The Senate was called to order at 2:10 o’clock p.m., the President in the Chair.

THE CHAIR:

Good afternoon, everyone. Would the Senate please come to order? And, I would ask that members and guests please rise and direct your attention to our acting Chaplain, Benita Toussaint, who is always with us, part of our legislative family here in the Senate. Benita, thank you.

CHAPLAIN BENITA TOUSSAINT:

Thank you, Ms. Lieutenant Governor. Good evening -- good afternoon.

THE CHAIR:

Good afternoon.

CHAPLAIN BENITA TOUSSAINT:

May we bow our heads to evoke God’s blessings? Please bless us with an inner strength so that our
lives and our work may be a blessing on others.  
Amen.

THE CHAIR:

Amen. And, I would like to invite Senator Mary Daugherty-Abrams to come and lead the pledge.

SENATOR DAUGHERTY ABRAMS (13TH):

(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.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President, and good afternoon.

THE CHAIR:

Good afternoon.

SENATOR DUFF (25TH):

Madam President, is there any business on the clerk’s desk?

THE CHAIR:

Mr. Clerk.
CLERK:

The clerk is in possession of Senate Agenda No. 1, dated Wednesday, May 22, 2019.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move all items on Senate Agenda No. 1, dated Wednesday, May 22, 2019 to be acted upon as indicated, and that the Agenda be incorporated by reference into the Senate Journal and Senate Transcript.

THE CHAIR:

So ordered and so noted.

SENATOR DUFF (25TH):

Madam President, will the Senate stand at ease for a moment, please?

THE CHAIR:

The Senate will stand at ease. [Pause]. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Does the clerk also have Senate Agenda No. 2?
Mr. Clerk.

CLERK:

The Senate is in possession of Senate Agenda No. 2, dated Wednesday, May 22, 2019.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move all items on Senate Agenda No. 2, dated Wednesday, May 22, 2019 to be acted upon as indicated and that the Agenda be incorporated by reference in the Senate Journal and the Senate Transcript.

THE CHAIR:

So ordered and so noted.

SENATOR DUFF (25TH):

Thank you, Madam President. And, for our marking today.

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):
Thank you, Madam President. As marked as our order of the day, Senate -- on Calendar page 54, Calendar 36, substitute for Senate Bill 1.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 54, Calendar No. 36, substitute for Senate Bill No. 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE. There is an amendment.

THE CHAIR:

Good afternoon, Senator Kushner. It is a big day.

SENATOR KUSHNER (24TH):

Yes, it is. Thank you, Madam President. It’s my honor to move adoption of the amendment and move -- and to waive the reading. I would seek leave of the Chamber to summarize.

THE CHAIR:

Mr. Clerk, if you would kindly call the amendment.

CLERK:

LCO No. 9302, Senate Schedule A.

THE CHAIR:

And, please proceed to summarize, Senator Kushner.
SENATOR KUSHNER (24TH):

Thank you, Madam President. We are putting forward Senate Bill 1, which is a bill that will create a program for paid family and medical leave. It is a program that will really help working families throughout Connecticut, and I am glad to summarize the components of the bill.

First of all, it establishes the reasons for leave, and that would be to care for a new child, a family member with a serious illness, care for your own serious illness, or perhaps to be an organ or bone marrow donor. This covers the employee and the employee’s family. Under this bill, the employee will have up to 12 weeks to care for a family member or themselves with an additional two weeks for a person who is incapacitated during pregnancy. The wage replacement provides for 95 percent of the minimum wage, and on earnings above the minimum wage, you would receive 60 percent of your earnings, but it is capped at 60 times the minimum wage, which at $13 dollars an hour would be $750 dollars a week. At $15 dollars, it would be $900 dollars a week.

Eligibility is all employees, and those that are self-employed or sole proprietors may opt in. You must have earned at least $2325 dollars in one of the last four out of five quarters. If you are unemployed, you must have been employed during the
12 weeks prior to the leave. State employees are not covered -- who are not covered by contracts will be covered by this program and will participate in it. Municipal and school employees who are not represented, however, will only participate in the program if their employer bargains into the program with one of the bargaining units that exist in their municipality or in their board of education. There will be a premium of one half of one percent on all earnings up to the Social Security maximum, which today is $132,900 dollars.

Family coverage includes son or daughter, a spouse, a parent, a grandparent, a grandchild, or a sibling, and the definition of family is an individual related to the employee by blood or infinity whose close association is the equivalent of these relationships -- named the above relationships, son or daughter, spouse, parent, grandparent, grandchild, or sibling.

Job protection will exist for all employees who have worked at least 3 months for the employer prior to taking their leave. The employer may require advanced notice. You must notify the employer at least 30 days in advance if practicable. The employer can request certification by a medical provider, and the employer can require that you use all but two of your paid time off that has accrued. There is an opt-out for private employer plans as
long as the benefits and the rights of the employees are at least as great as those provided for in the state plan. An employee can’t pay more for the benefit, and the employer will have to have that determination by the insurance department that the plan meets those requirements.

There are penalties from willful misrepresentation in this bill. If an employee willfully misrepresents in order to receive a benefit, they will be penalized. They will be required to pay back what they took from the fund. They will also have to pay a penalty of up to 50 percent of that, and they will be disqualified for two years from participating in the plan. If they are doctors who aid an employee in such misrepresentation, then the doctors would be hit with trouble damages three times what is paid out by the fund. An employer or anyone who aids the employee in willful misrepresentation would also be subject to the same penalty as the employee, that includes an employer. There will be a process established here for adjudication of disputed claims and penalties by the Department of Labor.

This fund will be self-sufficient. All of the money that will be used to start up this fund must be paid back to the state within one year of the start-up of payment of wage replacement. That would be October 1, 2020. There’s also a mechanism here that
triggers -- that is triggered if there is insolvency. Should the fund be insolvent, then the authority will be in a position to lower the benefit level to the least amount necessary. In other words, the reduction would be the least amount necessary in the event of insolvency. The administration of this program will be by a quasi public authority called the Paid Family and Medical Leave Authority. It will have a 15-member voting board, and the authority will hire the staff and issue the RFPs necessary to conduct its business and to carry out the elements of this program.

Before we start answering questions, I would like to say that the Family Medical Leave Act was passed in 1993. At that time, I had three children. I was one of the fortunate people who had an employer who paid me while I was on leave caring for my newborn children, and it made my life so much better. It didn’t make it easy to have little kids. There’s incredible stress and worry and lots of hard work, but it made me possible for me to pay the bills, and I’m one of those people who grew up and said just because I’m fortunate I shouldn’t turn my back on others. I need to make sure that people have the same good fortune that I have been afforded. I was delighted to go to Washington in March for the Family Medical Leave Act in the 1990s, and to bring my little children along with me, but it’s been far
too long since that time for us to now realize that we must pass Paid Family and Medical Leave.

You now, I’ve talked to my colleagues, I’ve talked to colleagues here in the Senate, to colleagues in the House, we’ve had public hearings, we’ve had committee debate, we’ve talked to the governor, and you know lots of people have had input into this bill. I believe this is a good bill. It’s a strong bill. I think it will help our working families. It will make their lives better, and I believe that it is so important for us to pass this now, so I urge all of my colleagues to stand with me and pass Paid Family and Medical Leave today.

Thank you.

THE CHAIR:

Thank you, Senator Kushner. The question is on adoption of the amendment that is before us. Would you -- will you remark further on the amendment that is before us? Senator Miner.

SENATOR MINER (30TH):

Thank -- thank you, Madam President. Madam President, I have a number of questions, if I might through you to the proponent of the amendment, please?

THE CHAIR:
Senator Kushner, prepare yourself. Please proceed, Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I’m trying to I guess set parameters around the title of covered employee, and through you, is the title of an employee anyone who earns that base wage rate subject to the quarter requirement whether they are full time, part time?

Through you, Madam President.

THE CHAIR:

Thank you -- thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Yes, that is correct.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, in terms of eligibility, am I correct that the individuals have to be -- have to have been employed within 12 weeks of their making application for a claim onto this program?

Through you.

THE CHAIR:
Senator Kushner.

SENATOR KUSHNER (24TH):

That is also correct.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, so in the case of a summer employee that would normally finish up let’s say on Labor Day, if that individual earned sufficient wages in that quarter and that was the only quarter that individual worked, is that individual eligible for Paid Family and Medical Leave in the first year?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

That employee would be eligible for Family and Medical Leave wage replacement.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):
And, so if that individual planned on leaving employment meaning that was a seasonal job, the fact that the individual is not employed, didn’t plan on being employed, would they be obligated to apply for unemployment first before they could make an application to this fund?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

The bill is clear that if the person is on unemployment they would not qualify for this benefit.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, so I -- I understand from the gentle lady’s response that if they were on unemployment they are not eligible. My question was would they be obligated to apply for unemployment as opposed to making a withdraw from this fund?

Through you.

THE CHAIR:
Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):
I’m sorry, Madam President, through you, would you ask the good gentleman to restate that question? [Chuckling].

THE CHAIR:
Senator Miner, if you could please restate the question?

SENATOR MINER (30TH):
Certainly, Madam President. So, the question is if they would be eligible for unemployment and chose not to go on unemployment but instead make a claim against the Paid Family and Medical Leave plan having paid in their obligated tax, is there a provision in this bill that requires them instead to go to unemployment first before making a withdraw under this program?

Through you.

THE CHAIR:
Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):
Through you, Madam President. No, there is not.

THE CHAIR:
Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, if the gentle lady knows is the level of compensation for the weeks that that individual would be making a claim -- 12 weeks for instance -- is that consistent with unemployment or more than unemployment?

Through you.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

I don’t know the answer to that. I know that the benefit would be based on their earnings, so if they earned the $2325 dollars, it would be based on the formula that I said earlier.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

And, so through you, if -- if -- if I understand the formula correctly, the formula states that I think it’s up to about $54,000 dollars in annual earnings would be receiving a weekly wage rate or
compensation rate at 95 percent -- it’s kind of complicated -- 95 percent of 40 times minimum wage, and in that case, would that number be equal to what they would get for unemployment?

Through you.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Madam President, through you. The maximum I think would be $60,320 dollars. If someone was earning that, they would get 95 percent of the -- their earnings on the minimum wage, and then they would get 60 percent of the earnings above that, and that would be their weekly benefit rate. Can we -- can you give me a moment?

THE CHAIR:

Yes. The Senate will stand at ease briefly.

[Pause].

SENATOR KUSHNER (24TH):

Madam President.

THE CHAIR:

Senator Kushner.
SENATOR KUSHNER (24TH):

So, I may have been a little thrown by the question by inserting the $60,000 dollar person, but let me be clear that they would only get the wage replacement on the earnings that they had in that quarter and as you stated the question, the quarter would have been $2325 dollars in earnings, and that was their only earnings, they would only receive 126th of that for their benefit replacement, and it would be -- then the formula would be based on that.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, again, I thank the gentle lady for her response. I may want to finish with some questions, take a break, and do some calculations myself. I think the rate of reimbursement for an individual on the Paid Family and Medical Leave is in fact a higher rate of reimbursement than it would be under unemployment, and I think that’s the reason why some had suggested that the reimbursement rate in this bill be consistent with unemployment so you wouldn’t end up attracting people to this fund as opposed to some other alternative. I recall that there was some language that would have required an individual to
exhaust all other means of compensation for other sick time, other wage replacement. If the gentle lady knows, does the current language in the amendment include any such language obligating the employee first to exhaust vacation or sick or unemployment if all of those would be available to the employee?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The bill does require that a person would have to use all of their paid time off with the exception they would be allowed to retain up to two weeks of accrued paid time off. Otherwise, they would have to use all of their paid time off before using their benefit. It does not address unemployment.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, does all that time that would be required to be taken paid for through
the other payment mechanism, is that added onto the 12 weeks? If the gentle lady knows?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. A person would not be able to add time on based on time that they have accrued time off, so they would not be able to what they call stack it, so that they add the time off to the end of their leave.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, there’s some question about whether or not and how deductions would be taken from this payment. In many cases when an individual is out either on vacation or sick leave any of the agreed to employee reimbursements whether that’s for health insurance or life insurance or any other premiums, those would normally be deductions from a payroll check. Is there any mechanism in the language before us that requires those deductions be taken out of this
payment and be then sent to the life insurance company, health insurance company, and so on?

Through you.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Would you please restate that question? To make sure I heard.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. So, under my pay system here with the state of Connecticut, I have certain deductions. It might be for health insurance. It might be for life insurance. It might be for something else, so every time I get a paycheck those deductions are withheld, and presumably, they make premium payments on a life insurance policy. So, if an employee has a life insurance policy with an employer and currently the employer makes that withholding under this proposal, would the state withhold the premium payment for life insurance and keep that life insurance premium going through this mechanism?
Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHER (24TH):

Through you, Madam President. Senator Miner -- or good gentleman -- I forget how to do that stuff, sorry. [Laughing]. But there would not be a paycheck coming to that employee obviously while they were out. If you’re asking about whether those deductions would be coming through the wage replacement check that they’re receiving from the state, there’s no requirement under this bill that those payments be made in that fashion -- or those deductions.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, so since the language is silent, is it anticipated that the employee then bears that burden to see that those payments are made even though there is no payroll check, they remain an employee technically -- I think -- under the bill?

Through you.
Thank you. Through you, Madam President. I believe that would depend on the employer requirements that they set up for whether employees -- whether they have some mechanism to continue making payments on behalf of an employee or whether the employee is obligated to make those payments on their own, so that would be -- that would be in the purview of an employer’s relationship to the employee whether they would continue to make any payments on behalf of -- or there would be no deductions if you’re not getting a paycheck, but whether or not payments were made would be part of the relationship between the employer and the employee.
absence of the employee? Is that an obligation of the employee?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. There is no obligation for the employer to continue those, so it is not addressed in the bill.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

So, there’s no obligation under the language that’s before us for the employer to maintain premium payments for health insurance, premium payments for disability policies, any other deductions that would otherwise have been agreed to previously as part of payroll -- those for all intents and purposes cease under this language unless the employee directs the employer to do something or gets the employer to agree to do something?

Through you, Madam President.

THE CHAIR:
SENATOR KUSHNER (24TH):

Through you, Madam President. This bill does not change any of the underlying requirements of an employer to provide any deductions or make any payout to an employee. It doesn’t change the underlying existing statute. It does provide for a wage replacement that would be provided through this fund, and so to the extent that an employee is required currently to make any to -- under unpaid family leave -- to the obligation of the employer is the same as it would be for this bill, for paid family leave, as it is for unpaid family leave.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, with regard to income tax, either state or federal income tax, is there a determination made in the language whether or not these are taxable under the IRS code or under our state income tax code?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.
SENATOR KUSHNER (24TH):

Thank you. Through you, Madam President. If income tax is to be taken, an employee can -- under this bill -- ask the fund to withhold taxes that are required, so that’s the only reference to the tax issue.

THE CHAIR:

Thank you, Senator. Senator Miner.

SENATOR MINER (30TH):

And -- and, so through you, Madam President, the bill doesn’t contemplate whether the payment made from the fund to the employee as wage replacement funds -- it doesn’t state affirmatively whether those are taxable funds or not taxable funds?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The bill does state that federal taxes can -- that the employee receiving a wage replacement can ask for their federal taxes to be taken out of the wage replacement check.
THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

And -- and, for those that would be getting a wage replacement check sufficient to otherwise have triggered state income tax, would the same apply there? Could the individual direct the fund to make those withdraw -- withholdings?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. Give me a minute to look it up?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President, through you. These are not intended to be benefits that are subject to state tax.

THE CHAIR:

Senator Miner.
SENATOR MINER (30TH):

Thank you, Madam President. So, whether you are an employee or a sole proprietor, these disbursements would not be taxable under the state of Connecticut’s tax code?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. It is not intended to require state taxes.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. Madam President, I want to turn at this time to the purpose for which someone might claim paid and family medical leave, and if I understand it correctly, it adopts the definition of 31-51kk sub 10, and it lists illness, injury, impairment, physical or mental condition. Am I correct that that’s the intention of this would be to adopt that subset of existing statute?

Through you, please, Madam President.
Through you, Madam President. It would be the underlying conditions that are now part of the Family Medical Leave Act.

Thank you, Madam President. And, that’s what that section is, and so I’m trying to make I guess as best we can clear to individuals that would want to avail themselves of this protection and employers that would be receiving the request for paid and family and medical leave that with in regard to injury does the injury require hospitalization or could the injury be something that may require recuperation for some period of time -- could be weeks -- 1 or 2 weeks as opposed to 12 weeks?

Through you, Madam President.

Thank you, Senator. Senator Kushner.

Senator Kushner.

Thank you, Senator. Senator Kushner.

Senator Kushner.
Through you, Madam President. This bill does not change the underlying statute and the reasons for use of family medical leave.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And -- and, so if the gentle lady knows, under current family medical leave, which is not paid, is that leave permissible by the hour or something less than a full day?

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. It is -- there is no requirement on the amount of time you need to use to qualify for family medical leave.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

So, my understanding was that the original language provided an opportunity to take paid family medical
leave down to as low as four hours. Is that still the case in the amendment?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This amendment changes that to line up with the current benefit under the Family Medical Leave Act.

THE CHAIR:

Senator Miner.

SENATOR KUSHNER (24TH):

The current opportunity for leave. Excuse me.

THE CHAIR:

No worries. Senator Miner.

SENATOR MINER (30TH):

And, through you, Madam President, would the -- would the gentle lady mind stating what that alignment is?

Through you, please.

THE CHAIR:
Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. A person can use leave time for any qualified -- where you’ve met the criteria for leave. It could be on an intermittent basis. It doesn’t have to be consecutive hours, and there is no limitation on how many hours you must use.

THE CHAIR:

Thank you. Senator Miner.

SENATOR MINER (30TH):

And, through you, the gentle lady used the word “must use.” Is that synonymous with may use? And, by that, I mean may an individual take it one-hour increments?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Yes. A person may use it in one-hour increments.

THE CHAIR:
Senator Miner.

SENATOR MINER (30TH):

And, if the gentle lady knows, through you Madam President. Is there a -- is there a waiting period or delay or can someone call in on Monday morning and say I’d like to take two hours of Paid Family and Medical Leave beginning with my shift that would have started at eight o’clock?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. There is a notice requirement of up to 30 days where practicable. Obviously, if there was an emergency situation and that notice couldn’t be met that is provided for, so there would not be a requirement -- there would be a requirement for notice and specifically on intermittent leave, it would be required that you worked with your employer to work out the scheduling of that leave.

SENATOR MINER (30TH):

And, so --

THE CHAIR:
Thank you, Madam President. I remember when we discussed this in the committee and again it had that four-hour threshold as I recalled, and we were -- we were contemplating that there might be certain procedures if my wife was seeking treatment and it was going to be a continuous treatment for a period of time, I might be able to sit down with my employer and lay that schedule out. It’s contemplated then under this language as it’s currently drafted even though it doesn’t establish a floor let’s say of four hours minimum, that obligation still exists under the language that we’re looking at today to reach that agreement with an employer for those types of situations where it might be somewhat predictable so that the employee would not in advance -- not in emergency -- that these things -- these treatments are going to occur, and therefore, the individual would like to avail themselves a Paid Family and Medical Leave; again, after they’ve exhausted the other wage replacement opportunities?

Through you, Madam President.

Thank you, Senator. Senator Kushner.
SENATOR KUSHNER (24TH):

Through you, Madam President. There is underlying language in the statute that does require an employee where they are requesting intermittent leave or on a reduced leave schedule to work with their employer to make sure that they are scheduling that, and it even goes further to allow an employer to temporarily transfer someone to an available alternative position for which the employee’s qualified that might better accommodate that schedule.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I think I’m getting the hook again, and I think there’s a thought that maybe we’d move the amendment by voice vote first, and then I guess resume the conversation after that. I’m looking around and nobody seems to know. Do you want me to keep going? All right. I’ll sit down for a moment.

THE CHAIR:


SENATOR KUSHNER (24TH):
Thank you, Madam President. I would like to request a voice vote on the amendment to adopt the amendment.

THE CHAIR:

Thank you. A -- sorry, a voice vote or roll call vote? Voice vote?

SENATOR KUSHNER (24TH):

Voice vote.

THE CHAIR:

Thank you. So, we will entertain a voice vote, but before we do that -- on the amendment, but before we do that I would ask if there are any other senators who would like to remark on the amendment that is before us?

SENATOR LOONEY (11TH):

Madam President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. Madam President, I would urge adoption of the amendment. It does represent -- I think -- the consensus view that we’ve developed on this issue, and then we can move
forward with the -- the debate on additional particulars, and any other amendments that might be offered later.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on the amendment that is before us? Will you remark further? If not, let me try your minds. All in favor of the amendment that is before the Chamber, please signify by saying aye. (All) Aye. Opposed? The amendment is adopted. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the Senate stand at ease for a moment?

THE CHAIR:

The Senate will stand at ease.

[Pause].

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. We’re just gonna do a quick commercial break. If I can PT the bill for just a second. I’m going to yield to Senator Witkos for a point of personal privilege.
THE CHAIR:

Thank you, and Senator Witkos, sir, do you accept the yield?

SENATOR WITKOS (8TH):

Thank you, Madam President. I most graciously accept the yield. Thank you, Senator Duff. Ladies and gentlemen of the Chamber, it is my distinct pleasure along with State Representative, Tammy Exum and Leslee Hill, to present to your and introduce to you the great-great grandchildren of Chester Woodford, Randy Little, Barbara Rupert, Susan Jansen, and Gina Carville [phonetic]. The reason why I think it’s -- it’s important to note the Senate’s -- or the great-great grandchildren of Chester Woodford is because back in 1919 Chester Woodford served in the General Assembly here in Hartford, Connecticut. In fact, he represented the town of Avon, and it was the Centennial year that year. We were commemorating the 100th meeting or the first meeting of the General Assembly here in Hartford, and due to his age -- Chester Woodford, he was in his late 90s serving as a State Representative -- he was presented what was known as the Loving Cup from the then Speaker of the House, James Walsh. And, James Walsh stated in the ceremony that this cup is given to you as a token of friendship and esteem as being the oldest living
member who has represented our state in the legislature, and we congratulate you and your family for the many years of service that you have been able to render your town and state. We trust that this Loving Cup will be handed down by you to the future generations so that at the 100th anniversary in the year 2019 some member of your family will be able to attend and carry with them a message of informing the assembly that this cup is now held by the family as a great treasure. It being presented to you by the state in 1919. Once more, I can assure you that I deem it to be a great honor to be privileged to converse with you, the oldest legislator of this good old state, and I trust that in the future you may enjoy all he, the pleasures of living as you have in the past.

A notable thing about Chester Woodford he was the first tobacco farmer in the town of Avon. He served as an Avon town Selectman, a tax collector, a Justice of the Peace, an assessor. He was the President of the East Avon Congregational Church, and early on in his career, he was a traveling clock salesman, traveled along the Eastern seaboard selling clocks, but then he went out to -- to -- as every entrepreneur does to go sell some of his wares outside of the New England region and went to the state of Illinois and began to sell clocks there.
Unbeknownst to Chester Woodford, there was a law in the books that said you can’t sell anything but Illinois clocks out there, so he was arrested. He hired an attorney, but this esteemed attorney was able to prove his innocence and got him off. That attorney was the future President of the United States, Abraham Lincoln, so there’s a connection with this family through Abraham Lincoln, and I will say that the family has discharged their duties in high quality. They have with them today the Loving Cup that was presented to their great-great grandfather back 100 years ago today, and it is my honor to welcome them on this anniversary and repeat that instruction to your future descendants and make this return presentation in the year 3019, so if I would ask the Chamber to give them a warm welcome, a welcome back to the State of Connecticut. [Applause].

And, additionally, Madam President, I would like to present an official General Assembly citation and it’s authored by the leaders of the General Assembly, as well as the Representatives from the town of Avon, and it says, “Sincerest congratulations to the family of Chester Woodford in recognition of the 100th anniversary of the recognition of the Avon State Representative, the services of Chester Woodford to the State of Connecticut, to the town of Avon, and its
constituents is greatly appreciated by those who continue to serve. The General Assembly extends their warmest welcome to the Woodford family descendants on this historic anniversary.” And, it truly is. What a well-maintained Loving Cup. You can show that you’ve given the love it deserved over these past 100 years, and I look forward to -- well, I won’t be meeting your -- the -- the people that bring it back in 3019, but we’d like to keep this tradition alive, so thank you all for making a trip up here to Hartford, Connecticut. [Applause].

THE CHAIR:

To the Woodford family, congratulations. And Senator Witkos, do you want to correct your math? Would that be 2119? Because that would be quite an obligation to commit for 1000 years.

SENATOR WITKOS (8TH):

Yeah, so otherwise, you’d take your spaceship up here, so let’s -- I stand corrected. 2119 -- 2119, rather than 3019. Thank you very much for the corrections. I’m glad everybody paid attention to help correct me [Laughing], in that speech.

Thank you very much, Madam President.

THE CHAIR:
Thank you so much, Senator. And, Representative Exum, so nice to see you in our Chamber. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Senate stand at ease for a moment?

THE CHAIR:

Good afternoon, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I’d like to yield to Senator Flexer, please.

THE CHAIR:

Senator Flexer, good afternoon.

SENATOR FLEXER (29TH):

Good afternoon, Madam President. I rise for the purpose of an announcement.

THE CHAIR:

Please proceed.

SENATOR FLEXER (29TH):

Thank you very much, Madam President. Madam President, this afternoon from 3 to 5 p.m. the Connecticut Coalition Against Domestic Violence is
hosting a legislative reception in the old judiciary room. The coalition’s 18-member domestic violence programs will be here today, and I encourage my colleagues to stop by and talk with the great advocates who work on behalf of domestic violence victims from all over the state.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If we could go back to the item previously marked PT, please, our order of the day?

THE CHAIR:

Thank you, Senator Duff. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I was assuming there were more questions from my good colleague.

THE CHAIR:

Senator Miner. I’m sure he has some for you. [Laughing].

