. If you come forward and -- and say this, possibly an employer could -- through you Mr. Speaker, I want to ask. Could the employer then say in order to get you away from that bad situation we're going to change you to a Monday night where you will possibly make half the amount of tips. Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative O'Dea.

REP. O'DEA (125TH):

Thank you, Mr. Speaker. And no, that does not
-- Section 4 does not impact that situation in my opinion at all because under that scenario that person who would be harassing the woman in your hypothetical, should or would be either terminated or moved, not the victim. Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Linehan.

REP. LINEHAN (103RD):

Thank you and through you Mr. Speaker. I've had a couple of conversations regarding this with the good Representative previously and I recognize that that is your belief but I can say unequivocally that that is not fact because that happened to me. And when I came forward that somebody abused me I was immediately sent home for four months while they tried to work it out. So I can tell you that Section 4, the legislative intent that was written in the underlying Bill was so that we remove roadblocks for victims coming forward. And because of that I ask that we reject this Amendment on many grounds, but specifically the fact that it does
strike Section 4 and that Section is specifically written to ensure that we remove roadblocks for women coming forward. Thank you, Mr. Speaker.

REP. O'DEA (125TH):

If I may respond --

DEPUTY SPEAKER MORIN (28TH):

Representative O'Dea, please do.

REP. O'DEA (125TH):

Obviously I feel very badly for what happened to the Representative. In my humble opinion this actually would not have prevented that. The person who did that to the good Representative should have been terminated immediately. With this scenario actually in my belief, this Section actually makes it more difficult for the employer to resolve situations not like that. That scenario, the good Representative with her experience is that person should have been fired immediately. This I don't think would have prevented that. And in fact the good Representative's claim would not have been made better or worse by Section 4. In fact Section 4 in
my belief and our belief, wouldn't have had an impact on that scenario. Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative O'Dea. Again we are on the Amendment. Will you remark further? Is there anyone else who would like to speak on this Amendment? If not will staff and guests please come to the well of the House? Will the members please take your seats? The machine will be open.

(Ringing)

CLERK:

The House of Representatives is voting by roll. Members to the Chamber. The House of Representatives is voting by roll. Members to the Chamber. Have all the members voted? If all the members voted, will the members please check the board to determine if your vote is properly cast, if your vote is properly cast? If all members have voted the machine will be locked. The Clerk will take a tally. Representative Scanlon, for what purpose do you rise?
REP. SCANLON (98TH):  

Mr. Speaker, I accidentally pressed Representative Simmons' button thinking it was my button when I came in here to vote. (Chanting)  

DEPUTY SPEAKER MORIN (28TH):  

Oh come on now, that's not the first time this has happened. (Laughing) So I would ask the Clerk to please remove Representative Simmons' vote from the tally board please. Thank you, Representative. Will the Clerk please announce the tally?  

CLERK:  

House A.  

Total Number Voting 144  
Necessary for Passage 73  
Those voting Yea 36  
Those voting Nay 108  
Those absent and not voting 7  

DEPUTY SPEAKER MORIN (28TH):  

Will you remark further on the Bill as amended? Will you remark further on the Bill as amended?  

From the 90th district, Representative Fishbein.
REP. FISHBEIN (90TH):

Thank you, Mr. Speaker and good afternoon -- actually good evening.

DEPUTY SPEAKER MORIN (28TH):

Good evening to you.

REP. FISHBEIN (90TH):

Just for legislative intent some brief questions for the proponent if I may.

DEPUTY SPEAKER MORIN (28TH):

Of course, please proceed.

REP. FISHBEIN (90TH):

Centering on lines 327 through 333, there's a reference to Section 46(a) and the awarding of punitive damages and such. Where would those proceedings occur under that Section of this language? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. This Section relates to those actions where the CHRO has granted a
release of jurisdiction and a matter has proceeded directly from a finding of reasonable cause to the Superior Court. For the identification of the Chamber, when one files a CHRO complaint, the first thing the CHRO does is do an internal investigation and has to make a very preliminary threshold determination as part of the investigation as to whether -- as to whether there is reasonable cause to believe that the discriminatory practice complained of occurred. Once that finding has been made there are two paths or avenues that can be taken. One is the matter can proceed to public hearing before the CHRO or in certain circumstances there can be a release of jurisdiction to bring the matter directly to Superior Court. This provision only applies to those actions that are released under 46(a)-100 to the Superior Court and it would be the Superior Court making the determination as to punitive damages. Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

    Representative Fishbein.
REP. FISHBEIN (90TH):

    Thank you, Mr. Speaker. And in an appeal from those proceedings, where would that go since it's in the Superior Court? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

    Representative Stafstrom.

REP. STAFSTROM (129TH):

    Through you Mr. Speaker. It would proceed up through our appellate court system so either directly to the appellate court or if it was a novel legal issue perhaps the Connecticut Supreme Court would decide to exercise jurisdiction directly. Through you.

DEPUTY SPEAKER MORIN (28TH):

    Representative Fishbein.