SENATOR MINER (30TH):
Thank -- thank you, Madam President. Madam President, if we could turn to the section on lines 825, 26, and 27, and they refer to family member, and my question is in line 827, the gentle lady defined a family member or someone, an affinity for whose close association with the employee shows to be equivalent to those family relationships, and it’s in this section that includes spouse, sibling, son or daughter, grandparent, grandchild, parent. Through you, to whom does that disclosure get made, is that to the overseer of the fund or is that to the employer?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam Chair -- Madam President. The bill requires that that representation be made to the fund, and I think that answers your question.

THE CHAIR:

Thank you. Senator Miner.

SENATOR MINER (30TH):
And -- and, through you, so that -- that designation, that disclosure is made how, if not to the employer?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. For purposes of wage replacement, it would be made to the fund. For purposes of job protected leave, it would be made to the employer.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, so it’s anticipated, through you, that there would be a kind of dual notification. And, so if I lost an individual that I felt was my father even though he wasn’t my blood father, he wasn’t married to my mother, he was someone that over a period of time I had come to know as that person in my life, I can designate that person and claim compensation under the Paid Family and Medical Leave and make that disclosure both to the fund by whatever mechanism -- I assume it’s going to be done through
regulation -- and my employer, and -- and that is my declaration and is unchallengeable; is that correct?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

The Department of Labor will be responsible for adopting guidelines on how one will provide that information, and that’s billed out in the bill.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, through you, with regard to the declaration made in terms of job security that is made to the employer?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. We have not changed the underlying statute in terms of the requirements to notify your employer of your desire to take a
leave or your need to take a leave, so the deal, while will be establishing guidelines on how to implement this particular new language, I would like to point out that this language is the same language that was adopted in 1994 by the Federal Family Friendly Act, which has been in place since, I said, 1994, so I think that there will be guidelines to study and see about the implementation. It has applied to approximately two million workers over the last almost 20 years.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

And, thank you, Madam President. I guess what I’m trying to point out is that there’s an interface that is presumed in this language, that’s it’s not all inclusive. It’s not necessarily clear, and so through the regulatory process, it’s assumed that employers will get information from the state of Connecticut letting them know about each of these regulations that will be adopted so that they will be able to effectively and fairly implement Paid Family and Medical Leave as contemplated in this amendment? So, that is a question. Is there gonna be correspondence that will go to each employee to be sure that we don’t end up with a problem in this area?
Through you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The bill does require that the authority engage in a public education campaign to notify both employers, medical providers, and -- and employees of their rights under this program and under this bill, and we also have knowledge that this has been done in other states, and I think we can learn from the best practices in those states and make sure we do a good job with this.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, so again, on line 827, that group of individuals, is it anticipated that that designation could change over time? So, it’s not necessarily a lifelong designation? Is that correct?

Through you, Madam President.

THE CHAIR:
Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I assume those would be part of the regulations.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. If I could, Madam President? I just wanted to go now to -- because the language in the amendment, now the bill, speaks to one employee, prior to this I think the minimum threshold was 50 employees in the State of Connecticut, and so we didn’t end up with circumstances that I think we’re gonna find ourselves in under this language. If I have one part-time employee that meets the threshold of Paid Family and Medical Leave -- as I understand the earlier answers to the questions -- once they’ve qualified, they can begin to draw on the Paid Family and Medical Leave insurance policy for a lawful purpose and for a prescribed period of time, so it’s one employee; am I correct?

Through you, Madam President.

THE CHAIR:
Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. You are correct.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, if I have 50 employees and each of those employees in my business is assigned as a caregiver to an individual and one of those employees request time off on Paid Family and Medical Leave, am I obligated under the provisions of this language to return that person to the exact position in the exact client -- to the exact client upon their return from Paid Family and Medical Leave?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

This bill does not change the underlying statute with regard to an obligation to return the employee to work. It will be the same criteria as you have currently under statute.

THE CHAIR:
Senator Miner.

SENATOR MINER (30TH):

And, so through you, Madam President, under current statute, does -- am I obligated as an employer to return an employee of one to their current place of employment if it’s a client in their home?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Senator Miner, this bill -- I’m sorry. Through you, Madam President, this bill -- this bill does change the requirement that an individual employee be returned to work. That would be the same, they are to be returned to work without loss of pay hours -- and hours.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, what I’m trying to make sure of that the Chamber knows and employer’s and employees know that if they work for an agent whether they can reasonably expect to be returned to
the exact same client imagining that if I am an employee of an agency, I request 12 weeks off under Paid Family and Medical Leave, and I go to take care of my mother, and upon the end of that 12 weeks, I come back to the agency expecting to go back to work, they offer me an assignment, and the assignment is a different assignment; would that be considered lawful in terms of the employer’s obligation under this language?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Madam President, give me one minute.

[Pause].

Thank you, Madam President. And, just to clarify for the good gentleman, when I was answering the question previously I was referring to there are standards that were created under the existing Family Medical Leave Act for the State of Connecticut that do lay out an obligation of employer to return someone to work to guarantee job protection for a certain number of hours, wages, so that they don’t face a reduction in wage or a reduction in wage as a reduction in hours, so that’s
the reference I was making. In terms of the obligation to return someone to the exact same position, I don’t believe that currently exists under current statute, so I think we can extrapolate and say that this bill will not require an employer to go further than the underlying statute, only in the sense that it does require that an employer do this for one employee as has been stated in this bill.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, I share your concern for trying to make sure that the returning employee is provided the same opportunity to earn the same wages, have the same hours. This is kind of a nuance because it now goes down to an employee of one, and so it’s been suggested to me that there are certain businesses in the State of Connecticut, certain business models that couldn’t and don’t under current law guarantee that their employees are able to work for a client for instance beyond a day because things happen, and so my mom may go into a nursing home even though I have a family face that comes from an agency. My mom may pass away; and
therefore, the need for the agency to supply someone no longer exists, and so there are a number of circumstances when you get down to the number one where people have suggested to me that this becomes rather cumbersome, and it sounds -- based on what the gentle lady described -- that as long as the hours are protected and the wages are protected, and there is a position in the agency, position in the firm, the exact client is not an obligation, so there’s no obligation under the language before us that that individual be returned to 2030 E. Chestnut Hill Rd.; am I correct?

Through you, Madam President.

THE CHAIR:

Senator Miner, Senator Kushner, hold that thought. I do want to welcome our guests who are here to listen to this debate. We welcome you here. We would just ask that you respect our Senate rules and some of you may be new to our Chamber, so we have a rule against videotaping and we have a rule against photos. You are, of course, welcome to be here in the People’s House, and we listen and we appreciate your being here, and ask you to respect our rules. And, Senator Kushner, you may respond.

SENATOR KUSHNER (24TH):
Thank you, Madam President. Through you, I think that is -- the intention of this bill is to provide job protections, and there are certainly employers who in the kind of situation that you described where an employee isn’t guaranteed to always have the same client, and that would be the normal practice of that business, and certainly, we’ve all experienced that. I’ve had a grandmother who had around-the-care clock -- around-the-clock care, and had many different providers during that time, and so I think this -- it’s clear that this statute is to provide job protection so that a person is not discriminated against for having taken leave, and it does not guarantee them further protections in that they would otherwise have on the job.

THE CHAIR:

Thank you, Senator Kushner. Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And, I think that helps greatly with what the gentle lady just described. You know, I’m remembering when we had an opportunity to listen to people in the public hearing when the prior former language was before the Labor Committee, and there certainly were a number of heart-wrenching important stories, truthful stories that people shared with the committee outlining the difficulties that some people found themselves
having to grapple with, either through a prolonged illness of a parent or a child, trying to manage rent, car payment, perhaps tuition, any number of things, and still have to deal with the challenges at hand, which in many cases I think we can all relate to and that is the illness of a loved one or a difficult childbirth. What I’ve heard from employers is that if they’re very small employers, because of the language even the way it’s constructed in the amendment, it is going to be very difficult to deal with. There is just not the kind of redundancy in most small businesses that would permit a small employer to keep going if they were to lose an employee. Let’s say if they had 10 employees or 2 employees. I know there’s some provisions in the language where two members of the same family don’t have the same ability, I think, to take the same time off if they work for the same employer; am I correct?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. If a spouse -- two spouses are employed by the same employer, they would have the opportunity to collect the wage
replacement that they have you know paid through their premiums for, but they would only have job protection for the aggregate number of weeks of 12 weeks.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And, so then through you, Madam President. It sounds to me as though you could in a small employer situation end up with two individuals out of work during the same period of time, and have to deal with that, and I don’t mean to diminish what the two employees are having to deal with what they’re out as well because I think we did hear testimony, as I stated earlier, that those are always challenging life circumstances. So, this bill because it is defined as an employer of one, contemplates getting to rather small employer/employee relationships. I’ve had employers say to me that no matter what the schedule says it seems to me as though it’s not properly funded as I understand the numbers; and therefore, eventually, it’s going to come back and I’m going to be paying a portion of this, so it’s not only going to be the scheduling issue, it’s going to be -- become my obligation either in part or in whole. And, Madam President, when I looked at the wage scale that had been presented to me, it
really does kind of tell the story, the reason why people are concerned, so I’ll just pick a number -- $54,000 dollars a year. It’s a weekly wage of $1038 dollars. The annual tax on that is $270 dollars, so that is the total that the employee will have paid in, and the weekly benefit that the employee plus or minus a dollar or two will be eligible for is $493 dollars, so in the very first week, the payment is made to the employee, it will be almost twice what the employee has paid in for the year. That’s the reason why people are concerned about whether it’s appropriately funded. I do agree that this language is not 100 percent wage replacement. It’s close at least up to the first 40 times minimum wage, and so it’s not full wage replacement. We heard testimony about people’s concern that at full wage replacement their would be no reason to go back to work, but even when you get up above that number, it’s still a significant wage replacement, and that’s the reason why I asked the question about unemployment.

Madam President, it seems to me that while this does have a provision in here that requires the use of vacation and sick time to some level, it is certainly a significant wage replacement that makes, again, some of the stories that we heard, some of life’s challenges that people describe to us much more affordable should they choose to take the time off or more importantly be forced to take the time
off, but I do think that those numbers represent the crux of why people are concerned about whether it is going to be solvent within a period of time. So, employers I hear solvency, bill’s gonna come to them, management — I can’t replace these people. I can temporarily replace them, which means I’m probably looking at an unemployment claim when they are let go to give the job back to the individual that we replaced, that we had to replace, and so there are any number of reasons why employers are concerned.

When I’ve spoken to my constituents about Paid Family and Medical Leave, to be quite honest with you, most of them haven’t heard anything about it, they’ve heard about minimum wage. They’ve heard about tolls, but they haven’t heard about Paid Family and Medical Leave. It’s not on their radar. And, so when we talk about a payroll tax or whatever you would want to call it, it’s not a huge amount of money, but it’s certainly something people will notice, especially at certain points in their life. So, when I spoke with seniors, those that feel they need to work in addition to what modest income they get from Social Security, I’m asked are they out of the bill, and I say, no. The payroll deduction is required for everyone, and so that’s a concern. It’s a concern that the people at the end of their life, certainly their working life, are not gonna
have the ability to replace those taxes paid on wages, whatever they might be. I think most of the younger people that have yet to have a family see this as an opportunity, but even they questioned whether the rate is going to be sufficient. Many of them have said to me, this doesn’t seem financially possible -- financially possible. And, so all those things sound alarms with me. Again, we heard plenty of testimony from people about how important this was and how much -- I don’t want to say how much nicer or how much easier, but certainly, it would diminish the challenges of those life circumstances should this be in place and people be able to draw on this fund.

I’m just pretty convinced that it is going to run out of money. I am very convinced that it is going to ultimately end up on the back of the employer. No matter what this language says, it can be changed. The bill currently does not have language in it that says that, but that’s what my constituents believe, and so, Madam President, I think there a number of other people with questions. I do thank the Chairwoman of the Labor Committee. I want to say that I think in all cases during the conversation about this legislation the hearing was respectful, it was -- it gave a fair opportunity for everyone to ask questions and kind of state their concerns, and so for that, I am grateful, and I am
grateful for her response to my questions here this afternoon.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Senator Anwar, to be followed by Senator Kissel.

SENATOR ANWAR (3RD):

Thank you, Madam Chair. I rise in support of the amended bill. I do not have questions, but I do have some comments that I wanted to make. First, I wanted to thank Senator Kushner for her leadership and all the people who have been involved, and the collaboration that has been happening in the last many months, so thank you for your hard work.

I want to share a couple of cases that are -- are worth mentioning, and -- and, so in my other life, I’m a critical care doctor and I teach with a medical school and some of the residents, so we have this patient who had lung cancer and what develops with some of the cancers is that the airways get blocked and people can get pneumonias, and she unfortunately had obstructive pneumonia with sepsis with septic shock, which means that her blood pressure dropped, her heart rate had been impacted, and she was on a machine and critically ill. The fact that she had cancer, which had not only been in
the lung but it had gone beyond the lung, and it was quite significant, and then on top of that having a critical illness the chances of survival were not very good. Our challenge in her management had been that we could not get a hold of her daughter, and our difficulty was because we needed to have the critical conversation about the likelihood of her survival and the heroic treatments that we were providing, and -- and -- and despite those heroic treatments, the outcome was not expected to be in her favor, and with that concern, we wanted to have a conversation with her daughter, but we could not find her daughter. And, after about a day or two of trying to reach out, one of the medical students said that it almost seems as if her family does not care, and it was a reflex response that this student had. We were finally able to use Social Services and reach out and find the daughter. The reality was the daughter was a single mom, and then she actually had two children, and she had two jobs to survive. This woman was working about 90-something hours a week to be able to take care of her children, and there was no luxury that she had to be able to take public transportation, come over to the hospital, and see her dying mother, and be a part of the conversations. This was just one story, and of course, we and our team realized that this was not about lack of care this was about our situation and our environment where individuals when their loved
ones are impacted at times are stuck in a point -- in a position that they are unable to be there with them. In talking to the daughter, what I realized was the pain of losing your loved one was significant but the fact that she was unable to be with her mother at that time was even more painful for her, so it was additional pain that she was suffering from the fact that she could not afford to be with her dying mother.

And, I think there are hundreds of stories like this. Today, one of my constituents he came here to the Capitol and spoke with me about -- from East Hartford. He shared his story and he was crying when he was sharing his story. It’s -- it’s during the part of the pregnancy of his wife, she had developed preeclampsia, and she actually had a complicated pregnancy, and toward the last part of her pregnancy, he had to -- she was bed-bound for safety purpose and for her own and the child’s safety, and he had to be off work. There was no way around it as she was bed -- bed-dependent at that time, and complete bedrest. During the time of the last part of the pregnancy, he had to be there for her, but after the pregnancy, there was a complication and the child was very sick and about 11 days after the birth of the child, the child died, but during that entire time, he could not be at work, of course, and he said, if he did not have
any support from his employer, if he did not have any resources, he was going to leave his job and be with his family, and I would say knowing many of my colleagues around this circle, we will all do the same. We will be there for our families. This is who most of us are, if not all of us are. We will make a decision to be with our loved ones. We will be there when there is a critical situation where whenever that is God-forbid hopefully we will never have that, but that’s the reality.

I think this is something we have to look at and put yourself in the shoes of an individual who has a loved one who is critically ill. Put yourself in the shoes of an individual who has an illness, and they are wondering about what will they be able to do? Would they be able to take care of their immediate needs that they have at the workplace or take care of their immediate surgical intervention that they may require? I think this is part of why this bill is so important. This is why this is critical for us as people who value families, who value the workers, we value individuals in our state have a responsibility, and this is something that’s not out of the blue, and the good news is we are not the first state doing this. We have plenty of data and experience about this. California has done this for many years now. It’s about 14 or 15 years of experience that you can draw from their data and
information from the state of California, and about 10 years now for New Jersey as well, and we can start to understand what went right in those environments and what did not go as well. One of the things that we have looked at and people have made comments and will make comments is that look if you have one employee and that employee is sick that would actually result in the business going to be impacted negatively. The reality is this bill is not making people sick. Let’s not be confused. The illness is not from this bill. The illness is from the illness itself. The bill is not making your loved ones sick either. The loved ones are going to be sick because there is an illness that they may have. They could be severely ill, critically ill, but the bill has nothing to do with it. The bill is a tool, which is an insurance tool, which is going to help that individual get paid because when they will not work because they will make the right choice to be with their loved one or if they can make a choice or they are too unwell to make a choice themselves, they will at least have a way of being able to survive, and as expected in these states where this bill was passed, the number of people who had bankruptcies decreased, and the number of people who actually lost their jobs or left their jobs decreased. That’s what we expected because we will leave our jobs and we will go for bankruptcy if we do not have a choice just to be
with our loved ones in a critical time of our lives because if we are not there we will have to live with the fact that we were not with our loved ones at that time.

So, the data is there that there is a benefit to the employees, but what was the negative impact on the employers? There was not much of a negative impact on the employers. There were a slight increase uptake on the temporary workforce, but it was not a sustainable amount. It was very mild, but it was there. It was a difference that we learned from that, and yes, there’s going to be an impact in some of those situations because there is going to be need for temporary workers in some situations, but not enough for us to -- to be panicking about.

The other part I think is people will say there’s a risk of abuse. Well, okay, that’s -- that’s a fair way to approach this because we don’t want unintended consequences. It’s a good way to think about the risk of abuse, but then let’s look at the data. This is the reality of the data that we have learned from California. You are three times more likely to be hit by lightening in your lifetime -- you’re three times more likely to be hit by lightening in your lifetime than -- in the state of California than in their 10 years plus data that they have of abusing this -- their bill. So, if you start to make policies based on fear of lightening
strikes or being there we would actually not be doing right and not doing the right thing, but the risk is at times creating a panic on the parts of some policy makers, but it also creates panic on some of the employers, but the reality is that you need to have protections in place, and those protections are in place and arguably are better than what California has, so that’s something that we can actually be happy to learn about that aspect.

Finally, I would just say is the reality is this bill is about how we value families, how we value workers, how we value the sustainability of our own workers and their rights, and also the families, unity, and the critical times of our lives, and -- and if we are the people of -- of the State of Connecticut who value individuals and their families, we need to support this bill, so I would urge all my colleagues around this table in this circle to -- to support this bill.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Anwar. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President, and great to see you there this afternoon. I think all of us in this circle run for higher office or run for office
because we want to help our fellow citizens, neighbors, friends, loved ones, and hopefully, leave this earth a little bit better off for having made the effort. And, certainly, we are going to disagree as to the methodology that we put into motion as to how we effectuate our allottable purposes. I am standing not to ask a lot of questions, nor to go on at length, but in talking to my constituents, they are concerned about this proposal and also have some misunderstandings. Many folks that I have spoken to over the last several months regarding Paid Family and Medical Leave felt that this is going to be something imposed by employers, that it’s going to be a complete benefit to them without any cost from them. And, when I explained to them that it’s in the nature of a payroll deduction that will be mandatory, they are surprised. They are unaware -- had been unaware that that’s the concept that’s being discussed and part of the bill that we have right here. Granted, 0.5 percent does not seem like a lot to be taken out of one’s paycheck, but if you haven’t had a raise in a number of years, as soon as this is imposed on you, you are going to see the drop, and while in terms of real dollars it may not be a huge amount out of your paycheck, you’re going to immediately feel like you got a pay cut, and some people may feel that that’s okay, but many folks that I have spoken to said that they had no idea that the State
of Connecticut was contemplating a wage cut to them to create another bureaucracy, another government program. I don’t think any of us here in this room would say that there aren’t instances out there where individuals are indeed in need of taking some time off, and if they have hard-hearted employers or employers that have hard and fast rules that can’t be bent, they may be constrained to make a very difficult decision as to whether to take time off to be with a child or a loved one or a spouse or some other emergency in the family, and we do know that sometimes that poses quite -- God bless you -- a hardship on those individuals and their families. There’s no two ways about that.

But why would the first reaction be to create another governmental bureaucracy? Because it’s my understanding that this bill says that we’re not going to turn to the private sector to try to make this program work, which surprises me because Connecticut that I grew up in was the insurance capital of the world where we have the brains, the background, the wherewithal probably within walking distance of this capital you could bump into an insurance company or too that would have the ability to put this in motion. No. We’re gonna create this large board, tell them that this is their job, it’s in the nature of a quasi-governmental authority again, which I don’t prefer. You’re either in or
you’re out, but I don’t like an entity that isn’t really responsive to us in the nature of a governmental entity, and yet, we give them so many freedoms, and we’ve had problems with quasi-governmental entities, but they they’re gonna go out and hire a slew of employees that are perhaps technically not state employees, but they’re gonna get the benefit packages of state employees, so I don’t know what they are -- state employees or not state employees or quasi-governmental employees.

And, along the lines of what Senator Miner had indicated, 0.5 of 1 percent, every time I’ve looked at this as a proposal, I don’t think that there’s the critical mass to make successful at that rate, and so I think it’s an inevitability for this to be a successful program that they have to come back and raise that cap, and will that -- as Senator Miner pointed out -- come again from the employees? So, now it’s not 0.5 percent out of a paycheck but maybe 1 percent or 1.5 percent, and where will that eventually go? Or, at some point in time, does it become a forced contribution from the employer as well? Right now, the first step -- and these things usually are progressive -- the first step is employee only 0.5 percent, and let’s see where we go.

And, then when I tell my constituents that it’s going to be a number of years before we even know if
we have the right amount of money, so they say, I’m not going to see any benefit for around one or two years, and I go, yes. And, we’re supposed to trust the State of Connecticut, this quasi-governmental entity to hold onto that money and not move it around, send part of it to the general fund or anything like that? Yes. You got to trust them it will all be there, but what’s the criteria for disbursement? I don’t know exactly all the criteria. I know what the intention is, but whether the intention will be fulfilled or not, I think there’s gonna be some rules and regulations. The parts of the bill -- and I commend those who poured a lot of time and effort into this bill. I think there’s -- as has been indicated -- some protections that make it even tougher than California’s law, and I think that’s all a good thing, but I think not utilizing our private sector expertise is a mistake, and I am not against state employees or state employee unions. All you have to do is ask the COs in my district at the six remaining correctional facilities that I have stood up for those corrections officers year in and year out for the 27 years I’ve been lucky enough to serve in this Chamber. That’s not what it’s about, but what it’s about is I don’t want to -- I think it will be unfortunate if we’re here in a year or two and we have 100 new state employees with another contract like we’re gonna have tomorrow where -- I don’t know
-- salary is going to be $80 to $100,000 dollars, and fringe is going to be a huge percentage of that on top. We’re just continuing to add to the burdens that we have to bear as a state when we have all these other programs that are going wanting, the waiting list for people with special needs and things like that.

So, I think we’re not quite there yet. It’s my understanding that at 12:30 at a press conference this afternoon Governor Lamont says this bill as it’s written, which is before us, lands on his desk that he would veto it. He might wake up tomorrow and change his mind. I don’t know, but that was the last I heard, and I think he wanted the direction to be more utilization of the private sector. We have those skill sets out there with employees to get the folks that are really have expertise in this. Do we have to go and poach them from our private sector employers, the ones that are remaining in the greater Hartford area? That would not be good. But I think that you need a certain level of expertise, certainly at the higher levels of this program in the nature of actuaries and things like that to make sure that what you’re drawing in is appropriate and what’s going out eventually would be appropriate, meet all the guidelines. I think for a lot of smaller employers you’re gonna have to hire an accountant or at least a very expertise bookkeeper
just to figure out your way through this. What are your responsibilities? What are the responsibilities of employers, of employees. It’s not a short bill. It’s a long bill, and we don’t want people to trip up accidentally with the best of intentions and run a foul of this, and that’s a problem too. See, what is happening -- this year in particular -- but over the last several is we don’t want to reach where the proverbial straw that breaks the camel’s back. You’ve increased the minimum wage, Paid Family and Medical Leave, all these other burdens and mandates on businesses. The larger businesses might be able to absorb them. They might even be providing these benefits already so it’s not even a blink, but for a lot of the smaller or medium-sized businesses, it’s a problem just to find your way through all these pathways so that you are being a good employer.

So, I don’t doubt for a second that there are people with complicated pregnancies and serious health issues, and problems befallen their loved ones, or just the vicissitudes of human life where they could benefit from a program such as this, but I really question if this is the right program in its current form, and I think that we should leverage the private sector that has the expertise so that we are not brining on more costs onto our shoulders for things like pensions and healthcare benefits and
things like that for this new group, this new cohort of employees that I would suggest is probably going to end up in excess of 100, and to have these skills sets I think that are at the higher end of the wage scale, and not to belittle the data input folks, but I do think that insurance work is highly complicated when you’re going to be involving so many different kinds of employers and different relationships with the employees, and sometimes our reach is more than our grasp. So, I commend those that with the greatest of intentions want to move forward with this, but I think it’s the wrong time, I think it’s a burden on my constituents, I thin they don’t anticipate that they’re going to be getting a pay cut into a forced program where they may or may not have a reason to tap into it. I think how it rolls out is problematic reaching it’s critical mass so that it can actually effectuate what is promising to the public is a real question mark.

And, for those reasons, Madam President, the amendment, which is now the bill, I will have to be voting against this afternoon. Thank you.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further? Senator Abrams.

SENATOR DAUGHERTY ABRAMS (13TH):
Thank you, Madam President. I stand in strong support of Paid Family Medical Leave. When I was out campaigning this past summer and fall, I spoke to so many people who asked if I would support moving forward with the Paid Family Medical Leave, and I was so proud to say that if elected that is exactly what I would do. My good colleague, Senator Kushner, has done an amazing job, along with Representative Porter in coming up with a bill that I think both meets the needs of the people who are constituents, as well as our business community. I believe strongly that regardless of your financial circumstances there is no differences between us in terms of wanting to bond with our children or take care of our loved ones or needing to take care of ourselves at different times in our lives. So, for me, this is just about acknowledging that, about saying that no matter what your financial circumstance is, we’re going to give you away to take care of those that you care about, your loved ones.

In my previous career, I was an educator, and I was very fortunate to have great sick, leave and family leave, and it made all the difference for me as a young mother, as someone who took care of my parents and took care of myself at different times in my life, and the thought that other people don’t have that ability, it just doesn’t sit well with me. I
just don’t think that that’s the way I want to live in a state. I would like it to be more equitable when it comes to that. So, I am very proud to stand here in the circle and make good on my promise that I will vote for Paid Family Medical Leave, and that along with what I think is the majority of people in our state, I will stand up and say that I think this will help them in managing their lives, their work lives, business owners as well. There are some small business owners that would love to take care of their employees in this way, but just can’t afford to, and this gives them the opportunity to do the same thing for the people that they care about that they employ.

I would like to say finally that I’m concerned sometimes when I listen to debate here that the perfect becomes the enemy of the good, and we have an opportunity to do good today. Is it perfect? No. But I have to say that I’ve seen very little of perfection in this circle. I’ve seen people who are trying very hard to do what’s best and to move our state forward in the best way possible and to make the best life for our constituents. So, I would ask my colleagues to do good today, to acknowledge that we all want to take care of our families, and to vote for this bill.

Thank you.
THE CHAIR:

Thank you, Senator Abrams. Senator Hwang, to be followed by Senator Winfield.

SENATOR HWANG (28TH):

Thank you, Madam President. You know this issue of Family Medical Leave has been discussed throughout this building, throughout the General Assembly for many years. Since 1993 when the Family Medical Leave bill was enacted, it provided an avenue and a respect for the importance of being able to take time to care for your loved ones. As the House Ranking Member of Labor four years ago, we had a debate and testimony on these issues. The stories are compelling from mothers to caregivers to loved ones that have suffered unexpected tragedies and illnesses. The ability to take time to care for your loved ones is compelling without a doubt -- without a doubt, and in fact, as we deliberated and delivered the issue, we had a bipartisan passage of that bill out of the Labor Committee -- bipartisan, and in fact, it was one where we talked about the opportunity to work together to find solutions for this very important issue. The appeal to me as I voted for that issue in the committee was that this was an opportunity to address an important issue of providing respect and dignity and a security in employment, but at the same time, balance it with
the needs of your loved ones and family to be able to do the work that you do, but the most important component that compelled me to support that bill was the fact that this was going to be portable and private. We emphasized that fact because the portability. The portability for the employee to be able to have a program that they could take with them or her to any job that they wish, and that would give them the flexibility to be able to have that coverage and to be able to provide the -- the care that’s needed on family leave. The other component was this was going to be a private funded insurance program, and it was a work in progress.

But, unfortunately, for the past three and a half years since that passage out of the Labor Committee, it has been a one-sided conversation, and it has continued to veer toward more government, more employer contributions, more restriction of being a program that is provided by employers and government. It continues to be a very noble plan, and it’s very important to be able to care for loved ones, but the devil’s in the details in regards to how it’s being implemented. And, I know that this amendment that we just passed through today made dramatic changes to the underlying bill, but nonetheless, it veers significantly from the collaborative bipartisan vision that was passed out of the Labor Committee three and half or four years
ago, and that is this is a private program and it gave mobility to employees on the issue of paid family medical leave.

We have veered so far from that, and I was very encouraged to hear Governor Lamont’s philosophy on that closely align with the idea that this is an important program, this is a human-element program, but nonetheless, it is a program that should be run independent of state government. It is a program that should be run to benefit the employees and allow them to manage the program. This bill does not do that.

A little refresher on this is the fact that we heard that California, New Jersey, and Rhode Island had implemented paid medical leave, but isn’t it interesting that all three of those states used currently preestablished disability insurance programs. They did not create a new authority or have the Department of Labor -- as the previous bill mandated -- to manage this program. I think that’s important should we learn from the states that implemented paid family medical leave as we so eloquently used throughout this circle. Yes. Those three states do have an implemented program, but those three states use preestablished disability insurance programs.
And, in 2007, one of the first states to try to adopt this was the state of Washington. Since 1993, the authorization allowed in 2007 the second state to adopt paid family medical leave into statute was Washington, but unfortunately -- or rather fortunately, they stipulated under appropriate -- of under available appropriations in the statute, and in fact, to this day, Washington has not been able to implement paid family leave because to them the state could ill afford the program.

 Those are telling tales and those are telling examples that we have sometimes chosen to ignore in our haste to do something noble and worthwhile. Make no mistake about it, paid family medical leave is important. It is right, but the fact is we have veered away from our ability to pay for it. My goodness, if the state of Washington, the second state to adopt this program, in 2019 has deemed it unaffordable, should we not listen to those lessons?

 Through you, Madam President, a couple questions to the proponent of this bill?

 THE CHAIR:

 Thank you, Senator Hwang.

 SENATOR HWANG (28TH):

 Thank you. Thank you, Madam President. Is this program with the amended bill portable in the
concept that an employee could leave any employer, go anywhere in the country, and be able to carry that coverage for the money they have paid into it via any form of deduction?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This bill allows for an employee to carry that benefit with them from employer-to-employer within the state.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President. So, it’s within the state obviously governed by this so-called authority, but the portability is truly not national. It is only restricted to within the state. If somebody wanted to work in New York or from Granby to live and work in Massachusetts, the bottom line is this is not truly portable from a national basis because it is in a program that’s administered by the state or the quasi authority; would that be correct?
Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. If a person worked here in the State of Connecticut and established the benefit levels -- the work levels required to benefit, they would benefit when they were here. If they went to New York -- as you would suggest -- they would be covered by the New York Paid Family Leave Act. If they went to Massachusetts, they would soon be entitled to a benefit if they were working in Massachusetts -- in Massachusetts. You know, I would like to point out that this is -- this benefit program as you correctly state as was correctly stated by the good gentleman, that this kind of a program that has -- that does now exist in other states and they’re all done as we are suggesting in this bill for employees while they’re employed in the state.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. Through you, Madam President. And -- and I hope to be wrong -- and through you, Madam
President, to get a clarification. Through those three states that I mentioned earlier that use a preestablished disability insurance program, will this be using -- will our state’s program be using a preestablished insurance -- disability insurance program or are we creating a state entity in an essence self-insuring through this?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I am most familiar with New York having worked there at the time I had my children many, many years ago -- almost four decades ago, and I did get an existing disability program through the state of New York at that time. They had an existing program. They did not have it for family leave. They had it for the individual who was themselves ill or injured, and only recently expanded that program. And, so we have learned from them. We’ve spoken with them. We’ve spoken with all the states that have been involved in developing their programs, and I think we have learned a great deal from them, and -- and because of that, I believe this program is not only, you know, going to be really good for employees, but it’s gonna work.
I know that there have been questions raised about solvency for instance, and the rates and all of that. You know, we have done actuarial studies, and we are confident that these rates will be sustainable, both the premium rate and also the benefit, and that’s based on looking at what other states have done and what the experiences have been in those states, so I feel very comfortable with this.

Thank you. Through you, Madam President.

THE CHAIR:

Thank you, Senator Kushner. Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. Just again a point of clarification. I don’t thin the proponent answered. Will this be a preestablished disability insurance program or will this program under this amendment be a newly established self-insurance -- self-insured program of the State of Connecticut? And -- and, I will have a followup after that.

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):
Through you, Madam President. We are establishing a paid family leave authority to establish the fund to provide the benefits for this benefit. To my knowledge, we do not have temporary disability insurance fund run by the state.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, ma’am, and -- and I appreciate the good work of -- of the Senator and Representative chairs in Labor, but through you Madam President, could the good chairwoman explain who did the studies? Who were the actuaries? Were they state employees? Were they private insurers? Who more importantly did the studies that she reported?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President, the original study was done -- it was commissioned by the legislature and it was done several years ago, and it was not done by the state of Connecticut or state employees, it was done by an outside organization that was
contracted with to provide that data. We have asked for updated information based on current modeling, based on current wages, more up-to-date wages, and this particular benefit wage-replacement program, so it was done with actuaries hired by -- you know, working through an outside organization.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

And, through you Madam President, I thank the good lady for her answer. And, what were the conclusion in regards to this program from the payroll deduction and the actual utilization because as we’ve seen in various other programs where premiums are being stripped by claims? And, I also want to offer a letter that was recently sent to Governor Lamont, which was shared with me by a company in -- in my district, Bigalowe Tea Company where the CEO wrote about their prior experience with paid family medical leave. They instituted a paid family medical leave program modeled after the federal program but as benevolent and caring community employer, they paid for those family medical leaves, and what they found in their actual -- actual real life examples of utilization was the use and the applicability within their employees for paid family medical leave was excessive. It was greatly
utilized. The scope of definition that is provided in this amendment equally adds to the possibility that put into real life applications there could be a significant outstripping of premiums to match the needs. Should that ever happen -- and I hope it doesn’t, through you Madam President -- who bears the ultimate burden to meet those premium obligations? I believe if the state of Connecticut’s creating this authority, it would be the taxpayers of the state of Connecticut. Would that be correct?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This program will be established under the authority. The program benefits, as I’ve said, have been analyzed. You know, this bill provides for a wage replacement. It provides for a maximum benefit, maximum premium that can be required paid by an employee, and it has been studied, and it is understood that we anticipate out of the more than a million workers that we have here in the state that the implementation report assumes approximately 102,000 employees would take the leave. I think the average length of the leave was
assumed to be four weeks. again, this was based on comparing utilization in other states. In terms of if the fund were to be insolvent, the bill provides for a reduction in the benefit to address that insolvency.

THE CHAIR:

Thank you, Senator Kushner. Senator Hwang.

SENATOR HWANG (28TH):

Thank you. I want to thank the good Chairwoman for that explanation that we do provide the option of decreasing the benefit and -- and I’m appreciative of that, but ultimately, if it should be outstripped and even if we decrease the premium, ultimately if the liabilities outstrip the ability of the premiums to -- to keep up, is the state taxpayer of the -- of Connecticut ultimately responsible for this self-insured authority program?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I don’t believe there’s any provision within this bill for the state to bear that responsibility. There are provisions
in the bill that provide for annual reporting, and a board that will be responsible for carrying out its fiduciary duties to make sure that we are meeting target fund balances necessary to provide the benefit, so I think the protections are there that the fund will be solvent.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. Then, I’ll have one more question, and then I reserve the right to ask more down the road if it’s okay, but why not consider a private portable program through preexisting disability programs that -- that would be one that would be consistent with the governor’s preference and also, I think a much more employee beneficial program that we discussed nearly three and a half years ago?

Through you, Madam President. Why not explore a private insurance disability program rather recreating the wheel and wondering about a lot of what ifs?

Through you, Madam President.

THE CHAIR:

Senator Kushner.
SENATOR KUSHNER (24TH):

Thank you, Madam President. I don’t think we’ve made a determination that this program cannot have elements that are performed by outside private insurers, and you know, we looked at this issue and we’ve heard both sides of the issue from many, many advocates from many, many employers. We have studied the issue of not whether this would be run better completely in house by DOL or whether it would be better to do it through a private insurer or as we have now written into the bill making it a quasi-public that gives us and affords us the opportunity to make those determinations through a careful process of examination.

Now, there are certainly plenty of people who feel private insurers have not always performed well for the people that are covered by them -- you know, lost claims, delayed claims, denied claims, huge profits. So, there are those -- we hear those criticisms, and we also hear people who says that you know the government can’t possibly run this program. So, we’ve heard both sides of the issue, and I thin that’s why the approach that we’re taking is so sound to create a quasi-agency authority here that will have the opportunity still to do RFPs and look at what’s the most cost-efficient way to carry out this program using employers in the private industry where necessary or where it’s most
efficient, but relying on our good resources of the
state, which we have many and very abled-bodied
people that can carry out a program, so I think
we’ve left this program. It’s not vague or
unconsidered. It’s really actually very -- has been
very well thought out, and I think that it
contemplates making sure that we have the
opportunity to take either approach.

I will point out that there is no state that is
completely privately run. In New York for
instances, there is the state insurance fund that
certainly is used for part of the benefit program.
For those parts of it that are contracted out to
private insurers by employers, there’s a great deal
of regulation and it can be costly and cumbersome to
oversee and make sure that we are protecting
employees and employers from -- in the way the state
is responsible for to protect against fraud or
abuse, and so the regulation piece of it in New York
is extremely well developed. It emerged over many,
many years, and for us to take that approach in
building a new system could be quite costly to the
state, so all of these considerations have been
made, and I think in taking the approach that we are
we’re being very careful to give ourselves
flexibility at the same time to make sure that we’re
building a good strong program that will survive and
will be strong.
THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. Through you, Madam president. With her eloquence, it just brought up another question for me. Through you, Madam President. What was the thinking to move from the federal mandate of 75 employees in the state program of 50 to 1? When we talk about a state that needs to energize small businesses and know and understand and appreciate the struggle of small businesses to survive on the heel of raising the minimum wage and the other possible costs that may be imposed on, why did we make the transition down to a single employee rather than giving the 50 employee minimum?

Through you, Madam President -- Mr. President.

THE CHAIR:

[Laughing].

SENATOR HWANG (28TH):

Welcome! What a transition. Good to see you, sir.

THE CHAIR:

Thank you. You -- you blink, your eyes and things change.
SENATOR HWANG (28TH):

Thank you, Mr. President. Yep.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Mr. President. I’m glad you asked that question because there was a lot of thought and consideration given into what size employer, and one of the things that I learned in this process is that the other states provide the wage replacement benefit to all of the employees, to everyone who’s contributed and everyone contributes. What they don’t always have is job protection, and this bill when you say it’s one employee or more, that pertains to the section of the bill that provides for job protection for every employee, and you know, I talked to a lot of small businesses when I was contemplating this bill and thinking about the different ways to approach it, and what I heard from small employers is we have a very tight relationship with our employees, we’re like family, and when somebody gets sick, we take care of them. We take care of them making accommodations to take time off, sometimes small employers try to pay them, but that’s probably the biggest, hardest part for them is coming up with some wage replacement, and -- but
they were very happy to learn that for a very small premium their employees could get wage replacement at a level that they couldn’t provide. You know, and sometimes in this debate I feel like the issue of small employer versus large employer has been flipped upside down because this bill provides job protection. It says if you are a single employee working with an employer you can’t be fired because somebody in your family gets sick. The wage replacement comes from the fund, comes from the premiums, and most small employers don’t fire people when they get sick or when somebody in their family is dying. What happens is the big employers do that, and they have a policy that’s inflexible, often times, not every big employer in the state by the way. We have some wonderful big employers [Laughing] in the state. Some of them right down the street from me.

But I think what we’re saying is that everybody should have their job protected and that means even if you’re small, and I think small businesses see this as an opportunity where they can compete. You know, when you do look at wage replacement that is given now for employees who are taking family leave, it typically is from the large employers. One on my street who because it’s an international global company based in Germany they actually provide very generous benefits to their employees because it’s
part of their worldwide policy, but a small business can’t compete with that. So, in fact in many ways, I feel like this program and the way we’ve structured it will allow a small employer to compete because they’re not going to be paying for that wage replacement out of their pockets, but they will have the comfort of knowing that someone who is taking care of a sick family member or they themselves sick have the -- have the ability to call on this insurance program to get some wage replacement, and those are the guys that aren’t firing people for getting sick, so you know, we might have a few bad apples amongst them who would fire someone when they get sick, but this bill will protect those jobs.

THE CHAIR:

Thank you, Senator Kushner. Senator Hwang.

SENATOR HWANG (28TH):

Welcome back, Madam President. Through you, and -- and I appreciate the good proponent’s point on wage security and job security. Those are important elements to -- to anyone’s employment outlook. This bill I clearly in reading addresses a lot of those concerns, but my question is for a small business of one, two, three, four, and if those individuals -- and -- and according to this bill if it is a couple that feel it’s necessary to concurrently take leave -- you lose literally half of your organizations
ability to deliver goods and services and do business. Where is the consideration for small business owners who bear the brunt of the risk, who bear the brunt of meeting payroll that have of their skilled and valued employees can take that time with no recourse? I think that is where my concern in looking at simply one or more employees rather than looking at what was the federal mandate of 75, and our states look at 50 because there were thoughts and consideration that larger organizations could possibly absorb the loss of valued employees, but when you look at a company of four employees and if a husband or a family member concurrently go out, you lose half -- half of your ability to compete in a competitive marketplace. What recourse do we have for them? Ultimately, I know that this bill makes a decision. It makes a decision that the rights of the employee far outweighs the risks and the rights of employers. I believe that there should be balance. I believe there should be fairness. Sure, are there bad actors on both sides? Absolutely. But I feel in this bill we have tipped the pendulum too far to one side at the risk of hurting the equal partner in a successful business endeavor in our state. I’ll reserve judgement and hear more of this debate, but again, going back to my first experience three and a half or four years ago, ultimately, my support of this bill because it provides important human respect and element values to care for your
loved ones. With that being said, the fundamentals has not changed from those days. The math doesn’t add up. The viability and sustainability of this program does not add up, and if we go forth with this with a lot of actuarial ifs, we may put ourselves at risk, and I hope we follow the suit of Washington State and say under available appropriations for us to implement a program as ambitious as this.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Senator Kushner.

SENATOR KUSHNER (24TH):

So, I do want to return, through you Madam President, I do want to return to the issue of the math doesn’t add up because the math has been done, and it isn’t questionable, and it isn’t in doubt. We had the ability to look at both the wage base of our workers here in Connecticut and also look at what has been experienced in other states. And, for instance, in California that has been -- this program as was pointed out earlier by my good colleague, Senator Anwar, has been in place for more than 10 years, and during that time, we’ve had ample opportunity to study the program, study the average duration of leave, study who takes the leaves, and
how much money is necessary. In California, they charge considerably more than we charge -- than this bill contemplates. This bill contemplates a half of one percent contribution premium to -- to get the wage replacement, but we’ve also limited the amount of time that a person can take leave to up to 12 weeks. In California, for instance, if you yourself are out, you could get up to 52 weeks of wage replacement. In California, there’s a higher cap on the maximum amount of the wage replacement. It’s over $1000 dollars -- over $1200 dollars compared to this bill contemplating at a $15-dollar minimum wage, $900-dollar cap.

So, I think that we have been really conservative in looking at what would it cost to provide these benefits, and I believe the math does add up. I think it makes good sense, and it’s very sound thinking, and we came in with a benefit that was below the half percent, and we were very cautious not to put anything into jeopardy.

I also want to just comment briefly again on I mentioned that I think there a lot of good small employers in this state, and I know those small employers, I know those small businesses, I know what they’ve gone to protect employees, what they’ve done to protect employees when they’re out on leave, but I also want to say they’re really good employees, and I forgot to mention that, and
employees also work with their employers. They also consider themselves family and work together to make sure that they are -- when they have a need and when they have a problem that they are able to address and be flexible and meet the needs of the employer as well, and I am confident in both our small businesses and our employees of small businesses.

Thank you, Madam Chair.

THE CHAIR:

Thank you. Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. I rise to speak in support of the bill. I want to begin by thanking Chairwoman Kushner and Chairwoman Porter for the work they’ve done to get us to this point. I know a little something about that. I had the opportunity once as Chair to be able to make the attempt but failed, so again, I want to thank them and thank them both for allowing me to be a person who in a sense has been a confidant during the period of trying to get here. So, because I have the experience that I have, I also have spent a little bit of time in this building on some of the more controversial, more important -- if you will -- bills, and I recognize that often times deep thought and eloquent words go into building a path to
getting us to know, and I don’t know that I’m going to be deep or eloquent, but I know that I have some stories to tell about why while some of us can’t say yes, I can’t say no to this bill. And, those stories that I’m going to tell are the stories that built the shape that you see before you, the person that you see before you, and there are two particular stories that are important. And, I guess what I’ve realized through those stories is that often times when you’re going through it, your pain feels unique in that moment of the pain itself, but then you live a little and you learn that other people have shared your pain in one way or another and you recognize your connection to those people, and that’s why whenever we debate these kind of things I don’t talk as much about facts, I talk about the stories that connect me back to other people.

So, one of the stories I want to tell is a story of -- and I’ve told various pieces of the story -- the story of my mother’s passing. My mother spent a lot of her life ill, and in 2010, she began her process of dying, and it was an unfortunately two-and-half-year process, and I spent a lot of time -- I was in the legislature. I have another job like many of us. I spent a lot of time going back and forth between the hospital and Long Island and either my place of work or this place. A very difficult time,
but being there was more important to me than I could have possibly known at that time because part of who I now know that I am comes out of the experiences that I had, being able to spend that time with my mother as she died. I came to know that something that I think many of us as children probably never expect, and many of us never hear that I was a hero to my mother. That’s an experience that should I not have been able to be there I would not have had. And, let me say it’s not that I had paid family leave, it’s that in the middle of the night I would drive to Long Island and make my way to the hospital. It is not that I had a little bit of time off so I could go and sit with my mother the way I would have liked to, it is that I would give up sleep, and I would take away from my marriage so that I could go spend time with my mother.

I learned the story that I’ve learned a lot more about in the last few months. So, I’ve told the story about my mother’s name and how her name related to why she thought I was her hero. I’ll tell it again briefly. My mother was named Armenta [phonetic] who was a daughter of Harriet who was a daughter of Armenta. Those names are the names that collectively make up the names of Harriet Tubman, and my mother was very interested in the issue of getting people free and being able to be involved in
that, and she was very interested in that but had not in her mind the ability to do it. So, when she saw the work that I had been doing -- first as an activist and then as a legislator who still thinks he’s an activist -- she was not only proud of that, but she came to see me as a hero in her mind.

Fast forward a little bit. I guess I wasn’t going to tell this part of the story, but fast forward a little bit, I discovered that that curious thing that happened with the names is more curious than I know because very recently -- I don’t know a lot about my family history -- but very recently I was trying to figure out some things, and I realized that name goes back further than we thought. So, my mother passes and the stories that I otherwise would not have known become a part of who I am in a way they never could have become, but they become precious to me because they are what I have left of her. Now [Crying], if you’re a parent and I hope you’ve never experienced this, you’ve experienced the loss of a child. It is perhaps one of the most painful things you could experience. I’ve experienced that pain, and when my current wife said she was pregnant, I wish I could have been happy, but I was afraid. I didn’t know if I could lose another child. I didn’t know if I could literally deal with losing another child. And, so when I went to the doctor with my wife and the doctor said
there’s your baby and there’s your other baby the level of fear increased because I know that the possibility of having twins and what might happen increases the possibility that the outcome is not what you would want it to be. So, when my kids came -- they were early -- they had to go to the NICU, and it meant that as parents we needed to be there with them, but what I discovered when we went to the NICU was that my son for whatever reason just would not eat unless I was in the room.

So, when you are a parent whose child has come early, whose in the NICU, the thing you want to do is get that child out of the NICU, but I didn’t have paid family leave. Now, it didn’t matter that I didn’t have paid family leave because I would have figured out how to work at any job possible so that I could be there giving up the job that I had, but I know every single day that I was struggling to be there in that NICU so that he could eat, so that he could come home like his sister who had already come home. That fear that I had ratchet up. That’s what paid family leave is about, and I know that we’re gonna talk about every single number. I know we’re gonna talk about public versus private. I know we’re gonna talk about all of that stuff, but what I know is that these stories that connect all of us, these are the things that that bill is really about. And, if this bill passes, thank God it passes. But
if it doesn’t pass, those who say no, those who have buts, every single one of them have the ability to put in a bill, whatever flavor of bill they want. If this is as important as we all seem to be saying it is -- the majority of us at least -- then we should be making an effort to pass a paid family leave, but right now in front of us is the ability to help people so that they are not walking around trying to figure out what it is they can do to be able to see their daughter, their son, their mother, their husband. I know that pain and because I’ve shared that pain that others have shared, I rise today in support of this bill, and I hope that as many people in this Chamber as possible can rise with me to support this bill.

Thank you.

THE CHAIR:

Thank you, Senator Winfield. Will you remark further? Senator Logan.

SENATOR LOGAN (17TH):

Thank you, Madam President. I stand in opposition to the amended bill before us. The amended bill before us would be another tax on Connecticut workers. The amended bill before us would be another payroll tax, which most Connecticut workers would be forced to pay. The amended bill before us
is essentially a half percent tax on the income for most Connecticut workers except union state employees. One of my top priorities as a legislature is to do all I can to make Connecticut more affordable for individuals and families living here in Connecticut. Therefore, I am reluctant to vote in favor of any bill which makes Connecticut significantly less affordable for people. I am not inclined to vote in favor of the amended bill before us because it raises taxes, and I believe it hurts people.

In addition, the amended bill before us would be another reason for businesses to desire to move their business operations out of Connecticut. I believe the amended bill before us would be yet another reason for companies, businesses to want to stay out of Connecticut, and this is significant. This is important because we here in the state of Connecticut are in a financial crisis, and we need policies and plans, and a sustainable way of getting out of this financial fiscal crisis that we have, and I believe we need to do that by way of encouraging businesses to stay here in Connecticut, encouraging business to come to Connecticut. We need more people working, more people paying taxes, and so as we continue this trend here to create burdensome regulations, to make Connecticut less affordable by tax increase after tax increase, we
are actually doing the opposite and we are actually hurting the very people that this bill is intended to help. I believe in the concept of paid family medical leave, but I do not support the amended bill before us. This amended bill effectively increases taxes and goes too far too quickly in terms of adding employee benefits that we as a state cannot afford at this time. We need to work on ways to improve our state economy, and we need to work on ways to lift our state out of the current financial crisis that we’re in. This amended bill would ultimately hurt the very people it’s intended to help because it would result in making Connecticut less affordable for people. This amended bill will make Connecticut less attractive to businesses, to companies, and as a result, this amended bill will hurt Connecticut workers by ultimately reducing job opportunities.