REP. FISHBEIN (90TH):

    Thank you, Mr. Speaker. And the standard of review on appeal would be -- would it be trial de novo? What would it be before the appellate court? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):
Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. I believe the -- since this is a factual finding it would be abusive discretion, not -- not a de novo appeal. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Fishbein.

REP. FISHBEIN (90TH):

Thank you, Mr. Speaker. I believe that concludes my questions to try and ferret out some of the more ambiguous aspects of this. Thank you.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Fishbein. Will you remark further on the Bill as amended? From the 32nd district, Representative Carpino you have the floor madam.

REP. CARPINO (32ND):

Thank you, Mr. Speaker. I know this is an important issue to everybody and I know it's one that we've wrestled with in the Judiciary Committee
over the last few years so to that end, a few clarifying questions that are admittedly a bit technical in nature to the good Chairman.

DEPUTY SPEAKER MORIN (28TH):

Please proceed madam. Please prepare yourself Representative Stafstrom.

REP. CARPINO (32ND):

Starting at about line 57, which is one of the major training components in this Bill we talk about extensively electronic proof of training and handing -- providing employees with electronic access to training materials but I don't see any reference to paper. Knowing that we are increasing training requirements to employers with as few as three, is there any provision for the employers, particularly the small ones, the seasonal ones to provide this information to their employees and document it in paper format, perhaps in a personnel file? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.
REP. STAFSTROM (129TH):

Through you Mr. Speaker. They can where they have not provided a company email address to the employee pursuant to lines 72 through 76 of the Bill. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Carpino.

REP. CARPINO (32ND):

Thank you. And in the event these particular provisions are already included in an employee handbook, would a link to the handbook be sufficient for these provisions? Through you, sir.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. Yes, so long as the email that is distributed contains in the subject line words such as sexual harassment policy or words of similar import so that it's clearly obvious in the subject line or the email. That requirement is lines 64 through 65 of the Bill. Through you.
DEPUTY SPEAKER MORIN (28TH):

Representative Carpino.

REP. CARPINO (32ND):

Thank you. And now in today's practice often times employers will require employees to physically sign some of these policies and put them in their personnel files going forward after this becomes law. Will there need to be any electronic receipt or confirmation sent from them in response from their employee-given email address? Through you, sir.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Thank you, Mr. Speaker and this is an important point so I want to make this clear. The requirement on the employer is to provide the training video and to provide in which -- for the employee to watch the training video. The employer does not, I repeat the employer does not have to ensure that the employee actually watched the video. They simply have to
provide them with a link and with the paid time in order to be able to watch the video. What the employer has to document is that they have in fact provided the link to the training video and the time to watch it if it's an hourly employee. But they do not have to document that the employer -- that the employee actually watched the video. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Carpino.

REP. CARPINO (32ND):

Thank you and I thank the good Chairman for his answer. Often times the definition of whose an employee and whose an independent contractor come into play and at line 112 for the good Chairman's edification there's some reference to an actual employee. So in this context is an employee one held to be commonly defined as it stands now or would this new provision include independent contractors or vendors that are used by the employer? Through you, sir.

DEPUTY SPEAKER MORIN (28TH):
Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. The intent of this language is not to change the well-understood distinction between an independent contractor or an employee. The test remains the common law test as to the ability to control the actions as to whether someone's an employee or an independent contractor. That analysis is unchanged under the Bill and the Bill only applies to those who would be classified as employees pursuant to our well understood common law. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Carpino.

REP. CARPINO (32ND):

Thank you. Moving on to Section 9 where we talk about some of the fines that we hit on earlier by my good colleagues. Although I admit that $1000 is a -- quite a substantial increase, I want to make sure that we are talking about the fine per violation as opposed to the fine per employee. So
through you Mr. Speaker, in the event a violation is found and a fine is imposed, would it be per violation or per employee? Through you, sir.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. I understand this to mean per violation, not per employee. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Carpino.

REP. CARPINO (32ND):

Thank you. Glad to hear it. And moving down through that section my final line of questioning as to do with homebased businesses. Am I correct the way I read the current language, and I do understand that there may be some changes coming to a Chamber near us in the near future; but if I have a homebased business of perhaps a sensitive nature, a homebased daycare, a homebased therapist; does this allow for an unannounced entrance into the homebased business to inspect documents? Through you, sir.
DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. During normal business hours, it does. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Carpino.

REP. CARPINO (32ND):

Thank you. And that is alarming to me. I certainly hope that it is something that we are going to work on going forward, particularly with such sensitive homebased daycares and therapy offices. I realize my questions were not particularly riveting to the Chamber but I do believe that they were very important to those who practice in the small businesses that we are going to be impacting by this. I know that this is an important Bill and I thank the good Chairman for his patience.

DEPUTY SPEAKER MORIN (28TH):

And I thank you Representative Carpino. Will
you remark further on the Bill as amended? From the 47th district, Representative Dubitsky.