I believe in the existing Family Medical Leave Act. Folks should have the option and opportunity to take time off from work to help loved ones. We as a community, as a society we look out for one another. We look out for those that are closest to us, and many times there are people within our close-knit group whether it’s family or friends that have limited friends and family there to help them, so we should encourage folks to help each other out. I believe in the concept of paid family medical leave.
However, I do not throw my support out at any bill simply and only because of the title. The details of this bill -- this amended bill or any bill -- the details matter, and the collective details of the amended bill before us are bad for Connecticut workers. The amended bill before us now will ultimately hurt individuals and families, and it will hurt Connecticut business. The amended bill before us now will further damage Connecticut’s economy by deepening Connecticut’s current financial crisis. I believe that there are other viable alternate options available, which would meet the objectives and would meet the concept of paid family medical leave without hurting the very people it’s intended to help. I believe that there are other viable options to enact the Paid Family Medical Leave policy that does not discourage the business community from operating in Connecticut. I support the concept of paid family medical leave; however, I do not support the collective language of the amended bill before us and for these reasons, I plan on voting no on the amended bill before us.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Logan. Will you remark further on the bill? Senator Haskell, to be followed by Senator Martin.
SENATOR HASKELL (26TH):

Thank you very much, Madam President. I am incredibly proud to support this legislation, and I urge my colleagues to do the same. First and foremost, I want to thank the leadership of the Labor Committee, both Senator Kushner and Representative Porter for their tireless work on this issue and in particular, this bill. I also want to thank the leader -- leaders of our caucus, Senator Duff as well as Senator Looney, for prioritizing this issue and making this bill SB 1. I think that that sends a real message to people across Connecticut.

Madam President, I believe that those who write our history books are watching this Chamber today. Should we decide in this circle to bring paid family leave to Connecticut will turn the page in Connecticut history and begin a brighter, better, fairer, and most importantly healthier chapter. A fundamental question that constituents asked me when I knocked on their door this summer is why should Connecticut citizens be left behind when our neighbors and our friends in Massachusetts, in New York, in New Jersey, in Rhode Island, in California, in Washington, and in D.C. are given an opportunity to have a fulfilling family life without suffering in their professional pursuits. Of course, Madam President, it’s not just Connecticut residents being
left behind. This is happening across the country. The U.S., as I’m sure you know, is the only OECD nation without paid family leave. A recent UN study found that 183 out of 185 surveyed countries offered paid family leave. The two that were missing were us, Madam President, and Papua New Guinea. I think that my friend, Senator Anwar, said it best, “This bill won’t change the number of people who get sick, it won’t change the number of people who have children”, but what it will change is it will resolve that impossible dilemma that too many workers face when they encounter these inevitable circumstances. It will give parents more time to bond with their child, which study after study shows improves cognitive development. It will give parents more time to vaccinate their child, which study after study shows improves childhood health outcomes. It will prevent people from going back to work when they’re still sick. It will prevent them from putting themselves and their co-workers in danger.

From an economic development perspective -- and we’ve heard a lot about what’s best for the business community in this Chamber today -- Madam President, studies show us that the next generation of work life balance when they decide where to start their careers, so I ask to my colleagues in this Chamber, what message does it send to young people when they
can get a job in New York and Massachusetts or New Jersey where they won’t have to choose in advancing in their career and starting a family, but in Connecticut, their job, their workplace is going to be stuck in the 20th Century.

As I press the green button today, Madam President, I think about my own mom, a single, hard-working mom who had to go back to work just two weeks after I was born, and she’s not alone in that. That’s true for 25 percent of American moms, but it shouldn’t be. Today, we begin to fix that. Madam President, in 1990, long before I got here, this Chamber passed paid family and medical leave -- of course, it was unpaid -- and the national government followed. Just three years later they brought family and medical -- the FMLA to the U.S. Congress. I think that once again, Madam President, this is an opportunity for Connecticut to lead the way, for our moral convictions to stand unabashed in saying that this is a state where no one is going to be forced to make that impossible choice.

So, thank you, Madam President. I’m excited to support this bill today, and I urge my colleagues to do the same.

THE CHAIR:

Thank you, Senator Haskell. Senator Martin, good afternoon.
SENATOR MARTIN (31ST):

Good afternoon, Madam President. Madam President, I think you know most of us in the Chamber here all agree that the family medical leave is important. You know, I heard some good ideas today regarding this Family Medical Leave and perhaps it should be portable in allowing individuals to bring it from state-to-state. That might make it more acceptable, but there are concerns and I think the solvency of the program itself is always on top of people’s minds, and you know, here we are with questions regarding the solvency -- the future solvency of the program and how many times do we -- this body pass legislation that costs us. We don’t know what the outcome is and what the expenditures are going to be. We just passed that legislation and to find out gee we’re running in a deficit, and then we’ve gotta raise taxes, I guess down the road to offset those expenditures, but decisions that I’d like to I guess start making better sound fiscal decisions so we can get our fiscal house in order, but regarding the solvency of the program, I -- I do have a couple questions for the proponent of the bill, and from my understanding, the collection of the program will start in January 1 in 2021; is that correct?

Madam President.
THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. That is correct.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam President. The benefits portion of that will start one year later in January 1, 2022; is that correct?

Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. That is correct. I should point out I think it’s clear in the bill that there’s a little bit of leeway built into it to provide for, you know, making sure that we are able to do everything, you know, well and appropriate, so I think there’s a monthly weight built into that.

THE CHAIR:

Senator Martin.
SENATOR MARTIN (31ST):

Is there a reason, Madam President, through you, that this program is not starting in 2020 -- January 1, 2020 rather than 2021?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President, through you. We are starting it a year and a half from now to give us the time to put all the pieces in place that will make it run smoothly, make sure that we have adopted all the guidelines that are necessary, engage in the public education that is necessary, put the team together on the ground that is necessary to make sure that we’re covering all the bases, so you know, it’s customary. In the other states, it has also been -- it has been implemented some period of time after passing the bill. I would say that one of the things that give some reassurance is that we have some good neighbors right next door who are creating a very similar program to what we’re establishing here in Connecticut, but they are a little ahead of us, so Massachusetts is implementing a bill. They’ve already passed a bill. It’s been signed into law by -- their governor signed it into law,
and they are working through the implementation now, and I’ve had the ability as others have within state government here in Connecticut to talk to some of those folks who are responsible for that program, and I think they’re doing a great job and we have a lot to learn from them, and it will make our job easier, but we still want to give ourselves the time that’s necessary to make sure everything is put in place and done correctly.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair. The startup program itself -- how many employees are we talking about?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam Chair. There is a fiscal note on this that lays out the number of employees that they anticipate would be hired initially to start the program up, and I’m just looking through my papers here. Give me one minute. It says on page 2 of the fiscal note that the DOL would be hiring between
four and eight additional staff -- two principal attorneys, a five-staff attorneys, and one administrative assistant. It goes on to say there would be other start-up costs that are enumerated on page 3 of the fiscal note, and I do want to point out I’m sure you’ve seen this, but that the cost of the start-up is required under this bill that the cost of start up are to be paid from the fund within the first year of paying wage replacement.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair. Do we anticipate an increase in employees from 2021 to going forward? So, once the program is started, how many employees do we anticipate on having?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The number of employees that would be hired would really be depend on which aspects and which elements of the program are maintained in house versus contracted to an outside vendor, so again, on that issue though, the actuarial assumptions that were built into this
program is that any cost for either the employees of the authority or for the use of employees or the use of existing employees in fact by one of our departments like DOL or DRS, those would have to be -- those costs would be paid back to the state for any services provided by a state department or agency.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So, if I understand that it is the program that will be paying for the cost of the employees?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. That is correct. The program will pay for itself including the cost not just of the wage replacement but for all of the costs of the implementation including staff.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):
Through you, Madam Chair. Are there -- has there been or will there be any bonding involved in the start-up portion of this program?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

We have not put any bonding requests into this -- through you, Madam President. I apologize. We don’t have a bonding request in this bill. It’s not anticipated in this bill that there will be bonding necessary. However, I will point out that the budget does provide for bonding for various applications that could include portions of this implementation.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair. And, how much in the budget is that amount?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):
We have -- through you, Madam President. We have not put in a specific amount in this bill because, again, it would depend entirely on which portions of it were implemented through an outside vendor in which were fulfilled internally to the current state agencies and departments.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair. So, if we do hire an outside firm, a third party, we may have to use some of the funds that are allocated or appropriated through the budget to pay for those services?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam Chair. Could you repeat the question?

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):
So, through you, Madam Chair. So, if we are going to use the outside service or a third party, and well obviously we would have to pay for them, so there’s a chance that we would be using the allocated or appropriate budget amount to pay for those outside services?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I believe the fiscal note does anticipate that there could be start-up costs. It doesn’t specifically say through bonding, which was your original question, which is what my hesitation was, but there could be start-up costs that would, for instance, require spending money for information technology, and that is in the fiscal note, and that was anticipated.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So, just to -- we’re all clear I guess -- so, is any portion of that money bonded?

Through you, Madam Chair.
THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. There is no specific intent of this bill to bond any portion of it.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

However, it is in the budget from my understanding that the good Senator said previously.

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. It is entirely dependent on which portions or if we do decide to hire out any of this work, and so that has not been determined.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):
Through you, Madam Chair. So, should there be bonding money used? Is it the intent of the program and the authority to pay back those bonding funds? Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam Chair. I do feel like I can answer that question. It is our intent -- that’s an easy one [Chuckling] -- because it is our intent that all the costs for start-up and all the costs to -- ongoing costs of this program is intended that they are paid back by the fund.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam. The program tax is about half a percent on wages up to a Social Security amount that’s limited to I think $132,000 dollars a year, and should the fund be I guess heading towards insolvency, I would assume that the authority will be looking to increase that threshold. Is there going to be a limit to that -- how much that amount would increase to so those that are currently capped
at $132,000 dollars, will there be a percentage tied to that or will it be unlimited?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Actually, the bill is very clear that you cannot raise the percentage of either the premium or the amount of income on which people pay, so it is tied to the Social Security earnings level, and that right now is $132,900 dollars -- it’s $132,900 dollars right now. If that threshold of the Social Security earnings level went up, then obviously it’s pegged to that, but there is no provision in this bill. There would be no way in which you could raise the amount of income on which somebody pays above the Social Security level. The way that any concern about insolvency would be addressed is provided through the ability of the authority to reduce benefits.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):
So, that is the sole -- I guess -- option that the authority has?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. That is the sole opportunity to address any financial concerns regarding the fund balance.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

I would think though legislatively we could come back here and change that?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I am aware that you can always change legis -- you can almost in every instance legislate something different.
Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam Chair. Earlier, there was a question regarding the deduction of the portion -- that half a percent -- so, that I'm clear; is the income that is deducted for the fund, for the program, is it exempt federally?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. My understanding is that the contribution is not -- that -- that an employee would not be making is not exempt from federal taxation.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

And, I thought I understood that the state is -- it would be exempt from the state income?

Through you, Madam Chair.
THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. It is my understanding the intent is not to apply state taxes to the premium that employees would be paying.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So, that would be a deduction on the state income tax?

Through you, Madam Chair.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I don’t -- I’m -- I’m not -- I can seek counsel on that, but I am not familiar with how that would be accounted for.

THE CHAIR:

Senator Martin. [Pause].

SENATOR KUSHNER (24TH):
Thank you, Madam --

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. These are not intended to be pre-tax dollars. These are contributions that would be made after a person’s already paid whatever taxes they are obligated to pay on their income.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So, it sounds like that both federally and state income tax it is the -- we are -- they are not exempt from tax -- from being pre-taxed?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Yes. You know, if I had any confusion it’s sometimes because we’re thinking about the -- the weekly, you know, wage replacement versus the actual premium contribution.

SENATOR MARTIN (31ST):
So --

SENATOR KUSHNER (24TH):

They are not intended to be pre-tax dollars.

SENATOR MARTIN (31ST):

Thank you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you -- thank you, Madam President. So, basically, we’re paying taxes on that $260 dollars as the annual payment?

Through you, Madam President. As an example.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. We would -- yes. The premium for this insurance program would come out after a person had already paid taxes on their income.

THE CHAIR:

Senator Martin.
SENATOR MARTIN (31ST):

Through you, Madam President. So, if someone receives a benefit, is out for 12 weeks, and they receive the maximum -- whatever they qualify for -- then would they be paying taxes on those monies that they received of that benefit?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. My understanding is that those -- the wage replacement would be subject to federal taxes.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

And, through you, Madam President. What about the state income tax?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):
Through you, Madam President. My understanding is that that would not be the case.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So, going back to the federal income tax, then we would be paying taxes on that?

Is that correct, Madam President?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I’m not a tax attorney, but I have had some conversations with folks to understand this, and because this is an insurance premium that is paid for by the employee, not the employer, I believe that is -- goes into the calculation of why that would be not pre-tax dollars, and so you are paying on it, and then the federal government in other states has determined that they do -- they have require taxes out of the wage replacement benefit.

THE CHAIR:

Senator Martin.
SENATOR MARTIN (31ST):

So, it sounds like we’re paying taxes when we earn it and -- when we first earn it, pay taxes, and then now we’ve paid the premium, and we take 12 weeks, we receive the benefit of the maximum amount -- whatever it may be -- and, now, we’re paying taxes on it again. So, it sounds like double taxation.

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. And, you know, I believe we’re basing this understanding on what we’ve seen happen in other states in terms of the federal taxes. Obviously, we don’t have any control over how that decision is made in the federal government. I would hope that since there has been a lot of discussion about having a federal program of paid family and medical leave, that’s one of the issues that I hope they would address. It would also address the portability question that others have been concerned about because [Laughing] if we had a federal program, which I think we would all really like, we wouldn’t have some of the portability questions that have been asked by some of your earlier collegauges.
Thank you.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. One last question. And, that is will there be individuals who will be contributing to this program and not receiving a benefit?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This insurance program is like any other insurance plan. You -- you kind of hope that you never need the benefit because you can only use that benefit if something happens to you or your family members, and so you hope you’d never use it, but you know we know from other experiences that most people in their lifetime at work get seriously ill or have a family member that gets seriously ill, so you know, when I was talking to people I had sometimes an older worker say, well, I’m retiring next year so this is never going to happen for me, but then you think about
their child who might have to take off and take care of them and being 66 years old that used to be my response to them is I that I want to know that if I get sick my kid can get paid family leave and take care of me, so you know you hope you wouldn’t use it, but it’s like any other insurance program. Everyone pays in but you know you can’t guarantee that everyone in their lifetime will use that benefit.

THE CHAIR:

Thank you, Senator Kushner. Senator Martin.

SENATOR MARTIN (31ST):

Madam President. Thank you. I’ve got no further questions. Thank you.

THE CHAIR:

Thank you, Senator Martin. Senator Slap, to be followed by Senator Champagne. Senator Slap.

SENATOR SLAP (5TH):

Thank you, Madam President. I appreciate your time and good evening. I guess it is technically evening, so good evening to you.

THE CHAIR:

Indeed, it is. Good evening.
SENATOR SLAP (5TH):

I do rise and stand in support of the bill, enthusiastically in support. I want to thank Senator Kushner and her Labor co-chair, Representative Porter in the House, and certainly leadership in the Senate here, Senator Duff and Senate President Looney for their leadership in making this bill Senate Bill No. 1.

You know, I spoke last week when we were debating the minimum wage bill, and I said that that is an important piece of the puzzle when we’re talking about strengthening our economy and making the economy fairer for all folks including and especially women. We know that there’s a significant gender-wage gap, and last year we passed this pay equity bill to help close the gender wage gap, eliminate the pay history question. That’s an important piece of the puzzle and that passed bipartisan, and now, this year the minimum wage bill is another important step forward as we know that 60 percent of -- of those who make minimum wage are women.

And, now, we come to this bill, and this bill is so critical for many different reasons, and I want to just highlight a few of why I am so excited to vote -- to vote yes for this important piece of legislation. One, it’s important for working women.
One in four women return to work within two weeks of giving birth. That’s a national statistic -- one in four. And, 70 percent of mothers with children under the age of 18 months are actually in the labor market. This bill’s gonna do something about that and help women stay -- right -- in the home longer to care for a child, if that’s what they decide that they want to do. We know that where this bill has been enacted -- and California is one example, we’ve discussed that in the circle -- that this improves outcomes for young children. It reduces infant mortality rates by up to 10 percent where’s there’s paid family leave, it increases birth weight. Statistic show it actually even increases high school graduation rates. So, it’s good for women, it’s good for children, it’s good for business too. You know, in California, the statistics show that 87 percent of businesses said that there were no increased costs with the plan, and in fact, about 10 percent said that there were reduced cost, less churn that reduce cost, actually less training, increased productivity, and as you said, less turnover. And, if you think about it, most businesses are not going to fire an employee who has to leave because they’re sick or they have cancer or they have to go out on leave, and many of the businesses, as it’s been mentioned, will bear the burden, will bear that cost themselves right now, but when this legislation passes, they won’t have to
do that. In the conversations I’ve had with constituents, some actually just 20 minutes ago on my computer right here via email -- great dialogues back and forth about what this would mean, and I think the more we talk through it with businesses they understand that this can actually be a cost saving for them, and it’s good for -- for their employees.

Finally, I would say that this is good for men. All right. We heard Senator Winfield’s very powerful description of how he would have been helped if there was this type of a program available. I could say that I would have been too. Not exactly the same circumstance, but I remember when I had my first child, Maggie, who’s 14 now, and when I first found out that we were pregnant, I started grinding my teeth at night. I was so stressed about the finances, and I think that might be true with many new parents, and when Maggie was born, I took four days off from work. I still hear about that from my wife, by the way, and that was 14 years ago. I didn’t feel that I could do more because of financial concerns, and while that is a regret that I still have, and it may seem like that’s kind of an anecdotal argument, it is rooted actually in real statistics. Because, again, if we look at California, we see that the number of men who utilize the program to take time off to bond with
their new child nearly doubled, so we know from stories and we know from statistics that this type of program is good for women, it’s good for children, it’s good for a business, and it’s good for men.

So, I do have a message to our governor. I know that Governor Lamont has indicated that he is going to veto this bill, and I have great respect for our governor, and I am a supporter of his. I would urge him to think twice before he does that and to listen to our stories, to listen to Senator Winfield’s story -- that powerful story of how important this legislation is, and you know what, there’s gonna be a lot more of these stories down in the House. Many hours of them I’m sure. So, I would urge our governor, stay at the table, work with us. If we need to make tweaks, we can do that. We have time, but I know we share the same values, and we want to see this get passed. I know our constituents voted for us because they don’t want us to be Washington D.C. All right. They want us to get things done, and they want us to help the economy and make it fairer and make it stronger. This bill is going to do that, and I urge my colleagues to support it.

Thank you very much.

THE CHAIR:
Thank you, Senator Slap. Senator Champagne, to be followed by Senator Cohen. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I have a couple questions for the proponent of the bill.

Through you, Madam President.

THE CHAIR:

Thank you, Senator. Please prepare yourself, Senator Kushner.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President, through you. Do municipal employees who are part of a union have to pay into -- or have to pay the one-half of one percent income tax increase?

THE CHAIR:

Senator -- Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President, through you. State employees would only participate in this program and pay premiums if through collective -- municipal employees -- let me start over because I’m -- I was a little distracted. Municipal employees would only participate in the program and pay premiums if they
through collective bargaining negotiate to be included in the program.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you. Through you, Madam President. Do municipal employees who are not part of the union have to pay in the one-half of one percent income tax increase?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

[Laughing]. This bill does not require municipal employees who are not represented in collective bargaining to participate in the program and pay the premiums.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President, and through you. Do state employees who are part of a union have to pay the one-half of one percent income tax increase?
THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. Let me go back for a minute and clarify my response. A municipal employee who is not covered by collective bargaining could be required to participate in the program should any bargaining unit in that municipality through negotiations between the municipality and the union representing that bargaining unit decide to negotiate to inclusion in the program. In such case, a municipal employee who’s not that municipality -- an employee of that municipality who’s not covered or not represented through collective bargaining, would then be required to participate in the program and pay the premium, and -- so that -- I -- I apologize. I was literally answering the question, but I wanted to make sure there was a clear understanding.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, and through you, as a followup question to that. So, if -- if a municipality -- a union member decides they want to join and pay that one-
half of one percent for the family medical leave, then the nonunion employees would be required to join at that point?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. So, it -- it’s never quite that simple that an employee can decide to participate in it in that way. A union member in a municipality would have to -- the bill is very clear it would have to be negotiated, and through negotiations, that’s a two-party negotiations between the employer, the municipality, and the union, and so it is simply not one-sided decision by a union member or even the union that represents those union members, and so in that sense, the municipality makes a determination through negotiations they participate in. they have some opportunity to oppose the program if they choose to. Once the program is negotiated, then in fact, all of the non-represented employees of the municipality would be required to participate in the program and pay the premium.

THE CHAIR:
Thank you, Senator Kushner. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President, and through you. State employees who are part of a union; do they have to pay the one-half of one percent income tax increase?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. State employees would have the option who are represented by a union, would have the option of negotiating into the program into the same -- with the same -- in the same way that I just spoke about municipal employees.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President, and through you again. The same question -- would the state employees who are not part of the union?

Through you, Madam President.

THE CHAIR:
Thank you. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This bill does require state employees to participate in the program. Those who are not represented by a union do not have collective bargaining rights would be under this bill that we as a legislature would be adopting and the governor would be signing would have the obligation of participating in this, and they would have all the rights afforded to participants and receive the benefits from the program that we are creating here.

THE CHAIR:

Thank you, Senator Kushner. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President, and through you. If these employees have a -- a sick time bank, are they still required to take part in this program?

THE CHAIR:

Senator Kushner.

SENATOR CHAMPAGNE (35TH):

Through you, Madam President.

SENATOR KUSHNER (24TH):
Through you, Madam President. If an employee has -- would be -- employees of the state would be required under this bill to all of the other obligations that are covered in this bill including paid time off, they would be allowed to retain up to two weeks of paid time off. Amounts in excess of that would have to be used before getting the weekly replacement.

THE CHAIR:

Thank you, Senator Kushner. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you. Through you, Madam President. And -- and I guess it goes back to the exact same question. Would the sick time bank -- they would still be required to pay the one half of one percent though?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Employees whether they work for the state or whether they work for a private employer unless the employer -- it’s up -- let me start over. It’s really up to the employer under this bill because the employer can allow someone to -- to take time off without using their paid time off. They can require up to two -- they
can require to use all of it except for two of your weeks.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Yeah. I just don’t think I got my answer. Through you, Madam President. If they’re in a sick bank, it’s donated by multiple employees, that would give them the time off that they needed. So, the question is if they’re in a sick bank, do they still need to pay the one and a half to one percent and be in the program?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The bill applies the same way to state employees as it would to employees of a private employer, which is that the employer determines how much of paid time off they require an employee to use before they can use the benefit program provided under this fund, so they can only retain up to two weeks of paid time off, so if the employer determines that they want them to use their paid time off prior, they are -- they would be required to do that.
THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Same question. I’m still looking for the answer. Are they still required to pay the one half of one percent to be part of the program even though they have the sick bank?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Every employee participating in the program would be required to pay the one half of one percent.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you. If the -- if employees have large numbers of vacation days, large -- I’m sorry. Through you, Madam President.

THE CHAIR:

No worries.

SENATOR CHAMPAGNE (35TH):
If employees have large numbers of sick times that they bank for many years, they have large numbers of vacation days, can they file for an exemption to not pay the one half of one percent and join the program?

Through you.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. There’s no provision in this bill for an exemption. That would be in the determination of the employer.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. From what I’m understanding, union members -- public union members can basically never join if they don’t want to, so they can never be forced to pay the one half of one percent that the rest of the state is paying?
Through you, Madam President. Sorry.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Could you restate the question?

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Yes. Public -- public unions could never be forced to join this and pay the one half of one percent income tax increase?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I don't believe that was a question, but I think I know what you're trying to ask, and so I would say you could not force public employees to -- to participate in any other manner than through collective bargaining.

THE CHAIR:

Senator Champagne.
SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. So, we said equitable. Somebody mentioned equitable in discussing this program; yet, we have exempted potentially hundreds of thousands of people from the program, and to be frank, that’s not too equitable in my eyes. An insurance program that because we keep talking about this premium that’s being paid out, it is a -- you’re paying for something that you can use; yet, you’re required to use your sick time, your vacation time, your earned time all the way up and it leaves you two weeks left. Under this program, some people -- a large number of people are going to be paying premiums -- well, I’m sorry -- the income tax because that’s what it is. If you can’t -- a premium is something you can pay for and receive, but if you have these large numbers of sick days, you’re part of a sick bank, you are part of a union that is protected under this, or you are another entity that -- that maybe comes from out-of-state to into state to work, then -- then the equitable goes away. There is no equitable across -- across the state.

I guess I have one more question, through you Madam President.

THE CHAIR:

Please proceed.
SENATOR CHAMPAGNE (35TH):

Are -- are -- you said this was a negotiation between the union and the employer. Are private -- are unions that are not public unions, are they required to pay the one half of one percent of income tax increase to join this program?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. All employees including those in private sector who are represented by a union are required to participate in the program. How that would be handled would depend on their collective bargaining agreement and their -- any negotiations that might engage with their employer. There could be other conditions in their collective bargaining agreement that might impact that, but they would be required to participate in the program and pay the premium.

THE CHAIR:

Thank you, Senator Kushner. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you. Through you, Madam President. So, basically, one -- one contract in the -- for unions
on the private side they automatically have to pay; yet, we’re gonna follow the collective bargaining for municipal and state employees? Can you just describe the difference between the two?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The difference is in the bill, and it’s covered in the eligibility and covered employee language. It’s actually right up fairly early on in the bill about covered employees and covered public employees, so that definition is written into this -- that description of how you would go about participating in the program is a part of the bill covered under lines 23 to 39 for public employees.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I have no more questions, but I do -- just want to finish my statement. You know, the word equitable was used, and I just want to point this out. I mean we’re treating unions different, we’re treating employees across the state of Connecticut different. You
know, some people will never get to use this benefit because they have to go through all of their sick time, they have to go through all of their vacation time except two weeks, which with some people that’s quite a bit; yet, they’re going to continue to pay this income tax increase, and make -- you know, there is no -- there is no difference in what we’re talking about here. This is an income tax increase. This is not a premium. A premium is when I pay for something, and I can actually take advantage of it, and because everybody can’t take advantage of it and not everybody’s required to pay into it, it is not equitable across the system, and I do have a problem with that.

Thank you.

THE CHAIR:


SENATOR COHEN (12TH):

Good evening, Madam President, and thank you. I rise today as a mother, a daughter, a sister, a wife, and more -- most importantly perhaps in this conversation a business owner, and I want to rise in support of this bill. I believe whole-heartedly that this is a benefit that would benefit so many
across the state. It is one that I wish that I could provide to my employees now. Sure, we have sick employees. That happens from time-to-time, and in the past, we’ve worked with these employees to establish some sort of plan by which they can take time off. We’ve even had circumstances where we have worked out a payment system with them.

However, you’ve heard me speak time and time again out in the public and even in the Chamber about the rising cost of health insurance, and it’s a big problem for folks across the state. You’ve heard me talk about people with $1600 dollar-a-month premiums paying $16,000 dollar a year deductibles -- huge deductibles. These people are valued by their employers, their team members. They want to take time. They want -- these employers want to be able to give their employees time. They are unable to do so, and so what happens is you’ve got the sick individual that needs to take time off from work, and yet, they have these huge insurance premiums to pay. They have to meet their deductibles, so they have to stay at work. They have to continue to make ends meet. They have to continue to collect that paycheck, so they go to work distracted. They go to work ill. They go to work unfocused, and they muddle through or perhaps they don’t muddle through, but either way, it’s a bad situation. And, this is the reality. This is the reality we are faced with every day. Employers are faced with this situation.
Employees are faced with this situation. In fact, I’ll share with you a story with my husband’s permission. When he was 7 and when he was 9, my husband had open heart surgery, and his parents were divorced, and they were not wealthy. In fact, they were dirt poor, and my husband was very ill, obviously, and they were trying very hard to make ends meet. In fact, my husband recollects living in an apartment in Connecticut where they had to skip steps because the steps hadn’t been replaced and some had been rotted out, so very living with very, very little, and he was in the hospital and had to stay there for a long time. And, his parents again, had to make ends meet and could spend very little time with him in the hospital as a result. So, I -- I know what that must feel like.

It really tugs at my heart strings. As a parent of three children, I can’t imagine not being able to spend every moment that I possibly could with my children if they were ill and in the hospital or ill at home trying to recover, and I think of that mother or that father who wants so badly to be there, but knows that they won’t be able to pay the bills for their other children that are still healthy and still trying to go to school and still trying to eat, that they won’t be able to pay the rent. They’ll be evicted, and they’ll have nowhere to go, and so they make a choice, and they make a
choice that they have to go to work and leave their sick child in the hospital, and that little boy is very scared and wants his parents, and his parents can’t be there because they have to pay the bills. So, his parents took very good care of him, and I don’t want to make it sound like they weren’t there for him. He -- he thinks very highly of his parents, loves them very much, and appreciates all that they did for him, but he struggles -- he struggled because he couldn’t have his parents with him at every moment. He couldn’t have his mom crawl in bed with him when he was scared, and he was trying to heal from these very serious surgeries.

So, I urge my colleagues to remember that we are talking about human beings here -- fellow humans. The point is that with or without this program people get sick. Family members become ill. There are major life events, but the difference is they can’t take the time that they need to take to spend with their loved ones.

So, I urge my colleagues to support this legislation. This is good legislation, and it’s about doing the right thing for our fellow human beings. So, I just want to thank Senator Kushner and Representative Porter for all of their hard work and the time they’ve put into this, and again, urge my colleagues to vote yes in favor of this bill.
Thank you.

THE CHAIR:

Thank you, Senator Cohen for your remarks. Senator Formica, to be followed by Senator Berthel. Good evening, Senator Formica.

SENATOR FORMICA (20TH):

Good evening, Madam President. Thank you very much. I rise for a few questions, and then a few comments for the proponent of the bill.

THE CHAIR:

Senator Kushner, prepare yourself. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Good afternoon, Senator. Thank you for your -- your passion on this. I have some questions with regard to kind of the body of the bill and some of the certain line items if you have that available in front of you. You mentioned a few things, and I’ll start -- this is an insurance. You’ve used that term and through some of your other comments, the half of one percent as a premium. Is there contemplated the dollars collected used to buy an insurance plan and act as premium for some type of insurance plan through another provider or is this going to be a closed
fund, and those -- those are just the terms you used to talk about how that fund is?

THE CHAIR:

Senator Kushner.

SENATOR FORMICA (20TH):

Through you, Madam President.

SENATOR KUSHNER (24TH):

Through you, Madam President. It is contemplated that this will operate as an insurance fund with regard to people paying a premium, which is up to one half of one percent, and then receiving a benefit if they qualify for that benefit. Whether or not it is all done through the state or whether it is done through a private insurance company is not determined, it is contemplated in this bill that there could be portion of this that would be then contracted with a private insurance company or a vendor to provide services.

THE CHAIR:

Thank you, Senator. Senator Formica.

SENATOR FORMICA (20TH):

Thank you very much, Madam President. And, thank you, Senator. So, as -- as I read this bill, I don’t necessarily see that opportunity. What my
understanding of this would be that employees around
the state with the exemptions so noted by the
previous speaker would be required to pay half of
one percent of their paycheck from anyone -- any
employer who has one employee or more would -- would
have to have that done, and that this would be
basically a self-funded plan with those dollars
building up over a period of time, and then being
redistributed back to the employee upon notification
or sign up or something that indicates that yes they
are ready to take their portion of this 12-week or
all of the 12-week or whatever -- however, they
notify whoever they notify. I don’t know that
that’s spelled out in here either. Would that be
correct?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. First off in terms of
the closed fund versus -- I’m not sure exact -- I
want to make sure I understood your question. It is
a closed fund in that it is self-sufficient. It is
self-sustained. It is not part of another insurance
program or another fund of the state, but going to
your question -- your second question about -- and I
do want to point out it is up to one half of one percent, so the authority could determine that we don’t need to charge the full half of one percent to provide the benefits, and that is allowed under this. It is up to the authority to determine how much that -- what I’ve been calling a premium would be up to one half of one percent.

With regard to -- could you restate the last part of your question?

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you. Well, the last part was simply what that one half of one percent or the qualifying payment -- whatever it is as determined as you said by the authority -- that aggregate that it accumulates over time -- I understood it to be that’s what we’re working from. When you first opened our conversation, you mentioned that there could be contemplated private insurance plan that would supplement or maybe take all of the -- the liability of this plan. That’s kind of -- I want to make sure that I understood the plan first, which was the payroll deduction to -- to an aggregate amount that gets redistributed back to those employees who ask. And, then how is that
different, if it is, from the potential self-insurance fund -- self-insurance premium or plan or stop loss plan or any other insurance plan?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. So, absolutely you’re correct in reading this that certain portions of this could be contracted out to an insurance company, but it would be for a modular part of it like initial claims processing. So, in that regard, which isn’t uncommon even with self-insured plans, you can contract out some piece of it and not necessarily all of it, so that is what we’re talking about in this bill, but I do want to -- I do want to comment on part of -- the way you framed that question that kept distracting me is that someone could just get this benefit or imply that there are specific requirements in the bill that you have to meet one of the qualifying events, so you have to have a serious illness or one of the other qualifying events, and -- and I do want to make sure -- I’m sure you know this, but just to make sure that we have a common understanding that under the Family Medical Leave Act that currently exists for the state of Connecticut, it’s almost entirely the same kinds of qualifying events. I think we’ve
added a bone marrow donor, but there would be -- there are going to be those criteria are well established, and they are going to be -- you’re going to have to meet one of them. In addition, the bill does spell out that you can be required to meet medical certification to receive the benefit, so I just wanted to make sure that people don’t think that this is just like somebody says I want to take 12 weeks, and you get 12 weeks. You have to have a qualifying event, you have to have a certified, there are notice provisions that you have to provide to the employer. So, I think it’s a pretty well-regulated program.

I don’t know if that’s what you were asking me, but you made that comment, and I didn’t want to -- I didn’t want to leave that sitting there.

Thank you. Through you, Madam President.

THE CHAIR:

Thank you, Senator Kushner. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. And, I think, you know, we’re moving along and having this good conversation about what -- what were in it, and I think you’ve qualified that the wonderful sunny June, July, and August wouldn’t qualify for 12 weeks off under this plan unless it happened to coincide with one of the
qualifications that were listed that you say mirror the current plan, which is unpaid or unreimbursed I guess is -- but -- so, if we get -- and, thank you. So, if we get to the -- to the bill on line 77, there’s been some conversation. I think it was Senator Miner who talked about the authority, and I just want to clarify shall not be construed to be a department, institution, or agency of the state. That’s what is says in the bill or I guess in the amendment, which has become the bill.

And, then we move to the following page 5, line 131 indicates that on or after 1 January, 2022, the employees of the authority shall be considered state employees for the purposes of performing jobs and executive branch bargaining, and etc., etc. So, I want to get to the authority is a group of volunteers as appointed by -- the way it’s outlined in here -- certain people have certain appointments, and they become the 15 members that will oversee this. They’re called the authority, which is indicated on line 77 that is not a state agency, not to be construed to be a department, institution, or agency of the state; yet, the employees I imagine that will be working for that authority, the authority will direct the employees on -- on how to manage. The authority has certain obligations that it will do to set up the plan such as bylaws and opportunities to -- to implement the plan, etc.,
etc., and the employees on line 131 are -- are said to be considered employees of the state, and have all the bargaining rights. If you go to line 163, officers and all other employees of the authority shall be state employees for the purpose of group welfare benefits, retirement including but not limited to those being provided under the Connecticut General Statutes.

So, I’m trying to understand the mechanism of these things. I’m a process guy, and I’m trying -- you know, we’ve appointed these 15 people. We’ve -- we’ve dictated that every employer in the state of Connecticut unless you are a sole proprietor or a single unit LLC where you have no employees, everybody else is pretty much mandated to participate in this plan, and so in my case, in my example, I have 53 currently employees, and they would -- they would have to participate in this, and somehow I would have to count that half of one percent would have to go somewhere, into some fund in a bank, and then once a week the way we pay our payroll we would have to electronically fund transfer that probably to some -- I think what’s being called is the insurance trust premium fund; or am I close to that? And, then that would have to be redistributed back at a time when -- when the employee qualified for this -- this program, so I’m trying to figure out how -- where those employees
are, and who pays the capital expense for the software programs and the job stations and -- and the other necessary items that would -- would be included in the operational portion of that distribution of those dollars -- collection and distribution of those dollars?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The bill does address the issue of the family and medical leave insurance authority, which describes on line 74, 75, 76 to be a bodied politic incorporate and shall constitute the public instrumentality and political subdivision of the state created for this essential public and governmental function. There would be employees of that authority and the authority -- you asked who would -- you asked through Madam President who would pay for those employees and their desks and their -- whatever they need, equipment to process and carry out the business of the authority. That would be paid from the fund. The initial start-up cost would be provided by the state, but the bill requires that those start-up costs -- any start-up costs paid through the General Fund have to be repaid to the
General Fund within one year -- less than a year of the wage replacement being -- happening, and that would be October 1, 2022.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. And, I know the good Senator who sits to my left is working on the budget that came out of Appropriations, and -- and we’ll I imagine hear that at some point, and in that budget that came out of Appropriations, there was $5.2 million dollars that was included in the Department of Labor Agency budget. My understanding was $4.8 million dollars of that $5.2 million dollars was related to 35 or 40 employees with an average salary of about $80,000 dollars plus fringe for a partial year to set up this plan. This bill doesn’t seem to recognize that, and that those dollars were the seed money to pay for the employees going forward, but it was specific that they would work for the Department of Labor, and whatever the mechanism of management in the Department of Labor, those employees would fall under that. The authority doesn’t seem to be spelled out here what mechanism -- who would manage the employees. I wouldn’t think that the -- the one person appointed by the Majority Leader of the House
of Representatives or the Minority Leader of the -- of the Senate would be the one to manage the employees. There -- there would have to be people doing that, so there would have to be things set up, and there would have to be dollars and numbers contemplated for that; has that been thought through or how or -- how are we going to say how many employees we think we’re gonna start with?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This bill does contemplate that there would be employees hired from the authority to carry out the functions of the plan -- you know, the implementation of the plan. However, it doesn’t specify how specifically that would be done because it does leave open the option that we would contract out with private vendors for various modules that are articulated as well as any other modules that are determined by the authority be necessary for the implementation, so I think it’s contemplated there would be a certain number of employees hired initially, but that the process of the RFPs, you know, that’s -- that’s intended here would determine whether or not would be wiser to
hire those folks and employee those folks through the authority to do these different functions, or whether it would make more sense and be more cost effective to contract that out to a vendor.

THE CHAIR:

Thank you, Senator Kushner. Senator Formica.

SENATOR FORMICA (20TH):

Okay. Thank you very much, Madam President. Thank you for that answer, Senator. The line 154 talks about the executive branch authorized and empowered to negotiate on behalf of the authority with the employees of the authority covered by collective bargaining, so it would seem to me that would be the same process that exists today where there’s an undersecretary -- I believe is her title -- of OPM who is in charge of the labor contracts. We’ve seen 11 of those so far. My understanding is we have a number more still to come, and they would -- OPM would then be responsible for negotiating those contracts, and -- and --

Through you, Madam President; is that correct?

THE CHAIR:

Thank you, Senator Formica. Senator Kushner.

SENATOR KUSHNER (24TH):
Through you, Madam President. That is contemplated here that if there are employees, and they are part of a collective bargaining unit, then they would -- then OPM or the executive branch would have the authority to negotiate. I believe that is a practice in other quasi-public and other authorities that we have here within the state.

SENATOR FORMICA (20TH):

Thank you, Madam President. Can I just assume you thought that? That -- through -- instead of waiting for you to say -- through you, I apologize.

THE CHAIR:

Yeah, no worries.

SENATOR FORMICA (20TH):

I jumped the gun. I jumped the gun. [Laughing].

THE CHAIR:

No worries, Senator Formica. Please proceed.

SENATOR FORMICA (20TH):

So -- so, you said if there -- Senator, you said, if there collective bargaining. This bill seems to say they will be covered by collective bargaining and treated with all of those benefits that incurred by the collective bargaining, so my point with this is that the OPM negotiators that I have seen come
before Appropriations and that we have talked about here have really, in my view, not negotiated those contracts. They’ve kind of just said, it’s the SEBAC agreement. Everybody’s on board. You get a $2000-dollar cash bonus. You get raise over two years between 6 and -- I’m sorry. Eight and 13 percent, and then you move on. So, it would seem to me that’s what’s being determined here, and that that’s what probably is going to happen so that we can figure out how much we’re gonna have and when that is feathered in over the next few years as additional state labor employees.

The line 169 talks about the compensation of the members of the board and necessary expenses, which I’m assuming would be some kind of mileage or -- or anything like that. Would that be correct?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. Yes. Line 171 says with the standard travel regulations for all necessary expenses that may incur through service on the board.

THE CHAIR:
Thank you very much, Madam President, and then on page 8 on the very bottom, 237, it said paid family medical leave insurance program to provide up to 12 weeks, etc., and it -- it talks about a trust fund that -- that is there. Is that something that will not be part of any kind of budget process or a sweepable event or a lapsing policy or anything that’s gonna be connected with anything here? That will be a strictly separate account and apart from the budget process?

Through you, Madam President.

Thank you, Senator Formica. Senator Kushner.

Through you, Madam President. That is my understanding. This would be a separate fund that would be only used for the purposes of paying out the benefits and paying for the expenses of the implementation of the program.

Senator Formica.

SENATOR FORMICA (20TH):
Thank you, Madam President. That is with the -- the budget items that, you know, they kind of begin and end with the fiscal years, and this plan would seem to me would have to -- you’d have to kind of carry things over, right? Because if I’m not taking the 12 weeks this year and you are, there’s still dollars left over there, so -- so I would think that it would be a little bit different than what -- than what we’re doing, and I just wanted to get the legislative intent on that record that that would be the case.

It talks about, on line 247 -- I’m sorry, 258 -- 247 to 258, where the authority shall be responsible to publish information with regard to the amount of contributions collected and benefits paid during the previous fiscal year, as well as the total amount for administration and what’s remaining expected future and expenditures and contributions, and then it goes on in line 264 to talk about if at the close of the year the previous fiscal year is less than or greater than the target fund balance each November 1, thereafter; the authority may announce a revision to the previously established contribution rate provided that the revised rate does not exceed one and a half -- it does not exceed one half of one percent. I think you indicated that -- maybe I’m -- maybe I’m assuming you didn’t think it was going to start out to be half of one percent. You thought it
could go anywhere from 0 up to half of one percent. But once it hits one half of one percent, this seems to indicate that if there is a problem then what happens? If there is a shortfall in this fund, if we’re at one half of one percent, does the authority have the opportunity to revise the previously established rate?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The authority -- if the rate has already reached one half of one percent, the authority does not have the ability to raise the contribution rate higher. It does, however, have the authority to reduce the benefit, and it says specifically in the least amount necessary.

SENATOR FORMICA (20TH):

So, that goes to my next point, which would --

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Oh, I’m sorry, Madam President.
THE CHAIR:

No worries. [Laughing].

SENATOR FORMICA (20TH):

Thank you, Senator. Thank you, Madam -- Madam President. You know, lines 284 talks about a state collection agency being involved and if -- if that’s necessary; 314 to 322 talks about the -- the percent, but to your point that you just made with regard to reduction, 323 says not withstanding if an employee contribution at the maximum allowed determines the contribution are not sufficient to ensure solvency the authority can reduce the benefit. So, it would seem to me that that wouldn’t really be what people are signing up for. If we have a formula here that says you make X, you can get Y, you contribute this, and then all of a sudden we’re contributing a half of one percent, we might get up to $1000 dollars a week for a few hundred dollar contribution would seem to me that solvency would be probably an issue at some point in time if everybody decided to take this thing, and now this provides for the opportunity to kind of renege on the deal and -- and go backwards, so I have some concerns with that.

The next 333 talks about two spouses employed. I -- I have the unique situation in my business where we have 10 couples who have met and married there over
the period of time that we have -- we’ve actually had the good fortune of doing a few of those weddings. It’s been kind of cool. I feel like a grandfather and uncle and all of that at the same time. But line 333 talks about two employees, two spouses, and they can take that at the same time? So, if I have a cook who’s a dad and a bookkeeper who’s a mom, and they give birth to a beautiful child -- this happened a couple of weeks ago -- the both -- they both are entitled to take that at the same time? Or is there an opportunity to restrict that?

SENATOR KUSHNER (24TH):

Through you, Madam President.

THE CHAIR:

Senator Kushner, I apologize.

SENATOR KUSHNER (24TH):

[Laughing]. That’s okay.

THE CHAIR:

Please respond.

SENATOR KUSHNER (24TH):

The bill is very clear that they get the aggregate of 12 weeks. They don’t get to take 12 weeks each. They do get the benefit for their full 12 weeks, but
they don’t -- the employer does not have to release them for 24 weeks. They get the aggregate of -- when there’s two spouses with the same employer, they only get up to 12 weeks. I do want to point out something though that just so there’s no misunderstanding. You had mentioned previously in your comments that they could get a benefit of $1000 dollars a week, but under this program, it -- the benefit would be capped at 60 times the minimum wage, which on a $15-dollar minimum wage is $900 dollars. Just -- I just didn’t want to let that go.

SENATOR FORMICA (20TH):

I rounded up.

SENATOR KUSHNER (24TH):

Yes.

SENATOR FORMICA (20TH):

Thank you for that.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. So, $900 dollars a week. So, to understand your answer, they -- they expand their family, and they’re both entitled to 12 weeks off at the same time?
I take 12, she takes 12, the next 12 weeks we’re off together, right? And, both people because they’ve paid in they get to collect?

Through you, Madam President. I -- I want to be clear they do not both get 12 weeks’ time off. The employer does not have to give them 12 weeks off. They have to give them in the aggregate 12 weeks, which means that if one of them takes 6 weeks, the other one can take 6 weeks. If one of them take 9 weeks, the other one can take 3 weeks, so it is in the aggregate. It’s combined. Their protection -- their job protection relates to when there’re two spouses working for the same employer, the employer does not have to give them each 12 weeks of leave. He has to give between the two of them a combined amount of 12 weeks.
SENATOR FORMICA (20TH):

Perfect. Thank you very much for that clarification, Senator. And, then I just a couple of notes. Line 366 says there -- this authority can acquire real and personal property as part of implementing this plan. I think we’ve talked about solvencies on line 4. Well, I guess we’ve covered that in a way that we’ve been able to talk a little bit, so pardon me while I catch up here a little bit, Madam President and Senator. The memorandum of understandings that are listed on line 466 and 475 with the Department of Revenue and the Department of Labor indicate sharing of costs, and I wonder with the Department of Labor on line 470 what those sharing of costs might -- might be?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. If the Department of Labor were necessary through memorandum of agreement to release information, they might have a cost to -- for instance -- collect that information and put it in a form that could then be released. The cost of performing that service to the authority would -- it would be required that the authority compensate the
General Fund or the Department of Labor for those costs.

SENATOR FORMICA (20TH):

So -- so --

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. So, thank you, Senator. So, it would be almost an event that the authority may say I want a contract with the Department of Labor because they have the opportunity to have this information, just as they might, as you indicated, contract with another service outside that or another insurance agency. Is that my understanding? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. My understanding is that those things are not referred to as contracts but probably for some legal reason they’re called memorandums of understanding, so -- but I think in essence we have the same understanding that there
would be a requirement that the DOL would basically charge the authority for its costs. This plan is intended to be self-sufficient.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. And, thank you, Senator. I appreciate that answer. My concern is -- and I don’t think I’ll have any further questions -- but I thank you for the generosity of your responses. My concern is the comingling of the authority and -- and how the employees of the authority will -- will be housed and how they will be paid, and the -- the information that they receive, and is that separate and apart from these other agencies that are listed in the bill -- the Department of Revenue Services for Collections, the Department of Labor for information? I just I’m encouraged somewhat that you have indicated that there might be an opportunity for private sector involvement in this, and it might be a better mousetrap for the implementation of this plan.

And, Madam President, I think I will begin my closing remarks the way I did when we talked about minimum wage. That we are not up here opposed to employees at all -- at least I’m not. I’m up here
talking about the economics in the state of Connecticut, and I want to defend my right to be able to provide benefits to my employees that they want, that they’ve been used to having, that they want to continue to have, and so that I’ll be able to be affording of that opportunity to continue to do that in spite of all of the mandates that are coming out of this assembly that are putting pressure. If you remember, I talked about a prime cost in the minimum wage debate that are putting pressures on those prime costs for me to operate. And, while this may seem to be a program that may not have pressures because the employee is going to contribute one half of one percent, there seems to be some kind of float we’re depending on for those benefits to be paid because it doesn’t seem to be a cash-on-cash return that will sustain those benefits, but yet, the employer would have to find a way to manage to get of the 50 some odd that I may have, as an example -- I have to figure out how my bookkeeper is going to track those half of one percent per 50 people, and then get that via some type of Excel spreadsheet or something to the -- to the authority for them to park somewhere and distribute one at a time as they get there once the fund becomes active. We have to figure out -- and I know I believe Senator Miner talked a little bit about deductions. You know I have a number of deductions that come out of our employee’s
paychecks. I pay 50 percent of their health insurance, they pay the other 50, so the health insurance is deducted each week out of their paycheck. Some people decide to get supplementary insurance such as an Aflac program that comes out of their paycheck every week, the portion of the monthly payment. The employee pays the weekly portion of their premium, and then I as an employer am responsible to pay Aflac or to pay the insurance program at the end of the month as I collect and manage those dollars.

There are a couple that we have wage garnishments that we have to measure that people are getting caught up with their past obligations, and so those wage garnishments are a weekly event that we take off, and there are some employees that ask for cash advances and loans, and you know, as a good employer, we want to make sure that our employees have the opportunity to move forward, so those things are deducted through there. Some employees say, you know what, I like to get more money back at the end of the year so I want you to take out an extra $25 dollars or $50 dollars a week to pay against my income tax. All of those things come out of the paycheck every week, and if the employee then takes 12 weeks off and they’re being paid by the authority, I don’t know how the authority is going to collect all of those dollars as deductions and
distribute them in the areas to which they need to go or whether for 12 weeks those deductions stop in which case that would be problematic to the employer who would either have to shoulder the balance of that cost or I guess find a way not to deal with that obligation, so I’m -- I’m a little concerned about the mechanics of that.

I’m concerned about training the people that are going to take the place of the valued employee for 12 weeks. That’s going to be an extra cost, and we’ll have to figure that out, and then during the 12 weeks when the employee’s -- the substitute employee is working, I don’t see where I read that we have to hire back the original employee, but I’m assuming that that would be the case. Even if we prefer the substitute worker -- what if the substitute worker decides that they’re a much better worker than the one we replaced? I’m gonna end up paying unemployment one way or the other. Either for the substitute worker or for the worker that is -- is taking the 12 weeks, and certainly, I’m being facetious when I talk about replacing the worker with the substitute on a permanent basis.

But those are costs that I think are going to be incurred by a number of employees -- employers, and certainly, the larger employers will be able to achieve those costs or incorporate those costs a lot more than some of the small employees for one or two
or three employees who would have a very difficult
time adhering to this program and still maintaining
the quality of the small business that they’re
doing. We have heard, Madam President, the talk
about employees who work 80 and 90 hours a week to
survive. I want to just get on the record that
there are small businesses who work 80 and 90 hour
weeks to survive to make sure that they have the
funding necessary for the capital infrastructure
where the employees come to work every day, that the
employee support that they get be it the percentage
of uniforms or the benefits that they get or the
places that they can sit and enjoy the opportunity
to do their work and provide product support not
only to the employees but to the customers. There
are many employers who -- who are up late trying to
figure out how to manage those things, especially
given the amount of pressures that are being put on
businesses here by this General Assembly, so I
believe that a lot of my employees are going to be
faced with what benefits that I can continue to
provide them in light of what the state is deciding
that I should provide them, so I think there should
be market conditions. I am somewhat encouraged by
the good Senators comment that she or the bill would
contemplate and be open to private sector
participation. I think that that is the answer in a
lot of way, and I think could be the win/win
solution out of this whole deal, something that
employers could live with and something that employees could benefit from. So, I’m grateful to have the opportunity to have the conversation today. I’m grateful that the good Senator put this forward for that conversation; although I think there is a lot of work left to be done.