REP. DUBITSKY (47TH):

Thank you, Mr. Speaker. Mr. Speaker I have no questions for the proponent so he can certainly sit down. As the Chamber knows I usually, when I speak I often speak for or against the Bill that is upon the board. Today I'm not going to do that but what I'd like to do is take my time and explain a consideration that I have in deciding whether or not I'm going to vote for this Bill. And I hope that my colleagues take this into consideration as well. And I'm going to focus my remarks on the elimination for a number of crimes of the statute of limitations. In this Bill we -- this Bill would eliminate completely any statute of limitations for a number of crimes.

Now I am typically a pretty strong law and order guy. I consider myself a strong victim's advocate. I support long sentences for people who have done horrible things to other people. A little
background about me. When I was in law school I worked with my -- one of my law professors. His name was Paul Kissel. He took a case to the US Supreme Court arguing that Miranda vs. Arizona was wrongly decided. You may have heard of that case. That's where we get our Miranda warnings where you hear, you have a right to remain silent. Anything you say can and will be used against you, etc. He -- he believed that that case was incorrectly decided and that we -- the police do not in fact under our Constitution need to read this document to them as they're arrested and I supported that. Case called Dickerson vs. United States that argument lost so now it is absolutely conclusively that police do need to read that.

But that just -- you know, I think just shows a little bit about my background that I'm -- I'm a pretty strong law and order kind of guy. I have absolutely no sympathy for rapists and people who engage in sexual assault. At the same time I'm also a strong Constitutionalist. I take the Constitution
very, very seriously. And in the Constitution is the Sixth Amendment. The Sixth Amendment guarantees the right to a fair and speedy trial and guarantees a defendant compulsory process for obtaining witnesses in the defendant's favor. And what I have to do and what all lawmakers do is we have to balance. The law and order side and the Constitutional protection side. On my right side I have a voice that's screaming, fry the bastards. My left ear I've got a voice that says, protect the accused. I've got the victim's rights voice and I've got the civil rights voice and it's my job to figure out which one to listen to in any given situation.

And one of the things as a Constitutionalist I cannot do is let my personal inclinations to string up rapists override the Constitutional mandate to protect fundamental civil rights. Everyone, no matter what the allegation against them, has a right to a fair trial.

Now I don't know if I'm going to vote for or
against this Bill. I'm hoping for some debate to help me decide. My decision when I do decide is going to be based on whether or not it allows for a fair trial of a person charged with some of the worst crimes that one person can commit against the other. Now what's the purpose of the statute of limitations that we would be eliminating in this Bill? There are several. One is to -- an interest in having claims dealt with in a timely manner. That if a person has a claim against another person, they should bring that claim with reasonable diligence. Now in the case of sexual assault or rape we've heard testimony that that may not necessarily apply. There are people who have to heal over the years before they can get up the will to make a report. So I don't -- I don't necessarily think that factor applies in this instance.

There's the interest in preventing people from filing stale claims merely for harassment purposes. And again, except in very unique and limited circumstances I'm not sure that one applies. But
the one I think does apply is the statute of limitations prevents facts and evidence from becoming stale, unclear and undiscernible. Over the years memories fade. Memories become inaccurate. Evidence is lost and becomes unrecognizable. Witnesses die or move away. It can become nearly impossible to find evidence for a defendant to use to show that he didn't do it. When we're talking about 30, 40, 50 years after the allegation, after the alleged incident. Now it's certainly true that evidence of a crime can be preserved for decades, even centuries but evidence that might help show that somebody didn't do it is often lost and fairly quickly.

So I'm going to -- I'm going to recite a quick scenario and I'd like specifically those people over 50 years old to pay particular attention. So you're sitting there in your backyard with your new grandchild on your lap and you may be retired after a long career. You haven't seen anybody from high school or college 30 or 40 years. Somebody comes to
your door and says; we're investigating an allegation that 40 or 50 years ago you were involved in a given situation in high school. Who do you call? Where do you go to find evidence that you didn't do it? If you have absolutely no idea what this person is talking about, how would you go about trying to prove that? You may not know anybody that was there during that period of time. Many of those people may be dead. They may have moved away. The place where it happened may have been bulldozed a decade ago and now it's a shopping center. You may not have any records, any documents from that period of time. You certainly don't have any -- any clothes. How do you go about showing that it wasn't you? After ten years? Okay. Ten years most people have a pretty decent memory. You can track somebody down after ten years. You may have some documents. You may be -- you may even have computer files. But after 50 years, 60 years, how do you prove -- how do -- how do you come up with evidence to defend yourself?
Now there's some discussion in the -- in this Bill about DNA evidence and DNA evidence based on what we see on TV is always, you know it either is or it isn't. It's like a light switch. It's on or off. But anybody who’s worked in the legal field understands that that's not necessarily the case, especially after many, many decades. DNA evidence degrades especially if it isn't handled properly, if it isn't stored properly, if it isn't collected properly. DNA evidence is -- is -- I've heard it called something like a negative of a photograph on a piece of acetate with an image on it. You sit it down on a piece of paper and you can tell what it is, very unique. Over time it starts to fade. Maye it starts to fade a little unevenly but you can still see it. You can still tell what it is. It's still unique. But very often DNA samples are mixed samples with a number of different people's DNA all mixed together in the same sample. And those sample -- and those -- and that sample degrades unevenly so just consider multiple negatives laid down on a
piece of paper on top of each other stacked up. You've got a whole bunch of different images that you're looking at that your -- that are degrading, that are fading in different -- at different rates and different parts of the images. It becomes much more difficult to determine which layer any given image is on. And the longer it goes, the longer, I mean the harder it is to figure it out and it becomes a matter of interpretation. It's not a light switch on and off. It takes experts to try to figure out, is this particular piece connected to this person or is this person's image even in that picture? The longer it goes, the harder it is. After 50 or 60 years, depending on how well that sample has been preserved it can be impossible.