And, I will close just by mentioning that if you recall my comment with regard to the fulfilment company at the minimum wage debate who did those 15 to 20-million packages a year. The day after that debate I got an email saying that their cost went up as a result of that debate by $300,000 dollars, and that some employees would suffer no doubt in order to make up that $300,000 dollars, but that they work on a very slim margin, and places in Nevada and North Carolina are much more competitive with their warehouse space or their other payroll or other overhead costs that are here in Connecticut, so this just -- these conversations that we’re having and these bills that we’re passing and should the governor sign that into law will force that fulfilment company to be looking at other states to move their 10,000 -- 800,000 -- however many square feet of warehouse and employees they have here in Connecticut to friendlier states. So, I’m hopeful that as we have these discussions, Madam President, we’re mindful of the effect on main street, and that as we wind down the last few weeks of our session
and we talk about how we can move the state of Connecticut forward, let’s have a double-sided conversation. Let’s not have conversations about a dozen new employee contracts and benefits or increases wages and benefits that are dictated by the state to small businesses on main street and large businesses throughout the state of Connecticut, but let’s find a way to make sure that those businesses could benefit and prosper because as those businesses benefit and prosper they pay increased taxes who help pay for the lights in this building and who help make sure that municipalities get property tax payment and increased capital infrastructure so property taxes increase, and they provide those employees who volunteer as board of education members locally or little league coaches. Those are the people that come out of small business. That’s what community is about.

So, as we move forward and close these debates, I ask my colleagues on the other side of this issue to make sure that we’re mindful of small business, and I know that we heard about one Senator who is a small business owner that likes this idea, but can’t afford to provide this idea without this government program, and I would submit that that is the essence of our argument.
Thank you, Madam President, and I appreciate the opportunity. And, thank you, Senator for your kind --

THE CHAIR:

Thank you, Senator Formica. Senator Berthel, to be followed by Senator Flexer. Good evening, sir.

SENATOR BERTHEL (32ND):

Good evening, Madam President. Thank you. I too rise in opposition to the bill as amended. Once again, I find myself standing before the members of this circle with some deep concerns. I once again stand here questioning the action we are about to take in this Chamber, and I once again fear for the future of this great state. You know, when proposals like a statewide paid FMLA are well intentioned and as my colleague, Senator Formica, just spoke to, we are not recognizing or acknowledging what the effects of implementing such a program would be on our already fragile economy, our already fragile workforce, and our already fragile business climate. We are not California and we are not Washington State. Paid FMLA allows employees to take paid time off in order to heal from an illness or care for loved ones or close family friends, and this is an important consideration that we should offer. I firmly believe that paid FMLA is an important program, but
the proposal that is before us calls for the program to be funded by a half percent payroll tax and -- to start, and the math really doesn’t add up when that rate goes up because the program is underfunded at some point in the future, and I am hoping to ultimately support an FMLA program for individuals who need it, but I cannot support the current proposal before us, and the largest issue for me is that the overwhelming majority of my constituents have said they would not be in favor of an employee payroll tax that is automatically deducted from their paycheck to fund a state-run paid family leave program. They simply cannot afford another tax.

They are dually concerned that the new $15-dollar minimum wage will drive the cost of everything we purchase and consume in Connecticut upward. We had a long debate on that just a few days ago. We already suffer some of the highest gasoline taxes in the nation. We collect sales tax on just about everything and have seen proposals this year to increase again the number of items we collect sales tax on. And, as announced yesterday, we will go into a special session later this year to address some form of tolls on our highways. When you add all of these things together, the majority of the people that I represent state emphatically that they cannot afford yet another tax even a half percent on their wages. They cannot afford it, and the
legislation as currently written allows the commissioner of Labor to increase the tax deducted from one’s paycheck in the event that the half a percent is not enough to fund the program. Madam President, I fear that mandating this program on employees as a payroll tax funded mandate will burden those who may never use paid FMLA, and would force Connecticut’s businesses to carry the burden of growing government regulation and expense. To me, it seems that we put the employer, the businesses that provide jobs, benefits, and opportunity to the people second to these discussions. It just doesn’t make sense to me.

Connecticut should allow businesses to treat this benefit like an insurance product and offer coverage if their situation allows them to do so. Senator Formica spoke to that a moment ago with products like Aflac. We should not mandate its use, but should instead empower businesses to make their own decisions and give them options. The people of Connecticut, the businesses small and large cannot afford the provisions of this legislation, and as I have said before, we continue to toxify the economic environment in which we live, the economic environment in which our businesses exist. We need stability, not new challenges. And, while we all generally agree that a paid family medical leave is important, with this legislation, we once again find
ourselves on the edge of another dangerous decision. One which I cannot and will not support. Just like with our minimum wage legislation, this legislation only adds to the economic crisis and disaster that is upon us in Connecticut. Our focus should be on making business climate more friendly in Connecticut, not more difficult. We should not be imposing new mandates on our employers. Our focus should be making living in Connecticut more affordable, not more expensive. We should not be imposing a new payroll tax on our employees. I stand by the position that I stated a few days ago that once we have addressed these issues, once we are providing the best opportunity for people to be successful and for businesses to be successful, only then should we consider legislation in this form. We should not be adding burden. We should be concentrating on making Connecticut more affordable with a true promise for the future.

Thank you.

THE CHAIR:

Thank you, Senator Berthel. Senator Flexer. Good evening.

SENATOR FLEXER (29TH):

Good evening, Madam President. Madam President, I am so grateful, excited, and happy to be standing
today in support of Senate Bill 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and to know that for the first time in this Chamber we won’t just be debating this proposal but actually having a vote on it. Madam President, one of my favorite parts of the job that we’re all so lucky to do here as state Senator is -- is talking with young people, and they often ask me what’s the best thing you’ve ever done or what’s the thing you’re most excited about that you ever got to do, and I -- I think when we’re done with this debate here today and -- and as our good colleagues in the rest of this building debate this proposal and move forward with it, I’m hopeful that in the very near future I’ll be able to respond to those students by telling them about this major piece of legislation that’s before us.

Madam President, as -- as I’ve talked about when we debate a lot of issues in this Chamber, my viewpoints on things are greatly shaped by the life experiences that I’ve been privileged to have and those of my -- my parents, and I have been lucky to be working on this legislation for the last five years with many of my colleagues in this circle and colleagues in the House, and -- and previous colleagues in the House and Senate on this, and -- and one of -- of the first experiences I remember in -- in my family in my lifetime was an experience when my dad was very ill. He was in a very serious
motorcycle accident, and my mother had a two-month-old baby and a two-year-old, and my father was incapacitated in the hospital recovering from very serious life-threatening injuries for -- for several weeks, and I think about what a difference a program would have made for her at that time. How challenging it was for her to find a way to make ends meet, to find money for diapers and other essentials that she needed for my sister and I while not knowing whether or not my father was going to live or die, and the -- and the stress of that, and that -- that experience is not unique. The experience of my mom and dad -- or my mother really in that moment, and I have to give credit to her. My mother is the strongest person I know who’s endured more in her lifetime than most people should ever have to endure -- but getting through those months with a two-month-old, a two-week-old, and my dad so gravely ill, I don’t know how she did it in retrospect. But too many people experience moments like that in our society, and it happens often, and that’s why we’re debating this proposal here today.

Unfortunately, in our family, we experienced a similar moment when I was an adult. My dad was once again in a very serious motorcycle accident -- I’m grateful he doesn’t get on a motorcycle anymore -- but when I was an adult working one of my first jobs out of college, my dad was very seriously injured,
and we did not know whether he was going to -- to live or die, and at that time, my income helped contribute to the family’s expenses, and I was incredibly blessed because I had an employer that said the moment I called and -- and said that my family was going through this crisis, don’t you worry about your paycheck, you go take care of your family, and we’ll sustain you for as long as we can. And, I can’t tell you what a difference that made. That made sure that the bills in our house were paid while we were able to -- to take care of my dad, and make really critical decisions for his health that were able to thankfully sustain his life. And, we have heard so many stories like this as we have been working on this legislation for the -- the -- the last five years, and you know, the debate here today I think has been really compelling, and I hope that my colleagues will -- will focus on the real human face of this proposal and understand that our country is so far behind the rest of the world in a way, and that you know almost every country in the world has some form of -- of family leave except for this one, and every single one of our neighbors either has or is in the process of implementing. Our neighboring states all have a system of paid family and medical leave, and I think we’ve heard a lot of talk today about, you know, whether or not this is good for Connecticut, and I think you know the reason that it’s good is obvious, and we should
be making sure we’re supporting people in their time of joy or in their time of crisis, and ensuring that people can take care of themselves or their loved ones in these sorts of situations, but it’s also the sort of thing that does make Connecticut more competitive, and some of my colleagues have already talked about here this evening young people make a decision about where they’re going to live and where they’re going to work based on whether or not an employer or a state has this kind of program. This is a way for us to express our Connecticut values and make our state more attractive and ensure that when young people in our state are deciding where they want to live, where they want to start their careers, where they may want to start their families that they will so here in Connecticut. That is why it is so essential for us to move forward with this legislation.

I have friends who have made decisions about where to -- where to live and where to take jobs based on whether or not there is a paid family and medical leave program. I have a friend who actually stayed working in the state of New York. Now, luckily she resided here in Connecticut, but she kept a job in New York instead of taking a job here in Connecticut because she knew that she and her husband wanted to expand their family, and having that benefit was really critical to the financial stability of their
-- their family. Now, this legislation before us isn’t necessarily all that those of us that have been working on this legislation for a long time wanted. We wanted perhaps a slightly different definition of family, more generous benefit, but what’s before us today I think represents a more reasonable compromise, and a really important step forward for our state. We cannot sit back any longer and not do the right thing by people in our state to make sure they can take care of their families in a time a joy or in a time of crisis, and we can’t sit back and let Connecticut be less competitive than our neighboring states -- again, Rhode Island, Massachusetts, New York, New Jersey, all have enacted paid family and medical leave. We cannot let another year pass by where we’re not being competitive.

And, finally, Madam President, because we have been working on this legislation for so long, I do want to take a moment to -- to thank a couple of people, especially the leaders here in our Chamber on -- on our side of the proverbial aisle, Senator Looney and Senator Duff, who have made an act concerning paid family and medical leave Senate Bill 1, recognizing for the last three years that this is the top priority of the Senate democratic caucus, and I’m grateful to their work on this. I am also incredibly grateful to all of my colleagues here in
the Senate who will support this legislation today and who have worked to make it better, and especially to Senator Julie Kushner for her tireless advocacy on this work, listening to people all across our state and I know in her own district, and understanding what was the best way for us to build this program in Connecticut, and trying to find compromise with our colleagues throughout this building to make sure we had a piece of legislation to go forward. I’m grateful to her and her tenacity on this issue, and I -- I really hope that all of my colleagues here in the Senate will -- will think about the stories of their own constituents and the moments -- the moments when a crisis has derailed their families, has made it so they can no longer keep a roof over their head, has made it so that they chose not to have another child because they simply couldn’t afford it. This program will make all of the difference in the world, and I want to thank the advocates who have been working on this legislation for such a long period of time, looking at other states, figuring out what’s worked in other places, and how we can build a strong program like theirs.

And, I believe it was the first time we had a public hearing on this legislation a young woman from Killingly came forward, and she talked about her father -- her father who was suffering from cancer,
and she and her mother took turns and did what they could to stay with her father while she -- while he was enduring treatment and as he -- his health was continuing to fail, and I remember in that hearing in the Labor Committee she told the story of how the day -- the days and weeks when her -- her father was sick her mother needed to continue to work, and -- and couldn’t be with her husband as much as she wanted to, and her -- her father passed away while her mother as working. That’s just wrong, and this legislation will ensure that families like Danielle -- like Danielle’s will not have to endure those kinds of heartbreaking choices in the future.

Thank you, Madam President.

THE CHAIR:


SENATOR LESSER (9TH):

Good evening, Madam President. Madam President, I rise in support of this bill as well, and I had a long list of remarks, but Senator Flexer as she often does stole many of them, but I -- I do want to echo much of what she said, and like Senator Flexer, this is an issue I’ve worked on for many, many years, and I could not be more grateful that Senator
Kushner has taken up the mantle, is moving forward with it, and will hopefully lead it to passage tonight. You know, as I think about why this bill is so important to me, why I think it’s so important to the state, why I think it’s so important to who we are, I like other people who have spoken before us I’m thinking back to the stories I’ve heard from my constituents.

You know, Madam President, we share a constituent from Middletown, the Cameron family -- the Cameron family -- Jan and Brenden Cameron, and Brenden is a Gulf War veteran. He served his country in uniform, and he has come home with a lifelong disability. He has Gulf War Syndrome, and he worked for a while after coming home, and then he -- as his condition progressed, he found it harder and harder to work and had to take more and more time off, had to have more and greater medical issues and complications. His wife, Jan, worked for a small nonprofit, but because the size of the nonprofit was below the cap in our existing unpaid family medical leave program, her employer chose to terminate her. They have moved into a house they were able to between the two of them cobble up enough money to buy a home, to build a house -- to buy a house to live together, but when she lost her job, that pushed them not just into distress, that pushed them into foreclosure. This is a family that had given everything we ever
asked of them. Brenden Cameron fought for our country. He has a service-connected injury, and yet because of our failure to guarantee paid family medical leave as a right that people can earn in this state, we pushed them into poverty.

So, yes, I support this bill because of Jan and Brenden Cameron, but I also support it because of me. When I was 29 years old, I was in the Chamber right below this one. I was in the House of Representatives, and I got a call from my doctor, and the call was this -- that I -- that the pathology results had come back and I had tested positive for cancer. It was the toughest news I’d ever gotten, and then the days ahead I went through -- I had some very tough decisions to make. We went and saw experts at centers of excellence, and fortunately, I was able to make a full and complete recovery, and I gotta tell you folks, that was the toughest thing I’d ever gone through. I can’t think of anything tougher than that, but one of the things I didn’t have to worry about, one of the few things I didn’t have to worry about was whether or not my check as a State Representative would clear because we as state legislators give ourselves unlimited paid family and medical leave, and the same privilege that we give ourselves I think it’s only right, only decent we should allow 12 weeks to be earned by our constituents, the people we work for.
You know, we look around the world. We heard from Senator Slap earlier. Senator Slap talked about all of the other states that have done this -- you know, California. You know, people say this is bad for business, and you surveyed businesses in California, and they say, no, this has been great for business. You look at the states around us, every single state having adopted a program of paid family medical leave, we are the outlier here. You look to every other country in the world, every competitor of ours -- you look to China, you look to India, you look to every single country of the European union, and they have all figured this out -- that people get sick, that women have children, that we need to take care of one another. That is not a dollars and cents issue, that’s about who we are as human beings. That’s a question about what it is to be a society. It’s a question as old as the founding text of our civilization. Am I my brother’s keeper? Are you your sister’s keeper? Do we honor our mother and our father? That’s what this is about. This is about taking care of one another. That’s what we do in this state. That’s what we will do with this bill.

And, that’s why I have no doubt, Madam President, that this is the most important legislation I will be voting on in my career as a State Senator. I urge adoption.
THE CHAIR:

Thank you, Senator Lesser. Senator Bizzarro, good evening.

SENATOR BIZZARRO (6TH):

Good evening, Madam President. Madam President, I rise not to offer support for this bill nor to pontificate about the many reasons why I think this legislation is flawed. I rise simply just to remark about certain things that I understand and things that I don’t understand about the things that we do around this circle and in this building. I do understand, Madam President, why we would want to help employees who are impacted by family and medical issues. I understand, for instance, when -- as the Senator -- my good friend, the Senator from the 5th was talking about earlier why we would want to help fathers to be able to be there for the birth of their children and spend time with their children. Regrettably, as a solo practitioner, each time -- I have three daughters -- and each time my wife gave birth, every single time, I was bouncing in and out of the hospital, spending a couple hours in the hospital, running back to the office, another hour in the hospital, off to meet clients, and each time I would say to myself tomorrow -- tomorrow I’m gonna spend the whole day here, and then when they came home I’d say tomorrow I’m gonna spend the whole
day at home, and I regret to tell you that 11 years later I still find myself making those same promises -- tomorrow, tomorrow, tomorrow. When you’re a solo practitioner, it’s hard. So, I understand that.

I understand when my colleague, the good Senator from the 26th, was talking about having a healthier -- promoting a healthier workforce, and rushing back to work prematurely. In the past 10 years, I’ve had three major surgeries and each time, the doctors advise me that I needed to stay home for either several days or several weeks in once instance. Each time, Madam President, I was back at work that very same day, hours later -- not sitting at a desk, just looking at emails -- but sitting down with clients conducting real estate closings, going through documents with them, things of that nature. That’s what happens when you can’t have paid time off, so I understand that. I understand why we’d want to help employees who find themselves in that situation. I understand -- unfortunately, for me, I understand the pain that the Senator from the 10th district was talking about earlier. I understand that too personally.

Here’s what I don’t understand. What I don’t understand, Madam President, is why we are constantly looking for ways to expand the state employee workforce in everything that we do in this building -- every single thing that we do. I don’t
understand it. We are telling municipalities that we can’t fund our obligations to teachers so they have to do it. We tell our existing state employees that we can’t meet our pension obligations to them. We tell our municipalities there’s no money for municipal funding. We tell all the residents of the state and residents of other states that we have no money to fix our roads, so we need to implement tolls. We’ve got no money for education funding. No money for school construction. No money for any of our seniors who are struggling. And, yet, we’re going to incur millions of dollars to create high-paying government jobs, which we are going to have to figure out a way to subsidize as soon as this fund becomes insolvent, which by my estimation is going to be the second that this bill passes and assigned into law. So, that’s what I don’t understand, Madam President.

Thank you.

THE CHAIR:

Thank you, Senator Bizzarro. Will you remark further? Senator Sampson. Good evening, sir.

SENATOR SAMPSO (16TH):

Good evening, Madam President. One thing I hear when I talked to some of my friends back in the district is that sometimes they’ll tune into us debating
legislation in the Senate here, and they’re at kind of a loss because they come in in the middle or even the very first speaker doesn’t really address what the bill before us does, so I want to start with that. I want to make sure that we all understand exactly what we are voting on.

I’m gonna speak a little bit about the process that’s contained in the legislation before us, and then I will talk more substantively about the policy, but the very first thing I want people to understand is what this bill actually does. There is an existing state law, and there’s also a very similar federal law that requires that businesses provide for family medical leave of someone’s significant other is somehow unable to -- to work or has an illness, something like that, or a pregnancy so that they are allowed to take time off to spend with them. That policy extends on a state level only to businesses that have more than 75 employees and on a state level to only businesses that have more than 50 employees, and I have asked numerous times to try to get an answer about how we navigate that inconsistency, but that is about to become irrelevant with the bill before us.

What this bill proposes to do is to take that existing structure that provides for the time off and essentially tells a business owner that regardless of your desire or your business practices
that you must accommodate this person when they ask for their time off based on family medical leave, and we are going to change that law to expand it so it now affects businesses all the way down to having one employee. Surely, the state and federal government in the past when they considered the original policy recognized the damage it would cause to small businesses if we were to limit it to very, very small businesses that have only a few employees, so much so that they actually made the limits 50 and 75 respectfully -- respectively. But this bill creates that mandate.

The other thing this bill does is it creates a giant bureaucracy -- another government bureaucracy that we will pay for. It is laid out in a way to be interpreted as what is being referred to as a quasi-public agency, and I’m gonna go through the bill in just a minute because I have some concerns about the way that is set up because I believe they are being given very, very broad powers, and I think it is dangerous in the way they are less accountable to the citizens of our state and their representatives, which is those of us in this room. The next thing it does is it inserts the state government in-between employers and employees. When an employer hires an employee to do a job for them, that is a private contract. That is a relationship between those two people. It doesn’t involve anyone else.
It is an agreement between the employer to pay the employee a certain amount of compensation for the work they’re going to perform, and in our society, that contract is a private contract made by consenting adults. When the state government or the federal government or anyone inserts itself in-between those two parties and demands that we must provide an additional benefit beyond what their agreement is, I believe we are missing the core principals that make and have made our country great in the past. There is not just such a mandate to require this family medical leave though. There is also a new requirement, and that is on the employer to provide time off even when it could be a tremendous inconvenience that damages their business because they can’t afford to lose employees, but also on the employee in the form of a payroll tax. As I said, this is a relationship between the employer and the employee. It’s no one else’s business, and it is certainly not our business to come in-between them and demand that they provide us 0.5 percent or any other amount.

I submit to this body -- whose money is it? It’s not our money. That is the money that belongs to the employee because they made an adult private contract arrangement with their employer. It’s not our money. I’m gonna go through the bill a little bit, but I’m gonna come back to that concept in a
minute. On line 16, it describes who is a covered employee, which is essentially who is the folks that become eligible for this program, and it’s pretty straightforward. It says that someone as soon as they earn $2325 dollars. I found that to be interesting because under the federal law that doesn’t provide for any payment during this period of leave, just the ability to have the leave, the requirement is 1265 hours. I don’t know exactly what that equates to at the minimum wage in Connecticut, but it is say, way, way more than $2325 dollars, which I would say is a relatively small amount for someone to earn -- to be eligible for this program. And, by my count based on the half a percent, which we’ve been told today is the maximum that could be charged, they would have only put in $11 dollars into this program to be eligible.

There’s also a question on line 18 or 19 whether or not this applies to people that are even currently employed. Also, interesting in the next paragraph we stipulate that there is a difference between a covered employee and a covered public employee, and I’m curious to understand why that is. I get the notion that in this bill right now we are essentially carving out public employees. They are not going to be covered under this plan, which means they are not subject to the five percent payroll tax either. They would have to -- if they chose to --
collectively bargain for that privilege. I can’t imagine anyone collectively bargaining for the privilege of having another tax taken out of their paychecks, and that’s exactly what this is. I’ve heard this described in so many ways today, but the simplest way to understand this is the state taking a tax out of your paycheck by force with no opportunity to opt out whatsoever, and you getting an insurance product for exchange for that.

If you move down that page, you get to the first major mandate I already spoke of which is that this applies to businesses that have as little as one or more employees. The other concern I have about the process is the way we’re creating this so-called quasi-public entity. And, I noted that on lines 77 and line 78 this bill actually reads the authority -- the authority shall not be construed to be a department, institution, or agency of the state, so we’re essentially saying this is a separate entity all together. It is a private entity. But if you go on and read some of their broad powers but also the way we connect them back to the state when it’s convenient, I think it’s worth noting.

On lines 139 through around 143, it essentially says that they have the opportunity to hire whomever they want to, and they do not need to comply with the policies and procedures of the Department of
Administrative Services or the Office of Policy and Management with regard to approval for the creation of new positions. I don’t know of another state agency that has that power, and I can certainly say that we shouldn’t limit a private entity, but who exactly is funding this besides the taxpayers of the state of Connecticut? It goes on to say that those -- the authority that is created can collectively bargain with the State of Connecticut, and it goes on to say that the executive branch is authorized to collectively bargain with the employees of this authority. Well, if it’s not a state authority, I don’t understand how they have the right to negotiate with the state. It goes on to say that the officers and other employees of the authority shall be state employees only for certain purposes. This seems like a lot of twisting around to accommodate this so-called quasi-public agency. It goes on to say on 173 through 176 that each member of this board shall take the oath to our United States constitution and our state constitution. I’ve never heard of such a thing. These people are not elected officials. They will be appointed to this board to manage it.

On lines 207 through 211, it talks about some authority that is granted to this board. No member of the board or officer agent shall directly have any financial interest in any corporation, business,
trust, etc. that is contracting with the authority, and I’m curious whether or not there is any oversight from this body or the office of say Ethics as would happen in very similar process if this really was a state agency. So, in some ways, we’re excluding them from oversight but we’re giving them great authority in other respects.

If you read the paragraph starting at line 251, this kind of lays out the responsibility of that board, and I’ll just read lines 257 to 262, which basically says that after this program has been in existence for a year, they’re gonna come back and they’re gonna review all of the claims made and all of the money taken in, and then as it says in the bill in light of such totals and of expected future expenditures and contributions, a target fund balance sufficient to ensure the ongoing ability of the fund to pay the compensation and to limit the need for contribution rate increases or benefit reductions due to changing economic conditions. So, the board is going to have this broad power to be able to determine what the future of this fund is.

I noticed that in previous iterations of this legislation we actually had an idea of what that target fund balance would be, and it was 140 percent of the claims paid. That is omitted from this language, and I’m curious to understand why. There is an additional mandate on employers that reads
from lines 273 to 280, which essentially requires employers to handle the payroll deduction for the wages that are being taken by the state for this program.

On lines 314 through 322, it lays out what the benefit of the program is and many of my colleagues have done a really good job of speaking to the significant amount of the benefit versus the amount of money that is being collected, and whether or not the math works. But I also noticed that in line 314 it specifically says this weekly compensation offered to covered employees shall be etc., etc., and I noticed it did not refer to covered public employees.

Through you, Madam President, I’d like to ask a question to the proponent of the bill and just get for clarification sake whether or not the term covered public employees was omitted from this section or addressed in some other way?

Through you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. A public employee would be a covered employee under this bill.
THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I appreciate the lady’s answer, and I would assume that also. I just found it odd that we would have gone through the trouble back on the early lines of the bill to specifically identify a covered employee versus a covered public employee, and then not identify whether their compensation was the same in that paragraph, but I understand that may simply be a drafting error.