Now it's true that the prosecutor still has a burden of proof. The prosecutor still needs to be able to present sufficient evidence to convince the jury that you are the guy. But the jury listens to both sides. The jury listens to evidence presented by the prosecutor and by the defense and if the
defending can’t find any evidence, that no evidence is left after 40 or 50 years, makes the prosecutor’s job a heck of a lot easier even if the defendant didn’t do it. So after 40, 50, 60 years how do you defend yourself against an allegation? How do you get a fair trial? The civil rights voice in my head is skeptical that it can happen. And the victim’s rights voice is hoping that during this discussion somebody can convince me that the civil rights voice is wrong. Thank you, Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative Dubitsky. Will you remark further on the Bill as amended? From the 18 district, Representative Gilchrest.

REP. GILCHREST (18TH):

Thank you, Mr. Speaker. I stand in strong support of Senate Bill 3. I think the #MeToo movement, the #TimesUp movement have shed light on the fact that sexual harassment runs rampant in our culture and I applaud the proponents of this Bill for proposing legislation that will do more to
provide training and to give victims recourse for experiencing sexual harassment in the workplace.

But I'd like to focus my comments as well on the statute of limitations piece of this legislation. The reality is that one in five women in the United States will experience sexual assault in their lifetime and because of a variety of things, the reality is that most of those women will never see a prosecution because of law enforcement or a prosecutorial bias, because of a lack of evidence or because there often times are no witnesses when women do come forward and report to law enforcement, their cases never move through the process. According to the Rape Abuse Incest National Network of 230 reported sexual assaults to police, only 9 of those cases will ever make it to prosecution. Perpetrators of sexual violence are less likely to go to jail or prison than any other criminal.

This legislation, which I actually would support full elimination of the statute of
limitations but I do respect the proponents and the compromise of 20 years. This legislation does not change the burden of proof in criminal cases or in civil cases. But we are doing is we're saying, if a woman does come forward after 20 years and she has enough evidence that's going to actually have a prosecutor take that case and decide to go with that case, she'll actually be able to get that justice. Because right now in the state of Connecticut if a woman comes forward and has all the evidence she needs, she's being told I'm sorry your time has passed.

And so I thank the proponents. I don't think it goes far enough. I do think we could go for full elimination because the other reality is, in many of these instances to respond to my colleague who just spoke before me, even when someone is able to get a full case we see a plea deal. You're really never going before a jury. And again I would just stress this does not change the burden of proof. And so what we are doing here is saying that if a woman
does come forward and has all the evidence she needs to be able to actually get that justice, now she gets longer to do that. So thank you to the proponents of this Bill and I urge my colleagues to support.

DEPUTY SPEAKER MORIN (28TH):

Thank you, Representative. Will you remark further on the Bill as amended? From the 37th district, Representative Cheeseman.

REP. CHEESEMAN (37TH):

Thank you, Mr. Speaker. And through you Mr. Speaker, I have a couple of questions for the good Chair of Judiciary and then some comments.

DEPUTY SPEAKER MORIN (28TH):

Okay. Please proceed, madam.

REP. CHEESEMAN (37TH):

Through you Mr. Speaker. Does this apply to both for profit and non-profit organizations? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.
REP. STAFSTROM (129TH):

Through you Mr. Speaker. This Bill -- the training requirements of this Bill in Section 1 apply to all employers whether they be for profit or not for profit. Through you.

DEPUTY SPEAKER MORIN (28TH):

Representative Cheeseman.

REP. CHEESEMAN (37TH):

And through you Mr. Speaker. This would apply regardless of the makeup of the organization, for example an organization that employed only women would still be required to offer this training. Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. Yes, as I indicated earlier the intent of this is sexual harassment can occur at any -- any type of employer no matter what the makeup is or whose employed there or the like and the intent is to cover all employers. Through
REP. CHEESEMAN (37TH):

Thank you, Mr. Speaker. And it appears the Bill is silent on this. Is there any requirement to supply this training to volunteers at an organization? Through you Mr. Speaker.

DEPUTY SPEAKER MORIN (28TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. The Bill only applies to employees so as I had previously indicated, if someone is an independent contractor or a vendor or a -- that would extend to volunteers as well; if they are not an actual employee who works over 20 hours at the business and the employer does not have the authority to control the day-to-day activities, then they would not be defined as employees and would not be covered by the training requirement. Through you.
Representative Cheeseman.

Thank you. And I believe this may have been asked before, but provided the employer sends the link with the CHRO supplied video to the employee, the employer has been deemed to have fulfilled the requirement and assuming the requisite title of the email has been supplied? Through you Mr. Speaker.

Representative Stafstrom.

Yes, Mr. Speaker. The only caveat being to that that the employer would need to allow the employee to watch the video while on -- while on company time sort to speak. So if -- if they were salaried employees I guess it wouldn't make a ton of difference when the employee watched the video but if it's an hourly employee they would need to be provided two hours of paid time in order to -- to sit there and watch the video. Through you.
DEPUTY SPEAKER MORIN (28TH):

Representative Cheeseman.

REP. CHEESEMAN (37TH):

Thank you. And that concludes my questions to the good Chairman and now I have a few comments. Sorry. (Crying) There's a lot I wish about this Bill. I wish we didn't have to talk about it. I wish we didn't have to be having this discussion because sexual assault and sexual harassment are terrible. I'm sorry. You know it's a long week. We need to do everything we can to protect both women and men from facing this because it is bad and it does damage lives. There's a saying, believe all women but I'm believing the women who own the businesses on my main street and when I look at what we've done through admirable aims and goals and they're coming to me and they're saying, look I pay my employees what I can but this increase in minimum wage is really going to hurt me. I try to help them when they have problems and give them the leave they need but this need to supply now 12 weeks is really
going to hurt me. I look at my Niantic Main Street and I go from Smith's Acres to Smoochie Bird to the Lollipops and Gumdrops to Grace to a new business, Michelle a bridal salon, all run by women, all small businesses and we are putting such a burden on them. We want them to succeed. We want them to continue to employee people and yes, I get it. Nobody wants to say to an employee, you can't take the time off when you have the baby or no, I know you have a sick parent. So employers like me, like these women bend over backwards to accommodate them but yet we put these burdens on them.

I just looked up some statistics. Between 27 -- 27 -- 1997 and 2017 Connecticut saw 56 percent growth in women-owned businesses. We have 113,000 women-owned businesses in the state but at the same time the number of women-owned businesses nationwide grew 114 percent. Some of the biggest growth was among minority owned businesses. I want women to succeed and to be safe. I want men to succeed and to be safe and I most particularly want women who
want to run businesses and employ other women and inspire their daughters and their granddaughters to do the same thing. To follow their dream. The woman who runs the bridal salon still has a fulltime job because she needs that income to keep her going, but her dream is to run the salon and to make it successful so she doesn't have to have that other fulltime job.

So I will support this Bill today because I think it's important, but as we go forward can we please remember that not all businesses have HR departments. Not all businesses have lots of employees and it's easy to replace them. It's going to cost me $500 to do those two hours of training. Okay, I'm going to do it because that's the law but that's $500 I don't have for my mission and I'm just a little museum. When I look at these businesses, when I look at the retailers who tell me they haven't taken any money this week because they haven't made a sale because it's rained all week and they haven't sold anything. So yes, we need to do
the things to protect the men and women in the state, to protect our sons and daughters but let's do it with a sense of perspective and try and be a bit, I don't know, compassion for everyone. And I thank you for your indulgence Mr. Speaker and I apologize for my emotion.

SPEAKER ARESIMOWICZ (30TH):

Thank you, Representative Cheeseman. Will you remark further on the Bill as amended? From the 104th, Representative Rochelle.

REP. ROCHELLE (104TH):

Thank you, Mr. Speaker. I rise in support of this Bill and just want to share with my colleagues some statistics that are relevant to the legislation. Out of 1000 assaults 230 of them are reported. The majority of folks don't even bother to report because they feel like there's no justice in our justice system and they don't have recourse. Of 1000 assaults only 46 lead to arrest out of 1000. Of 1000 assaults only 9 are referred to prosecutors and out of 1000 assaults only 5 cases lead to a
felony conviction. So when we talk about you know, needing to you know change the statute of limitations what we're talking about is saying that there are people walking 1 in 5 women and 1 and 33 men that we know of, are walking around with having been assaulted at least once in their life and they don't feel they have recourse and when 97 percent of all cases that go to court don't result in conviction, there are -- there is no recourse. So we worry about you know folks you know having something leveled against them. How about all of the people who are leveling complaints and 97 percent of them get no justice?

So I just want to you know put this in perspective for folks 'cause when you have 1000 assaults and 5 of them result in conviction we have a broken system and we need to do something to fix it. So I want to thank the proponent of the Bill for his work on this and all who have been involved with this and I hope everyone shows support today. Thank you.
SPEAKER ARESIMOWICZ (30TH):

Thank you, Representative Rochelle. Will you remark further on the Bill as amended? From the 74th district, Representative Cummings you have the floor madam.

REP. CUMMINGS (74TH):

Thank you, Mr. Speaker. A couple of questions through you to the good proponent of the Bill.

SPEAKER ARESIMOWICZ (30TH):

Of course, please proceed.

REP. CUMMINGS (74TH):

Mr. Speaker, in regards to Section 8 lines 290 to 281, number 1 finding that the matters that are subject to the order are established in accordance with the claim of the party requesting such order. Would the good proponent of the Bill please identify how that differs from the adverse discretion there?