I noticed also in lines 323 to 328 it says the authority shall reduce the benefit for covered employees by the minimum amount necessary in order to ensure the solvency of the program, and I’ve heard this repeated several times today that if we run into trouble in this program we’ll just reduce the benefit. It even says reduce the benefit in here. I find it odd that we would repeat the word reduce the benefit over and over again when it sounded to me like there was an expectation that the fund might increase, and I wonder if this precludes us from ever increasing the amount of the benefit assuming in the future there is financial trouble and the benefit is reduced at some point, can it actually be increased again without the law being changed?
THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The bill does not provide for an increase in the benefit except in that the maximum weekly payout is tied to 60 times the minimum wage, so in that regard, the percentage would remain the same but as people earn more money, the benefit could go up for that individual, and the maximum amount allowed under this program would increase with the minimum wage.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President, and I thank the lady for that answer. So, I guess just following up on that does my question about whether or not if the fund is reduced -- if the benefit is reduced at some point because the fund is in trouble and in order to maintain a fund balance, they need to reduce the benefit and that situation improves, would this bill allow us to increase that benefit again since it simply says that the authority only has the ability to reduce the benefit, not to increase it.

Through you, Madam President.
THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. My -- my belief is that the intent of this bill is to allow the authority -- it says that they could reduce it in the least amount necessary, and I believe the intention there and what that would mean is that if the funds were there they could not reduce it, which to me also says that if the fund were then to have enough money to pay the benefit that is specified in this bill that they would have to -- the authority could -- would have the responsibility to do that, so that is my belief in the intent of the drafting of this bill.

THE CHAIR:

Thank you, Senator Kushner. Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. And, I appreciate that answer. I would assume the same, and the reason why I ask is because that’s not what it says. It’s very clear that they only have the authority to reduce the benefit, and part of me thinks that’s a Freudian slip because I believe there is an expectation even by the proponents of this legislation that they are
going to run into trouble very early on in having an inability to pay these claims. The next paragraph is about what happens with two spouses that have to work for the same or happen to work for the same business and what their benefit is, and I found it interesting reading through the bill that everyone is afforded the same 12 weeks with the potential additional 2 weeks depending on if it’s a significant illness. This limits spouses only to 12 weeks. In fact, there is an additional section, which I will probably get to just breezing through this bill, that makes it quite clear that they can never exceed the 12 weeks. so, through you, Madam President. I’m curious to know why we would say that folks in that situation would not receive the same benefit as other parties. Why would be limiting their benefit to only 12 weeks when someone else might get 14?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This part of the bill does speak to small employers who have -- who might have the happened stance of having two married spouses, and so it’s specifically meant to address
that. I do believe if someone was incapacitated during pregnancy the bill provides for that person to have an additional two weeks.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I appreciate that, and again, I think this is another situation where I think the bill is just drafted incorrectly, and if I had the time, I could go through and find the spot to point it out, but I’m quite certain it does not provide for that based on the reading of the language. It says in the case of spouses that you are limited to 12 weeks, both in that section that I just mentioned, which is starting at line 332, and also a later point in the bill, and I’ll point it out again if I get there.

On lines 339 and 340, it also says that an employer would have to accept someone leaving even for a part of a day to accommodate this policy. It says a covered employee may receive compensation under this section for nonconsecutive hours of leave. I take that to mean that if someone wanted to take off an hour early or two hours early that -- that the employer would have to accommodate that situation. I point that out not to say that that’s not
something that’s inconceivable but rather just to point out that this is asking a lot of employers to absorb something that they have no control over, and in cases where they have very few employees, it might be a distinct burden. The next section is about unemployment compensation, and I will ask just one final question of the chairman of the Labor Committee, and that is a question that has occurred to me several times listening today, and that is people that fill in for employees that are out on family medical leave are there for some temporary period of time -- when they are terminated because the person comes back to the job, are they eligible for unemployment compensation?

Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. A couple things that were said -- that I do want to address -- by the good gentleman is that employees can take off a couple of hours at the end of the day and the employer would have to accommodate that. I think we noted that earlier tonight that there are provisions where for intermittent leave the employee has to work with the employer to work around the schedule,
and so it is not entirely up to the employee to choose that, and so I think the employers do have some role to play in that. Also, in terms of a Freudian slip, it was not a Freudian slip to put in language about insolvency. I think that we were addressing concerns that there need to be protections in the event that insolvency were to occur. We have total confidence that this fund is and the rate that is being laid out in this bill and the -- the weekly benefit is well under the half a percent that would be allowed under this bill to charge for a premium.

As to the temporary employee who is laid off, the language is clear on line 1367. The -- with regard to unemployment, it says no base period employers account shall be charged with respect to benefits paid to a claimant whose separation from employment is attributable to the return of an individual who was absent from work due to a bonified leave taken pursuant to this bill, and I think that that was specifically put in there to ensure that there wouldn’t be a cost to the employers and their insurance rate, and I think the unemployment rate -- and I think we’re -- like we’re really I think taken great care to try and protect particularly small businesses and level the playing field for them at the same time making sure that people have
opportunities to take advantage of this bill -- or of this act I should say.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President, and I thank the lady for her answer. In the interest of time, I will just state that if we go through this language of the bill there are a number of places where I think there is some confusion about the level of broad authority granted to this new paid family medical leave authority that I think we should reconsider before accepting that this is simply the way things should be, but I want to get to the policy more than the process because the policy to me is the thing that we’re really debating tonight, and this right here is a bad policy, Madam President. It simply is. I’ve heard somebody say earlier tonight that the devil is in the details. Well, I think the devil is in this policy idea itself. This is a forced tax on our citizens in our state, and I’ve heard a few things different -- addressed about this bill in different ways. Given the state of our economy, this is not the direction that we should be headed. I mentioned the other night we were talking about the minimum wage bill, that there is a mechanism to improve the lives of our citizens, and
that is a thriving economy. I gotta tell ya I was dismayed listening to some of the remarks around this circle about what people’s opinions are with regard to those that don’t support this policy. I heard the word morality brought up several times. I heard people say that other countries are better because they get this and we don’t, and I’ve also heard that, you know, this is what America is about, that this is about who we are as a people and that we should be taking care of one another. Those are all statements that have merit, but forcing a tax on someone to create a government program to redistribute wealth is not the same thing as taking care of one another. It’s a bad message. The message we’re sending to people is that we need government to take care of us. Responsible people take care of themselves. They plan for tings.

You know, on a federal level, they call this plan the unpaid plan the Friday through Monday leave act, and that’s without any dollars and cents incentive for people to abuse this program, and I’m afraid that’s what’s going to happen. It will also further exacerbates this continual effort to divide employers and employees into two separate groups, negating the reality that it is a voluntary agreement between people. Think about all the taxes we already pay by the way. We’re paying huge amounts of income tax in this state, one of the
highest in the country. We have some of the highest property taxes, sales tax, gasoline tax, the fees on your cable bill and your phone bill. When you add all that up, the amount of tax that we’re paying is exorbitant, and this is just another tax that we’re piling onto the residents of this state.

I said, Madam President, that every piece of legislation that comes before this Chamber should be measured on whether or not it is going to improve the lives of the citizens of the state, and I’ve also said that the best way to do that is to create a thriving economy, and the best way to create a thriving economy is with freedom and opportunity. This is not. This is a forced tax on our citizens for things they may or may not want, and that goes to the amendment that I’m about to call if I can find the number here. Madam President, the clerk has an amendment. It’s LCO 9371.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 9371, Senate Schedule B.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):
Thank you for the opportunity to summarize. This is a very straightforward amendment. It strikes the underlying bill, and it creates what I believe to be a better alternative, which is simply a plan that creates a free-market alternative that instructs the insurance commissioner to create a program to offer a paid family leave program that is voluntary and that can be participated in by employers and/or employees with the terms that they agree to, and I move adoption, Madam President, and I would ask for a roll call vote when the vote is taken.

THE CHAIR:

A roll call will be ordered, and the question is on adoption. Will you remark? Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. I believe that a free-market proposal as described by the good Senator, Senator Sampson, is not the way to go in this instance in our state at this time, you know, for many of the reasons that I’ve already spoken about. You know, I feel that we are implementing a program here that will benefit all of the State of Connecticut, and I don’t know if it’s appropriate, Madam President, but you will tell me if I’m out of order for me to just take a point of personal privilege at this time? I would like to recognize -
THE CHAIR:

Please go ahead since you do have some guests who are here watching what might be history.

SENATOR KUSHNER (24TH):

[Laughing]. I do want to recognize that we have here today with me my daughter, Rachel Wishhart [phonetic], and her two children, my grandchildren, two of my grandchildren, Shelby Rae Wishhart [phonetic] and Jackson Wishhart [phonetic], and I know for sure that these are some of the people that makes this a great state to live in. I certainly appreciate them being here tonight with us, and being part of this political process. So, thank you very much for the point of personal privilege, and - -

THE CHAIR:

Could we just ask our members to give them a warm welcome? [Applause].

SENATOR KUSHNER (24TH):

And --

THE CHAIR:

Please proceed, Senator.

SENATOR KUSHNER (24TH):
So, we’ve had a lot of discussion here tonight, and I don’t want to belabor the point, but I do believe that we have a good bill -- a great bill before us, and I believe that it would be fully undermined by this proposed amendment, and it wouldn’t be practicable, and it would not suit the needs, it would not address the needs of our citizens -- our residents here in the state, so I would encourage and urge my colleagues to vote no on the proposed amendment.

THE CHAIR:

Will you remark further on the amendment that is before us? Senator Somers.

SENATOR SOMERS (18TH):

Yes, good evening, Madam President. Through you, I would like to ask the proponent of the amendment to please go through, if he could, the individual points of the amendment so we can all be clear in the circle.

Thank you.

THE CHAIR:

[Senator Hartley in the Chair]. Senator Sampson, you have the floor, sir.

SENATOR SAMPSON (16TH):
Thank you, Madam President. Nice to see you up there.

THE CHAIR:

Thank you, sir.

SENATOR SAMPSON (16TH):

Yeah, so this is a very, very simple amendment. Unlike the bill, this does not change the existing Family Medical Leave Act that we have in our state in any way. All this does is it sets up a mechanism for the Insurance Department to develop an insurance product that would offer the same benefit in a voluntary manner to employers and employees if they choose to purchase it.

Through you, Madam President.

THE CHAIR:

Senator Somers, you have the floor, madam.

SENATOR SOMERS (18TH):

Yes. Thank you. Through you, Madam President. Could you speak to what the criteria would be as far as what businesses -- would they be required to carry this plan or is that optional and if a business that someone was working for did not provide this opportunity, would an individual be able to purchase -- I -- I’m assuming it would be
disability insurance on their own? How is that going to work?

THE CHAIR:

Senator Sampson, you have the floor.

SENATOR SAMPSON (16TH):

Thank you, Madam President, and I appreciate the -- the question. As I mentioned, this is a completely voluntary program. The benefits that employers offer in our society are generally a result of their attempt to entice employees, and this is just another option for employers to offer a benefit to their employees if they choose, and it’s also an opportunity for individual employees to purchase a benefit that would produce paid family leave if they -- they so choose and they have the leave to take the time off, they can get paid for it just like the underlying bill except this is a choice that the individual employee makes on their own rather than a tax that would be against their will.

Thank you, Madam President.

THE CHAIR:

Thank you, sir. Senator Somers, you have the floor, madam.

SENATOR SOMERS (18TH):
Thank you, Madam President. Through you, once again. So, I just want it to be clear this would be something that could be offered. I know that there was in the -- in the amendment it talks about breaking down the walls or the barriers between states to opt into a larger pool. Is this designed to provide a similar benefit, which is what is available for current employees under certain businesses that offer an extended disability plan where if you go out on leave you get between 60 and 70 percent of your base pay on a disability payment and is the criteria the same to go out as what was offered previously in the underlying bill?

THE CHAIR:

Through the chair, to you, Senator Sampson. You have the floor.

SENATOR SAMPSON (16TH):

Thank you again, Madam President. And, the answer is yes. The bill provides for a mechanism for our state insurance department to negotiate with other states to allow for different insurance carriers to offer different products to residents and employers of Connecticut, and it also accommodates a situation where someone might work outside the state but -- but live here.

Through you, Madam President.
THE CHAIR:

Thank you, sir. You have the floor, Madam.

SENATOR SOMERS (18TH):

Thank you, Madam President, and through you, again. I just want to confirm. So, this would be completely optional. It’s not a mandate, so if you are someone who is going to perhaps retire in a year or two years and you choose not to partake either individually or through a business, you would not be mandated to do so and also there would be options so you could look at perhaps a plan that would cover you if you went out for 4 weeks or 12 weeks, you would have a mix within the plan you would be able to choose from so it’s not just one standard plan; is that correct?

Through you.

THE CHAIR:

Senator Sampson, you have the floor.

SENATOR SAMPSON (16TH):

Thank you, Madam President. The language in the bill is -- is -- is broadly written to give the Insurance Department the most latitude to work with the industry to come up with products that are beneficial to the business community and to employees in the state. The underlying bill
provides for 12 weeks of coverage. For some people, they might think that is a lot. The might only want to purchase coverage for six weeks and pay a reduced premium for it. That I believe is the purpose of the amendment, to give that ability for different types of products to be offered and for consumers and businesses in their negotiations to come up with something that works for both of them.

Through you, Madam President.

THE CHAIR:

Thank you, sir. You have the floor, Senator Somers.

SENATOR SOMERS (18TH):

Yes. Thank you, Madam President. I believe that’s probably the end of my questions, but I -- I did want to just say that I stand in support of this amendment. I am a free-market person. I believe the fundamental question that we’re dealing with here today is whether we feel or we think about any time that a government has run any aspect of businesses better than the private sector, better than private business, and my answer would be never. So, family leave and employees and their care and their time off I believe that’s left best to the employer and to the individual employee to make that decision, and if you think about it, successful businesses here in the State of Connecticut. They
figured it out, and I can give you an example in my own small company, that I had a manufacturing company for 25 years. We offered an extended disability plan for our individuals. I’ve heard in the circle today folks saying, you know, I wish I could offer it. You have every opportunity to do that you just have to be a business that’s willing to pay for it. I was a business that’s willing to pay for it. My business was primarily made up of women. We had women -- many women having babies. We worked with them for flexible time off to even at times bring their children in. We had individuals that had cancer that we paid because they were part of our community, part of our family business, and that’s what successful businesses do, and they do it well. Unsuccessful businesses, they don’t, and they are not successful, and they can’t retain the employees that are high quality, and the only way that you’re gonna keep a good workforce is if you treat them well.

So, I’ve heard today a lot about businesses and wishing that they could offer this and that, and you have every opportunity to do that, you just have to be a businesses that’s willing to offer that, and I think we have a lot of them here in the State of Connecticut. So, I believe that the overall agenda that -- that I’m feeling here that it appears that many people feel that government should be running
and meddling in every aspect of business, and every aspect of Connecticut’s economy actually, and many of the people making those decisions have never actually had a business, which is very disturbing. So, what I see here is an overreach in how we want to grow our jobs, what opportunities we offer, what wages should be, what profits should be based on taxation, what advancements certain people have, and what advancements others don’t. And, if we look at what’s happened to our state over the last 20 years, we have no job growth. We’ve lost population. We have lost capital. We’ve lost investment. We’ve lost large businesses. We’ve lost small businesses. We have record debt -- the highest in the nation. We have lower property values than -- across the state of Connecticut, so the idea for me that a huge new bureaucracy run by government to essentially manage what a private business should be doing and saying what the conditions should be as far as when somebody can take leave, what they should get paid is absolutely troubling at best. Look at how this state has managed our pensions. So, a private sector plan that is run by the people that actually know their employees, that can offer choices where an individual can make the choice as far as what coverage they want, what coverage they need, what coverage they don’t want -- that is the proper way to go. Let’s let individuals and businesses -- those are the folks that are employing our people
here in the state of Connecticut -- let them have the choice, not government making the choice for them. And, this amendment -- I believe -- provides the opportunity to have coverage for paid family leave, but it doesn’t weaken our already crippled economy, and I ask the circle to try to stop managing people and stop managing businesses because you’re managing them right out of business. So, I stand in full support of the amendment.

Thank you.

THE CHAIR:

Thank you, Senator Somers. Will you remark further on Senate Amendment B? Senator Fasano, you have the floor, sir.

SENATOR FASANO (34TH):

Thank you, Madam President. Did you -- excuse me, Madam President, I would yield to Senator Kushner.

THE CHAIR:

And, Senator Kushner, you accept the yield, madam?

SENATOR KUSHNER (24TH):

Yes. Thank you, Senator. Through you, Madam President. Thank you, Senator Fasano. I wanted to be respectful of your role here, but there were a few comments that I did want to address regarding
the amendment. I believe that some of our largest successful businesses in the state and in this country have not done well by their employees, so I guess it is a question of how you regard successful, but in terms of large corporations that are making a lot of money, that’s often the way we address success, and I don’t believe they always treat their employees well. In fact, there’s lots of evidence that they haven’t treated their employees well, and you know I think this approach of private -- of creating a private insurance plan that people can voluntary opt into -- you know, it really doesn’t do what we need to do in this state, which is guarantee everyone the opportunity to have paid family leave. I think in some ways it encourages thinking this state and employers as the boss’ lottery, try and find a boss that has a good benefit plan and go work for them, and not everybody wins in that kind of a lottery, and when it comes to choosing between a paycheck and taking care of a loved one, you shouldn’t have to play the lottery.

So I really strongly feel that the marketplace -- the free marketplace that we’ve discussed here tonight has had a long time to come up with a solution, to come up with a benefit plan that is affordable and that allows people paid family leave, and they have failed to do that, and I think it’s our obligation and our responsibility as has been
done in other states and has been done in a whole lot of countries around the world to provide this kind of protection for our employees, and I think it’s our responsibility, and I think it’s our privilege and our honor to take this action here in Connecticut, and so I urge my colleagues to vote no on the amendment.

THE CHAIR:

Thank you, Senator Kushner. Senator Fasano, you have the floor, sir.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, first, I’d like to thank Senator Sampson for being one of the architects -- the main architects of the amendment that’s before us, and having us take a look at this in a little different light. I’d also like to thank Representative Mike France for his help in the House working with Senator Sampson in bringing forth this piece -- this amendment, and Craig Miner, Ranking Member, on the Labor Committee for his efforts in putting this together as well. Madam President, the amendment that’s here before us is something that Senator Sampson has said is really talking about free marketplace.

Look, the issue is as Senator Sampson said, are we going to mandate and take out of people’s pockets
because government knows better than everybody what is right for you. By the bill that’s underlying, and I will talk about this at the end, this bill says that you as an employee do not have the wherewithal, the competency, or the forethought of figuring out that you may need disability insurance or long-term insurance, and we as a government know better, so we’re gonna go in your pocket, we’re gonna take out your wages, and we’re gonna hold them and force you with your money to buy a policy, which you may not want, which you may not use, or which you may use, but we know better than you. We know better than you what you should be doing with your life, so let us control your life.

And, as I said, I’m gonna get to the bill a little bit more, but I need to say that to talk, to segue into this amendment. This amendment recognizes the change in the environment that we have today. Parents are getting older. Families are getting more complicated, and we need to address that. What this amendment does is to say that we are going to ask the insurance commissioner to create various products, and these insurance products are going to give employees the ability to buy the insurance that matches their needs. If they’re part-time employees, maybe they don’t need as much. If they’re full-time employees, maybe they want to buy a little bit more. If they are greater than 50
employees or 75 for Connecticut, and you get the 12 weeks off by the federal and state law, maybe you want to buy something that long, but not one-size-fits-all -- not one-size-fits-all, and what this says is we are going to allow people to individually decide for their own what’s best. Some people have argued well the problem with that is that this is a small pool if it’s all voluntary. The pool of people for which you choose from are small because the number of people who would probably do it would be limited. So, we said, it’s fine. Let’s take down the borders between Connecticut and New Jersey, Connecticut and New York, Connecticut and Rhode Island and of some mild consequence, Connecticut and Massachusetts, and by taking down those borders for insurance, all those pools become available for an insurance company to use those pools to help us. what does that mean?

So, let’s take a look at -- first, we gotta go back a little bit. New York, New Jersey, Rhode Island, California, Hawaii, and I’m missing one other have the disability or I should say this -- this type of insurance for employees, but they have not the Worker’s Comp insurance that we have in Connecticut. They have statewide-disability that employees have been paying in since the 40s, so adding a disability policy such as the one before us for paid family leave is a minor addition to an existing policy.
That’s why those states do it. We can tap into that pool. The Hartford Insurance Company -- yeah, the very one that does business in Connecticut -- operates and maintains the New York Paid Family Leave and Disability Insurance. They’re the carriers who take care of that. If we partner with them on a voluntary basis with employees given the insurance of the state of Connecticut the right to create these products, they can use that pool in New York to help lower the cost for employees, so an employee can buy a disability policy. I am told that a disability policy can cost as little as $15 dollars a week. So, that’s not a lot of money, and it’s up to the employee if they want that. What this bill does is not only does it allow the employee to make the choice, not only does it take down the boarders, not only does it open up to the insurance market in the area and frankly, it’s every state that we could look at and partner up with, but in addition to that, it gives the flexibility for an employer and an employee to say, I tell you what, I’m going to do this disability policy, and I’ll split it 50/50 with you, and the employee says, okay, take it out of my paycheck, and the employee voluntarily takes it out of their paycheck. I know that at my law practice I had my bookkeeper who recently -- actually, a year ago had surgery that kept her out of the office for three months. Now, I paid for those three months. She only gets two
weeks’ vacation, five personal sick days, and -- two weeks’ vacation, five personal sick days as the package, but she’s been there for a long time, it was mandatory surgery, I paid for three months, but if I had disability policy that I as an employer could talk to my employees about just like healthcare, that would have been in play, and I don’t mind splitting it or we pay -- they pay a third, I pay two-thirds -- whatever -- but that’s a flexibility that that brings it. I heard some people talk about here that somehow know a business, own a business, operate a business that they’d love to give this to their employees. I did it. I would take full advantage of this, and I know a lot of small businesses would.

If you have an employee who’s been there a long time -- I’m proud to say my secretary has been my secretary for 33 years. Those are the employees that we can -- that an employment company would do it for, and this gives that very flexibility to do that, and that same bookkeeper is out again for another serious ailment, and is going to be in and out for probably the next year and a half. I’m gonna cover it, but that’s what business does. Let the free marketplace take place. Let businesses make that choice. I’ve heard some of the conversation on the circle talk about that the millennials coming up like to work from home, they
like a more relaxed schedule. I’ve got three millennials in my household -- not anymore -- they’re off the payroll, but they’re around, and they work in a very same type of schedule for their various employment places. There’s no reason why the market doesn’t react to the behavior as a business market. If you want good employees, then you are going to give a package that attracts those employees, and you know what, if I’m in competition with the business next door and I don’t have a package that’s gonna attract good business people, they’re gonna go to my competitor who’s gonna give a package. That’s what free market does. That’s exactly what makes us an innovative country. The ability to change not by the fiat of government who wants a hand in my pocket, but by the natural progression of economics. People say well that’s garbage because the big companies don’t do it. Let me tell you, the big companies love the bill that you see in front of you right here because the big companies are saying, I already do this. If I’m a big company, I’m already giving you paid family leave on my nickel. Please pass this bill. Because you know what? Where I’m paying the employee out of my pocket as a big company, now the state is going to have that employee subsidize it. I don’t have to do it anymore. That’s why the big companies are not here saying this is a bad bill because they know that this is going to take their bottom line and
make it bigger because the employee is now going to pay for their own benefit that they were getting for free from the company. So, who is this going after? Medium and small businesses, make no mistake about it. Make no mistake about it. The federal law give those employees 12 weeks off because they’re a big company under federal law, and the companies are paying for that. Now, they are saying, good. Now the employee’s paying for it, I can put the money some place else. It’s the medium and the small business who are going to say, I’ve gotta a -- I’ve got a five-person shop, and I’ve got to lose two employees. I am down. What am I gonna do? Am I gonna hire a temporary person?

I’ll tell you this other thing. Even though you’re a big company -- I was talking to somebody at UI, and they said, we’re gonna have to hire five to ten percent more people at UI. Why? Because their jobs are not interchangeable. There are certain jobs that have specifications that you can’t take a person from this department and move it over there and expect you are to operate, so we’re saying I have to add ten or fifteen -- I’m sorry. Ten to fifteen percent more employees to my payroll because I got to make up for people taking this off or taking that off. Now, you say, okay. What’s so wrong about that? We’re gonna pay for it ‘cause they’re gonna run the PURA and say, we’re guaranteed
a profit on our UI bills. We’re guaranteed a profit. My payroll is going up because of this bill. I gotta raise the rates. I have to raise the rates. I’m guaranteed a profit. I gotta raise the rates. That’s what the law says.

What this amendment does is say forget all that. Let’s let free marketplace take the position. Let’s let them employees who want it go get it. Let’s open up the door. Let’s do something we haven’t done in Connecticut, take down those insurance borders. Let’s let the insurance pools from the state come in. Let’s let individuals make the decisions they want to make, and maybe if you get 12 weeks off in a big company you only want to get paid for 3. Maybe you’re a small office and you get under this bill the 12 weeks off, I only want to pay for 2, I want to pay for 6. I don’t want an extended family. I just want me, my wife, and my kids. Don’t give me the policy that includes everybody under the sun. I just want my three people protected. How much are you going to charge me? That’s what it is going to do. It’s going to create it’s own marketplace, and if there’s a need for it, it will happen, but forcing it and thrusting upon people -- and the irony is -- I can’t remember if it was this week or last week now -- but we just passed minimum wage increase in this Chamber, so we put money in my right pocket saying we got to give them -- it’s hard
to live in Connecticut. We gotta put more money in your right pocket, put more money in that pocket, and then we go in your left pocket, and we say, but we gotta take it out now. Now that you got more money we gotta take it out for this insurance because it’s in your best interest. We know it. We’re government. So, you raise the minimum wage on one side, and you take it out of the other. I don’t understand the logic. Now it’s not neutral. The logic is baffling.

Madam President, what this does is open up the doors to allow the marketplace to take place. What it does is allow, which I think is good policy, paid family leave to exist, but allows people to make that choice, and the only thing we’re gonna demand is that the insurance company creates those products that will be available so people can take advantage, and then let the marketplace with employees and employers determine what’s a best solution, so I fully endorse this amendment.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further? Senator Looney.