Through you Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):
Thank you, Mr. Speaker. Mr. Speaker you know I asked myself the same question when I saw -- when I was preparing for this yesterday. This language actually is repeated from our current banking statutes and our banking regulations. And I am told that under -- which comes out of 36(a)1-39, and that these provisions do have some case law history and some common law understanding to them.

The distinction between number 1 which would be that -- under number 1 the -- the hearing officer could make a determination that the fact is conclusively established almost like a forced stipulation as opposed to an adverse inference which would just give the inference that the fact is true. So it's a subtle difference, Mr. Speaker admittedly in this language here. I believe these in some respect may overlap some but 1 is intended to be slightly more severe a sanction or penalty than number 4 is. Through you.

SPEAKER ARESIMOWICZ (30TH):

Thank you. Representative Cummings.
REP. CUMMINGS (74TH):

Thank you, Mr. Speaker an through you. If the requested document did not exist and the respondent indicated that the documents requested did not exist would these applicable orders still apply and an adverse inference be able to be drawn?

Through you Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

No, Mr. Speaker. An adverse inference or forced stipulation is only done where there's something equivalent to a spoliation of evidence where the document did exist at one time and the document was spoiled or otherwise unavailable based on the conduct of the person in procession of the document. If the document doesn't exist, the document doesn't exit.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Cummings.
REP. CUMMINGS (74TH):

Thank you, Mr. Speaker. And I'm turning my attention to Section 11 which indicates that upon the Executive Director determining that a civil action is in the public interest and that the parties have all agreed the case can be moved to the Superior Court, would the good proponent of the Bill please identify if the state of -- if state of Connecticut is the client or -- of the claimant?

Through you Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. In a CHRO action the state of Connecticut is a little funky, but the state of Connecticut is not actually a party to a CHRO action. The CHRO is a separate entity and they bring suit in their own name so the plaintiff is actually the CHRO as ex rel for the claimant generally speaking in these types of cases. But it's the CHRO as the claimant, not the state of

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Cummings.

REP. CUMMINGS (74TH):

Thank you, Mr. Speaker. Would the CHRO bringing this case in the Superior Court be res judicata for the claimant itself bringing the case in the Superior Court?

Through you Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. If the requirements of res judicata were met then yes, they would and I would submit that generally there would be a res judicata claim because certainly the CHRO is acting on behalf of the claimant. There's privity of parties and certainly notice of the pending actions.
So res judicata or collateral estoppel would attach in most instances.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Cummings.

REP. CUMMINGS (74TH):

Thank you, Mr. Speaker. And now turning my attention to Section 12, which requires a filing of a motion in order to determine the probative value outweighing the danger and harm to the victim and unfair prejudice. If something came up while a party was on the stand and the door was open for the victim's reputation to be in controversy, would the hearing or the trial then have to stop for the motion to be filed and the in-camera hearing to occur?

Through you Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. The motion needs to e
filed at least 14 days in advance and the reason for that is the hope that the motion could be heard and not delay the trial date but certainly the judge would have discretion as to scheduling. I would also like just to note so that it's completely clear on the record; the -- the Section 12 is actually, and I should have mentioned this earlier, a rape shield statute that we do not currently have in state law. But this language actually mirrors in large respect Federal Rule of Evidence 412 and certainly the intent with the language is that existing precedent and case law with respect to the application of Federal Rule 412 would be instructive if not binding upon determinations under this new Section 12 moving forward.

Through you Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Cummings.

REP. CUMMINGS (74TH):

Thank you, Mr. Speaker. Mr. Speaker, if the door was not opened in regards to the victim's
reputation until the time of trial when the -- the proponent is on the stand, what would happen with that motion or would they be allowed to question since the door had already been opened regarding reputation?

Through you Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. I believe it depends largely on the probative value but as I mentioned I don't want to muddle the legislative intent on this here. I believe what would control would be existing case law under Federal Rule of Evidence 412. Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Cummings.

REP. CUMMINGS (74TH):

Thank you, Mr. Speaker. That's all the questions I had.

SPEAKER ARESIMOWICZ (30TH):
Thank you, ma'am. Will you remark further on the Bill as amended? From the 77th district, Representative Pavalock-D'Amato.

REP. PAVALOCK-D'AMATO (77TH):

Thank you, Mr. Speaker. And for the proponent of the Bill, just a couple of questions to clarify.

SPEAKER ARESIMOWICZ (30TH):

Please proceed, madam.

REP. PAVALOCK-D'AMATO (77TH):

Thank you. If you could turn to Section 11. I know you answered a couple of questions of the last Representative, and you stated that the state of Connecticut is not the party to the action. HRO is actually the claimant; is that correct?

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. That's correct.

SPEAKER ARESIMOWICZ (30TH):

Representative Pavalock-D'Amato.
REP. PAVALOCK-D'AMATO (77TH):

And if we look around line, let's say 341 the Executive Director says determines that a civil action is in the -- the public interest. Can you tell me what the elements are that would support that decision? What -- what is the direct -- Executive Director looking for in making that determination if it is in the public interest?

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. The import of the insertion of the words public interest here was to limit the number of cases that would be directly transferrable from a finding of reasonable cause to the Superior Court. And what the CHRO Director is looking for is cases that are particularly novel or have particular import. Maybe there's an interpretation of statute that is a little beyond sort of the run of the mill case or there's an
interplay between the sexual harassment claim and some sort of insider trader allegation or some -- some other type of fact scenario that is outside of sort of the typical run of the mill case and is of particular import or is particularly novel.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Pavalock-D'Amato.

REP. PAVALOCK-D'AMATO (77TH):

Within this context, could you give me an example?

Through you Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. As I believe I just did, the example I would give is like I said, maybe there's an issue of statutory interpretation that is particularly a novel one that is being advanced by one or both of the parties to the action and there should be a clear decision on statutory
interpretation by the Superior Court as opposed to
the issue simply remaining before the Office of
Public Hearing at the CHRO.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Pavalock-D'Amato.

REP. PAVALOCK-D'AMATO (77TH):

And -- and so Mr. Speaker, if you mentioned --
the proponent of the Bill mentioned an
interpretation of statute. That's what I'm asking
for an example. Can you give me an example that
would relate to this? That would be in the public
interest but also within CHRO's purview?

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. I'm not thinking of
anything directly off the top of my head. I guess
maybe one situation not necessarily statutory
interpretation situation but where there's an
accusation by multiple employees of the same type of sexual harassment conduct against an employer and it is more of a pervasive act than simply one discreet act. Those would be the type of cases that might rise to the level of public interest as opposed to simply you know, one claimant versus one defendant.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Pavalock-D'Amato.

REP. PAVALOCK-D'AMATO (77TH):

And if we go a little further down it does allow a claimant to intervene as a — as a matter of right without permission of the court. Procedurally how would this be done?

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. I believe that based on this provision the Judicial Branch will have to flush that out in the practice book but I suspect it
would be by filing a motion to intervene with the court which would then be automatically granted by the clerk without need for further action by the Superior Court Judge.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Pavalock-D'Amato.

REP. PAVALOCK-D'AMATO (77TH):

And so that granting of the Clerk wouldn't be considered any type of permission of the court?

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Yeah, when I think of permission of the court I generally think of a judge having to issue a ruling, yay or nay on a particular motion and possibly an objection. I think what is envisioned here is simply filing of a motion to intervene that attests I'm the claimant in this matter. I'd like to intervene as a matter of right and the Clerk would
be empowered to grant that motion without -- as I said, without appearing on the short calendar or without further action by the Superior Court Judge. We have similar provisions in our statutes now and like I said, I believe the technicalities of this, and perhaps even a form would need to be generated by the Judicial Branch pursuant to its roll-making process in the practice book.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Pavalock-D'Amato.

REP. PAVALOCK-D'AMATO (77TH):

And is there any -- is there any time requirement or any point throughout this process that that would be -- I mean of course I would assume before the judication of the case, but otherwise any other time requirements to file this motion or intervene?

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.
REP. STAFSTROM (129TH):

Through you Mr. Speaker. That's not spelled out in the statute although certainly there are practice book requirements on timeliness of moving to intervene in an action. I unfortunately do not have that practice book provision in front of me but I suspect that as indicated that either that provision would apply or the Judicial Branch would tweak it accordingly based on the statutory directive.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Pavalock-D'Amato.

REP. PAVALOCK_D'AMATO (77TH):

If a complainant were to intervene, based on what you previously said that CHRO is the claimant, if the -- if the party -- or the aggrieved party in this case were to intervene and let's say they had an attorney and the -- the aggrieved individual wanted to proceed with the case in a way that was different than what the CHRO -- CHRO Council wanted
to do, then in that case would the CHRO -- would they be -- I guess I'm asking what would -- what would they be required to do? Would they -- would they have to continue with the case? Would they be able to continue with the case or would they drop as a party?

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. They could continue as a party in the case if -- I think the scenario you're getting at is maybe the CHRO wants to settle the case and the claimant does not want to settle the case, the CHRO could take a partial settlement from the defendant to be out of the case if the defendant was willing to do that. And if the complainant wanted to proceed forward either pro se or with the assistance of outside counsel they could continue along, no different than any other action we may have now where there's multiple plaintiffs or
multiple defendants and parties can either decide to work in conjunction with each other or protect their own legal interest should they see the need to do so.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Pavalock-D'Amato.

REP. PAVALOCK-D'AMATO (77TH):

And if the -- if CHRO wanted to settle and let's say take the civil penalty not exceeding $10,000 and accepted, let say no settlement for the aggrieved party, would -- would that be an option that the actually agreed party would be able to dispute and not agree to the settlement?

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. Yes, as I indicated if the CHRO said with the defendant, we're going to settle. Pay us a civil penalty not to exceed
$10,000; say they took a civil penalty of $1000 and said, we're out of the case than at that point the case could proceed on its own with the claimant representing themselves or through the assistance of outside counsel against the defendant.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Pavalock-D'Amato.

REP. PAVALOCK-D'AMATO (77TH):

And so would there be any bar to the case or to the claimant, specifically the individual not CHRO from going forward and possibly recovering damages even though CHRO has accepted a settlement on their own behalf?

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Stafstrom.

REP. STAFSTROM (129TH):

Through you Mr. Speaker. The -- the individual could not receive a civil penalty. Only the CHRO can receive a civil penalty but the only bar would
be if there was some sort of settlement that paid out damages to the individual, there would be a double -- double recovery problem there that would bar the double recovery. But if there was not a payment of damages as part of the CHRO settlement then conceivably the action could continue along between the individual party and the defendant.

Through you.

SPEAKER ARESIMOWICZ (30TH):

Representative Pavalock-D'Amato.

REP. PAVALOCK-D'AMATO (77TH):

And so I did see in the -- in the statute and some of the comments that there were past cases that the -- a judge did recognize and say that such a recovery would -- would be a double recovery and barred recovery from the claimant in certain cases, so I think that's kind of a concern of mine. If you have an individual you know and again we're -- we're -- I think the focus should be on the aggrieved party, the victim here and their -- their recovery and their rights in this situation and yet we have
an organization that could possibly recover money I guess in the public interest and possibly affect the rights and the recovery of a victim. I know we have an Amendment that is I think being taken out or at a future date maybe -- however, you know I hope that gets addressed in this and I think there's a couple other procedural issues that I -- I hope get clarified in this. Again, there's a lot of good parts to this -- to this Bill but there's other parts I think -- I don't think that have been flushed out so again, I'll listen to the conversation and I want to thank everybody for their hard work on this Bill.

Through you. Thank you.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, madam. Will you remark further on the Bill before us? Will you remark further on the Bill before us? If not staff and guests to the well of the House, members take your seats? The machine will be open. (Ringing)

CLERK:
The House of Representatives is voting by roll. Members to the Chamber. The House of Representatives is voting by roll. Members to the Chamber. Have all the members voted? If all the members have voted, please check the board to ensure your vote has been properly cast. Have all the members voted? If all the members have voted, please check the board to ensure your vote has been properly cast. If all the members have voted, the machine will be locked. The Clerk will take a tally. And the Clerk will announce the tally.

CLERK:

Senate Bill No. 3 as amended by Senate A.

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SPEAKER ARESIMOWICZ (30TH):

The Bill passes as amended. (Gavel) Are there any announcements or introductions? Representative
Rojas of the 9th, you have the floor sir.

REP. ROJAS (9TH):

Thank you, Mr. Speaker. For an announcement.

SPEAKER ARESIMOWICZ (30TH):

Please proceed.

REP. ROJAS (9TH):

Thank you. For the Finance, Revenue and Bonding Committee we'll be meeting at 9:30 on Monday to adopt revenue estimates. Thank you, Mr. Speaker.

SPEAKER ARESIMOWICZ (30TH):

9:30 Monday morning. Representative Reyes of the 75th sir, you have the floor.

REP. REYES (75TH):

Mr. Speaker for purpose of Journal notation.

Today personal Representative Simmons, Simms, Hughes. Sick Representative Orange and Garibay. Business outside of Chamber Representative Lamar. Business in District Representative Tercyak, Stallworth, Candelora, Dillon, Paolillo, Serra, Genga, Johnson, Hall, Gibson, Baker, McGee, Rosario, Butler and Reyes. Thank you, Mr. Speaker.
SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Representative Betts of the 78th.

REP. BETTS (78TH):

Thank you, Mr. Speaker. For Journal notation.

SPEAKER ARESIMOWICZ (30TH):

Please proceed.

REP. BETTS (78TH):

Representative D'Amelio out of the Chamber on legislative business. Representative Wilson in district. Representative Camillo, Frey and Wood -- Terry Wood business in district and Representative Vail away -- away on family commitment. Thank you very much.

SPEAKER ARESIMOWICZ (30TH):

Thank you very much, sir. Representative Currey.

REP. CURREY (11TH):

Thank you, Mr. Speaker. Mr. Speaker I move that immediately transmit all Bills requiring further action by the Senate to the Senate.
SPEAKER ARESIMOWICZ (30TH):

Question before the Chamber is transmitting all Bills awaiting action in the Senate. Is there objection? Is there objection? Seeing none, so ordered. Go ahead Representative Currey.

REP. CURREY (11TH):

Also we will be reconvening on Monday at 10:30 and there being no further business on the Clerk's desk I move that we adjourn subject to the Call of the Chair.

SPEAKER ARESIMOWICZ (30TH):

Just to clarify, he announced session Monday, 10:30. Thank you very much. Question before the Chamber is adjourn -- adjournment subject to the Call of the Chair. Is there objection? Seeing none, we are adjourned subject to the Call of the Chair.

(On motion of Representative Currey of the 11th District, the House adjourned at 7:17 o'clock p.m., subject to the Call of the Chair.)
CERTIFICATE

I hereby certify that the foregoing 384 pages is a complete and accurate transcription of a digital sound recording of the House Proceedings on June 1, 2019.

I further certify that the digital sound recording was transcribed by the word processing department employees of Alphatranscription, under my direction.

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