SENATOR LOONEY (11TH):
Thank you, Madam President. Rising in opposition to the amendment and would hope that after some additional debate that we will vote in favor of the underlying bill. Madam President, just as it’s been said that war is too important to leave to the generals I believe that this matter of protection for people is too important to leave to the forces of the market and should be provided for at a time when people will be guaranteed it. You know, one of the problems we’ve -- we’ve seen over the years in other context is that people tend -- tend not to plan. They tend to live without much long-term planning, which is a problem. We’ve seen that in the area of the pension context of the bill we passed a couple of years ago to pass Pensions For All bill to allow for a payroll deduction for those who don’t offer private pension plans. There we found out research has shown that unless there is a payroll deduction people don’t save for retirement. This is a somewhat analogous case. The problem is that what the -- the amendment proposes is to leave something to the private initiative for people to plan an individual would have to take action under this to -- upon written request by the employee -- an employer may withhold from an employee’s wages an attempt to purchase in whole or in part individual or group short-term disability and family leave income protection coverage for employees. There is no guarantee under this that the significant number
of employees would participate, which some may very well come to regret to a great extent later on, and I think it’s important for us to establish as a public policy that it is -- that this will be a benefit available to all employees, and it is a -- it is a very modest deduction, and for someone even at the maximum income of $132,900 dollars, which is the Social Security maximum, that the 0.5 percent would only be $600 and -- about $660 dollars a year at the -- at the half a percent that would be withdrawn, so I think that again there’s a fundamental divide I think that those who believe that things should be left to the market and those who believe that there is an area for government to step in and provide a benefit that -- that people may be grateful for at some point in the future even though it may not be much on their minds at the time it is enacted.

So, for those reasons, Madam President, I would urge rejection of the amendment. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. I’m seeing no further remarks. The Senator has asked for a roll call vote. Will the clerk please announce a pendency of a roll call vote?

CLERK:
Immediate roll call vote has been ordered in the Senate, Senate Amendment B LCO 9371. Immediate roll call vote has been ordered in the Senate on Senate Amendment B LCO 9371. Immediate roll call vote on Senate Bill No. 1, Senate Amendment B LCO No. 9371. Immediate roll call vote has been ordered in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked, and the clerk would please announce the tally.

CLERK:

Senate Bill No. 1, Senate Amendment B LCO No. 9371.

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THE CHAIR:

(Gavel) The amendment fails. And, I would just like to address our guests because we always have new people who have come to observe in our gallery, and we welcome you, and we would ask that you please respect the Senate rules, which prohibit taking photographs and videos, but we do welcome you to our Chamber, and thank you for participating. And, we will continue. Senator Moore.
SENATOR MOORE (22ND):

Thank you, Madam President, and good evening.

THE CHAIR:

Good evening.

SENATOR MOORE (22ND):

Madam President, I stand in support of Senate Bill 1, and I want to thank my colleagues and the chairs of Labor, Representative Porter and Senator Kushner, for the many hours and the hard work they’ve put into this. I also want to thank Senator Looney and Senator Duff for bringing this bill forward so early. You know, I listened to some conversations, and I thought about Governor Rell. She was diagnosed with breast cancer, and you know, she had the luxury of leaving the hospital in what we used to call a drive through. She didn’t stay more than two days in the hospital, but at that time, I had women around me who did not have that luxury, and I think of the 28-year-old woman that I was with who was diagnosed with metastatic breast cancer and who only had young girlfriends around her, but had one young child, and who could not take off time from that job, but her family of friends surrounded her to take care of her during this really difficult time, and she was a counselor at a local community college, but she was so ill and so many people were
trying to help her get through it, she just couldn’t get through the journey without losing her job. The chemotherapy was really difficult. She didn’t complete all her treatments, so she just stayed home, and we all took care of her and took meals to her. And, I remember when Governor Rell said she was going home. I did a -- I actually did -- a post -- and the Connecticut Post actually wrote an article about I wish everybody had -- what she had -- that someone was going to take care of her, that she would get the best doctors, and that when she went home there was going to be someone taking care of her, but I knew many, many women that didn’t have that same opportunity to take care of her. I think about that today, and I think that that woman would still have her job and that all of us could have still rallied around her, but she would have had the support of financial aid while she was doing that, but we all chipped in. I do want to say that woman was diagnosed with breast cancer -- metastatic breast cancer at 28, and is still living and has celebrated her birthdays and is moving forward, so it’s a happy ending, but it took the community to do that, and I see us as that community.

The family dynamic is changing. When I was a child, I came home. I had a mother and father at home every single day. My father went off to work. My mother was still there if one of us got sick, but
there also were grandparents around. Today, our grandparents are working in various stores, bagging groceries, ringing cashiers, and just trying to sustain their lives, and it’s just different from what it was when I was a child, but I would think we would want everybody to have the same opportunity that if someone fell ill that they would have the support of their family. I’ve heard is mentioned so many times about people leaving Connecticut. I thought about this today and said, well, maybe this is an opportunity to bring some young people into Connecticut, that if we were doing this it would be an incentive to come to Connecticut, to look on the positive side of this. You know, anyone who is working at a job and has the stress of thinking about someone at home who is ill, trying to do their job, is not going to perform so the business is going to lose out.

I want to share with you my own story, and I think I’ve shared some of this before when this bill was on the floor and a version of it when I was working about five years ago here. So, my mom who had always been well she got sick at 90 years old. She had an illness, and she had to go in the hospital, and she stayed for about five or six days, and so when she came out, she said to us, you can’t put me in a convalescent home because they said she needed to go into one. She didn’t want to do that, but I
have five siblings and we all had other responsibilities in job and nobody could leave their job. I had just purchased a house and really could not afford to leave, and my mom said to us, I raised six kids and six kids can’t take care of me now. That cuts so deeply. It really did hurt, but she was right. None of us could afford to leave our jobs to take care of her, but I had one sister who decided that she would stay home and take care of my mother, and she was working for the city of Bridgeport. They let her have a couple of days off, but my mother needed some time because she had always been well, and she never had anybody in her house. And, you know, as you see older people, you know they get settled in their ways, they are kind of funny about who’s coming in and out of their house, they’re not grasping everything that’s going on, so my sister stayed home and lost her job. So, you know, I feel bad that I didn’t do what I needed to do for my part, but I did what I could, and I continued to take care of my mother who is going to be 104 in July, and every Sunday I spend that with her to give my sister some relief, but I think about what my sister could have done with her life, what she could have done in the way of a career if she hadn’t stopped at that point. She’s a very loving, caring daughter. I don’t think she gave it a second thought about taking care of my mom, but I think that there was an opportunity when I hear what
people are talking about planning for illness, and I heard that and you just -- I just -- it completely threw me when someone said you plan for these things. I just asked my colleague did he plan for this problem he has on his arm. He didn’t plan for that. He couldn’t control that. When someone comes up with metastatic breast cancer, prostate cancer, or heart attack, they can’t plan for those events, but they need family around to take care of them. I think that we need to think also about balance is business and understand businesses, but also understand that those are people behind there. I just looked up Walmart because you know I’m really hard on Walmart. I use them as the child of everything I don’t want to -- to be like, but I tell you this -- Walmart is now paying paid family medical leave. I’ve been to Arkansas, small town. The city is prospering, but it took them so long to get to this point after making billions of dollars to start paying people for paid family medical leave, and I heard the conversation when we were doing the $15 dollars is that when small businesses grow, they give it back to their workers. Well, not all of them. Maybe some of you good guys do, but there’s a lot of bad actors out there who don’t, and that’s why we’re here. We’re here to stand up for people who need us to stand up for them, for families who want to take care of their families, who want to take care of their children without the
stresses of life because in the long run we’re all gonna pay for it. We may not be paying for it in dollars and cents, but we’re gonna pay for it and then other people who are working for businesses that don’t show up. I also thought about you know if I had five days’ vacation or if I had five days’ sick leave, and my mother needed 15 of those days, I’d give them all to my mother, but the other five days I probably wouldn’t have to give to her, and I’d have to just probably not go back to work for those days, so I want -- just want to keep the humanity in what we’re doing and balance it with business and understand we got to start moving this along. This is not the world we lived in 20 to 25 years ago. We start -- have to start thinking about the families and what we want Connecticut to look like.

When people say that we’re a liberal state, I sit back and I say, I’m not really sure we are. I’m really not sure, but I think we’re moving in a place if we can -- when we move this bill forward, and I do believe we will pass this bill tonight, that it’s a bill moving in the right direction, and I ask my colleagues to support it.

Thank you.

THE CHAIR:
Thank you, Senator Moore. Will you remark further? Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. You know, as evidenced by the last vote, you know, support for family paid medical leave is around this table. Getting there is a different story. When we exclude well over 100,000 people and we don’t make them pay into this; yet, we make other people who have the ability to take that time off through sick time, vacation time, and earned time because they have plenty of it, but we don’t give them a way out, we force them to pay, that is not equal. When you force somebody to pay anything, I believe it’s not equal. We gave an opportunity to do this through the free market. We gave an opportunity to go through the other states, to lower that cost, to make it more affordable than the $15 dollars a week than it really is, and we decided not to do that, but until we include everybody into making these payments, we can’t sit back and say this was equal. We carved out a certain group of people, and we shouldn’t have. And, I do support the concept. I just don’t like the vehicle that it’s taking.

Thank you, Madam President.

THE CHAIR:
Thank you, Senator Champagne. Will you remark further? Will you remark further? Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. This has been a long afternoon, well into the evening, and I’ve listened to so many of my colleagues on both sides of the aisle and their comments, and you know, I’ve been listening to folks for months on this program even before I was elected, and I think we’ve tried to take everything into consideration and craft a very strong program that we believe will be resilient and will stand for the future generations. What we’re doing here tonight, we’re not taking this step lightly. We’re taking the step in a thoughtful well planned out way. We’ve looked at all of the facts and all of the figures, and you know what, it does add up. It adds up to a better life experience for workers in the state of Connecticut, and that’s what we’re here to do. We were elected to represent the people of Connecticut, and I can tell you I’ve never been prouder to be a state Senator; albeit, I’ve only been one for a very short while, but it makes me so proud to be able to carry out the programs that we were elected to carry out. You know, we have the good fortune of not being the first state in the country to do this. [Laughing]. We have the good fortune to look at the experience of other states like California that’s had this program for
more than ten years, and their experience has been so very positive. When they did a poll and a survey of businesses in California, 90 percent of those businesses reported a positive or neutral impact. This is after ten years of paid family and medical leave. When I talked to folks from Massachusetts, and I’ve had some ability to talk to folks who are on the inside really working on building this program, and one person in particular who is deeply involved and has a great deal of responsibility for the implementation of the Massachusetts law -- I’m guessing he’s probably around my age. He may be a little bit younger -- but I know that he has worked on behalf of working people for many years as an attorney, and he told me after spending several hours just going through step-by-step how they’re building this program, I was so happy to hear him say that this has been the best work of his life, and that he is excited every day to go to work and build this program. And, I really believe that’s what we’re gonna do here in Connecticut, and it will be some of our best work ever.

When it comes to our voters, the people of Connecticut, you know I can look at two things that are really important to me. One is the fact that in 2017 there was a poll done of small businesses, 77 percent of those small businesses reported supported paid family and medical leave, but more recently,
this year there’s been so much discussion about paid family and medical leave, and people are really very well-informed about it, but there was a poll done, and a lot of times people say, well, these polls it’s all about how you ask the question, and we all know that’s true, that there is something about the way you ask a question in a poll, but what I really respect and love about this poll is that when people were given the details of the paid family medical leave act that we’re proposing here, the response was overwhelming, and it wasn’t just democratic households that were polled. Democrats, republicans, independents, unaffiliated, the poll came at 88 percent in favor of paid family and medical leave. Now, what was even more encouraging was after that question was asked people were informed that employees will be paying for this plan. This will come from a deduction from your pay of a half of one percent like an insurance premium, and when people were told that, they still polled at 82 percent in favor of paid family medical leave.

Now, that’s the statistic. That’s the poll, but I want to tell you my own survey that I did. Because I didn’t have a primary I didn’t have to worry about getting elected in August, but I went out on primary day and I went to every poll station in my district, and I took with me a petition for paid family and medical leave, and I talked to voters as they came
out from voting. I didn’t try and stop anybody from
going in and voting, but as they came out, I
discussed with people paid family and medical leave,
and I asked them if this is something they would
support and asked them if they would sign a
petition, and you know, some of the people knew me,
so you know, there may have been more democrats that
stopped to talk to me than republicans. There is
that possibility there was some screening going on,
but what really impressed me was the number of
people who signed the petition. In just that one
day, I signed 140 people, and what made me so
pleased is when I went back and looked at who had
signed and compared them to the VAN, to the voting
list that we all have access to, I found that 30
percent were republicans. They weren’t going to
vote for me. They didn’t come to vote that day for
a democrat. They came to vote for a republican, but
they support paid family and medical leave. This
has really been my experience throughout the many
months. People say I talk a lot, which is true. I
try not to talk a lot here, but I do engage in a lot
of conversation with folks, and wherever I go
whether I’m at a Dunkin’ Donuts or whether I’m
checking into a hotel or whether I’m at department
store, I talk to whoever’s working there. And, one
of the things I talk about is paid family and
medical leave, and the response I have gotten has
been overwhelming. People are really excited about
this program. This program gives people hope and faith that the state of Connecticut has their back. This is a program that is going to take care of working families, and there are so many stories. You heard a lot of them here tonight, and I know everybody here has a personal story of somebody they know that didn’t expect to get sick and couldn’t keep their job because they were sick, and this program will afford them a cushion, an opportunity to get better, an opportunity to take care of a family member, and it directly impacts our economy because the people who are going to benefit the most from this are not going to take that money and go invest it overseas. They’re not going to buy stocks and bonds. They’re going to take that money and spend it in that small business and go out to dinner in that restaurant and go to that movie maybe now because they have a little bit of money in their pocket to pay their bills when somebody in the family is sick.

So, this bill gives me great hope. You know, last week when we passed the minimum wage, I said it was one of the most thrilling experiences of my life. I felt like I just negotiated a raise for 332,000 people here in Connecticut, and that was thrilling to me. The biggest thing I’d probably ever done, but in so many ways, this paid family leave bill and passing this tonight and voting for this tonight is
my opportunity to say to the people of Connecticut we’re doing something for people here in Connecticut. We’re going to make it a better place for people to come and work and raise their families, and that’s very important and I feel very privileged to be standing here before you all today, and I couldn’t be prouder than to be here with our president of our Senate, you know a woman who I know has fought for women’s rights and women’s equality her whole life. For all my colleagues who have spoken here tonight and supported this bill, for my daughter and my grandkids who came and stood with us, stood with me tonight. I had the benefit when I was pregnant. I got to take off time, take care of my kids when they were little, when they were born, and because my employer paid for it. I had the time when my dad was dying and I needed to be in Nebraska. I could do that because my employer provided paid family leave, but I don’t think I should be more privileged than anybody else. I think everyone should have those benefits. I think everyone should be able to take care of their family and not risk their job or risk their paycheck or risk their house or risk their apartment.

We have the opportunity here tonight to move this bill out of the Senate to the House, and I really truly believe that we have a governor who is going to sign this bill, and so I urge all my colleagues
to join with me in supporting the people of the state of Connecticut, and vote yes on this bill.

Thank you.

THE CHAIR:

Thank you so much, Senator Kushner. Will you remark further on the bill that is before us. Senator Witkos, good evening.

SENATOR WITKOS (8TH):

Good evening, Madam President. To begin the wrap-up of the bill, first, I want to thank all the members that stood and spoke today and those that shared their personal stories. I know that’s a very difficult thing to do, and it was very moving, and I -- as Senator Kushner just said -- a lot of us have the same type of stories that we could share regarding family members who are in need of somebody to be there with them, and that’s so important, and I think often times people would choose they will be with the family member over -- they don’t’ care what their employer says -- they’re going. Family first. That’s always in my book -- family comes first.

We’ll figure everything out later on. But I think employers understand that as well, and I found it ironic that the name of the -- the insurance trust fund is dubbed the Family and Medical Leave Insurance Trust Fund when the amendment that we were
talking about really allowed individual members, if those chose, fit to need -- chose the need to purchase such a product -- insurance product that could do so, but it was voted down along party lines, and the stark difference between the amendment that was offered, the bill as amended today is it’s a mandate, and this goes down the road of all the other things. We can’t look at what we’re doing to our businesses both small, medium, and large in our state without looking of the things that we’ve done historically over a period of time, and the period of time I’m talking about is fairly most recently. We were embarking on passing this today. We just passed the $15 dollar an hour minimum wage last week. I recall in this specific circle and Chamber us passing a public pension plan. There is conversations about having a public option health insurance plan. There’s a conversation or a mandate to provide paid sick days to employees.

So, taken in totality, that is a large strain on employers. In this case, I understand that the employer isn’t paying for the benefit, that the employee is, but the employer would be responsible for replacing that employee if they were so -- if they chose to take advantage of the benefit, but what I find unfair -- totally unfair is the fact that unionized state employees don’t have to pay into this fund, nor do public unionized employees
have to pay into this fund unless they collective
bargain for the benefit. So, if you don’t think you
would ever use the benefit because you have a great
CVA already -- Collective Bargaining Agreement --
which gives you short-term disability. You might
have the ability to get 12 or 15 sick days a year,
which you can accumulate up to 120 days. You’re
like why would I want to put half of one percent of
my pay into this fund where I -- I’ll never use it
to go to other people? And, that’s just downright
wrong. Why would we exclude anybody? If we’re
mandating some, it should be mandated to all, and I
find that inherently unfair.

I also find it unfair when we’re talking about those
folks that are scraping to get by that they may work
two or three jobs. Well, now they’re paying up to a
half of one percent on every job that they work, so
that while they’re working to try to get ahead we
still taking more of their money, and you could
almost say that they’re paying one percent of their
wages, while those of us that have one job are
paying half of one percent, so they’re actually
paying double the amount of money into this fund. I
don’t think that’s fair. I honestly detest the fact
that I’m -- I’m going to have a reduced paycheck if
this bill becomes law. My paycheck will go down,
and I don’t -- can’t envision a scenario -- and we
never know what’s going to happen -- where I may
have to take a leave. I think that it’s a benefit that HR departments offer through their employers as an attraction to get qualified candidates. I know when I was looking for different specific jobs, I’d say well, what’s the pay and what are the benefits, and given everything being equal, if some employer offered a paid family sick leave and another one didn’t, well most likely the employer would probably choose that company, but we’re taking an employer advantage away from hiring the best candidates by saying everybody must now have this.

Are we going down -- what will be the next thing that the state will say everybody must offer? It’s very likely we could say everybody must -- their employer must provide a cell phone for emergency communications to employ. What happens if a family member has to call them because not everybody can afford a cell phone? What happens if an employer must provide incentives for to getting to and from work, a subsidization of rail trade fair or mile reimbursement. I mean it’s never ending. At some point, we got to let the employer offer those benefits. You don’t have to work for that employer if you don’t want to. You can always get the skills and look for another employer to move on to a different company, and people do that quite often, Madam President. In fact, there’s a bill that hasn’t been called in here yet about trying to
penalize people from moving from one location to another if they’ve done it within the first five years, which I think is a direct contradiction to what this bill tries to speak of allowing -- what I say -- employers to offer those types of benefits, and I will say that I’m concerned that the length of time that one can take off -- 12 weeks -- personally, I think that to me is excessive because if I was in a situation -- and I can only speak from a scenario that I would be involved in -- and I had a family member that was harmed or injured or frail or ill of health, I’ve got to start thinking of long-term care for that individual, that family member, so would I wait until the 12 weeks are up and then start looking? Knock on wood, I’ve never had to do that.

Everything that I’ve been involved with was a short-term, and so I was able to cover that with my sick leave time or my vacation time that I’m offered through my private employer, but I would seriously start looking at I’ve got to put things in place for long term, and care for the loved one that fits under the bill as the family members, so I don’t know if the 12 weeks is the right time. When I’ve been talking to folks that say, Kevin, you’ve got to support paid family leave. I tell them the scenario and I give them the math, and then they said, well that doesn’t make any sense. And, the scenario I
give to them is if you make $50,000 dollars a year and you have to put half of one percent into a fund. That’s about $250 dollars that you pay in, but you’re eligible to get up to $900 dollars back for a period of 12 weeks. I said, that’s relying on the fact that a lot of people won’t take advantage of this benefit, but if they do, if a large majority of the people do, the bill says, we’re going to reduce the benefit.

So, we really don’t care I guess about the 12-week limit because we’re saying if we can’t get there -- we know the bill won’t pass if the -- if the authority can raise up the rate as the percentage of your pay, so we’re going to reduce your benefits, and we -- and it doesn’t -- but it’s not. It’s the bill is silent on what will be reduced. If the purpose is to make sure that the person can continue on with the care and their income supplemented, I hope we wouldn’t reduce the pay because maybe they’re counting on that pay to get by, but the bill is silent on that. They could do a combination. They could reduce the pay and they could reduce the weeks. I wish the bill spelled out which -- which came first if a reduction had to take place because I think most people would rather have a shortened period of time and a larger pay to get them through their period of time than the other way around, so I have a lot of concerns. I think it’s a mandate that
a lot of people won’t use. They don’t have a choice when government believes that they can do the job better than the private sector. That’s very concerning to me, Madam President. I am aware of the governor’s press conference earlier today, which speaks to the last point I want to bring in is that the authority has the ability to hire the folks necessary to complete this task. We have no idea how many state employees would be hired into this quasi-public agency. We’re already scrapping [sic] with $70 billion dollars in liabilities. We haven’t gotten a hold of that yet. We could be on the cusp of hiring hundreds more employees to work on this benefit cost. Mind you, the half of one percent that’s being taken out of everybody’s paycheck will be used for the training of the employees, the cost of the employees, the cost of their fringe benefits, the advertisement.

I know that there’s in the governor’s bonding package there’s $20 million dollars or $40 million dollars every year for that. I mean this is a very, very, very expensive program to initiate. I would have loved to have seen the amendment pass that was provided before. I wish that we could have gotten involved in some of the conversations to try to scale back some of the benefits to really see what is it that the average person would need to get through a difficult time, and I think that something
-- if we incorporated with conversations with the Hospital Association the CEAs of the schools, the superintendents of schools if things happen there, if a child’s involved -- we could probably zero down the number of weeks the average individual would need to have time off, and I think that’s something that a lot of us could support, and I think we just picked 12 weeks, -- I don’t know how we got the 12 weeks. That is the most generous benefit that would be offered in the nation to match other states that had the most generous benefit. Certainly, the 100 percent wage replacement up to $900 dollars is either the most generous or would match the most generous, and I thin the creation of the authority at the funding level, which is unknown at this time, really creates a burden to -- to all those involved. The fact that you have no ability to opt out, the fact that unionized state employees don’t have to pay into this, I’m jealous honestly that they don’t have to pay into this. I wish that we could opt ourselves out because I would do that in a heartbeat.

But with those, Madam President, I’ll be voting no on the piece of legislation before us today. Thank you.

THE CHAIR:
Thank you, Senator Witkos. Will you remark further? Senator Duff, good evening.

SENATOR DUFF (25TH):

Good evening, Madam President, and thank you. Madam President, I rise to support the legislation that is before us. Madam President, Connecticut, we like to think of ourselves a lot of times as in the forefront of many important social -- pieces of social legislation, and always a leader in a number of different areas, but in this area, we are not a leader. As a matter of fact, 183 out of 185 countries around the world have paid family medical leave already, and in the United State California and the District of Columbia, Massachusetts, New Jersey, New York, Rhode Island, Washington all have paid family medical leave, and so we're not a leader when it comes to this issue, but tonight, we can join the rest of the pack, and lead ourselves, and lead the residents of this state into really an important piece of legislation and an important policy here in this nation.

While 183 out of 185 countries have gotten it right a long time ago and said, this is the right kind of a policy, this is not some sort of a wild fantasy about some social experience, this is being done all around the world, and now state-by-state in our nation. This is something that other nations have
said, this is good policy, this is good for families, this is good for taking care of our loved ones whether it’s a new child or whether it’s a senior, a parent. In a number of different circumstances, this is good policy, and so it’s high time for the state of Connecticut to join the ranks of 183 other countries in many other states that are doing this because we can do this. This is the right thing to do. Paid family medical leave is an idea whose time has come because it’s something that has been said earlier is the people of this state are demanding. They’re asking for this. They’re saying we need this as policy in the state of Connecticut, so we have -- we have made this, this year, Senate Bill 1 for that reason. This is important policy. This is one where when we know it will give safety and security to so many people across the state of Connecticut, people who I have met around my district over the last many years when we have been talking about this, and especially we’ve -- we have been debating this and discussing this over the last few years. Last year, we actually brought it up to debate here in the Senate. We didn’t pass it, but we had that initial debate, and this year I firmly believe we’re gonna have the votes to pass paid family medical leave in this Chamber, and that’s really exciting, but I’ve heard from people in my district and across the state who
have said that we need to make sure that we do and we pass this policy, and I’ll give you one example.

I had the opportunity a few months ago to -- to stand -- to sit at a dinner actually with an all community college with a student there, and he’s a veteran. He’s young. He’s in his 20s, he’s married, and his wife is expecting their first child. He is a full-time student. He’s working full time, and the company that he works for does not offer any kind of family medical leave at all. And, when we were talking at the dinner, and I was introducing myself, and he said, what are you working on this year up in the legislature, and I said, well we’re working on minimum wage, we’re gonna be working on paid family medical leave, we have a number of other issues that we’re discussing, and he told me that his wife was pregnant. He said, you know, I’d really -- that would really be something that would help me. And, so not only is this one of our -- one of our younger people in the state who we want to keep in the state, who we want to keep in Connecticut.

We always talk about that. this is one of our veterans who we always say we will do anything for our veterans, and he said, this is something that would really help me out. This will help my wife and my newborn, and it will help me be a good dad. And, isn’t that what we want to do? Don’t we want
to make sure that he has the ability to be at home with his newborn, that he has the ability to bond with his infant and help his wife to ensure that together they’re helping to raise their child? And, so to me, that just encapsulated all what’s important about this legislation -- the helping those young families, helping those who are starting out, or maybe somebody on the other end of the spectrum in the sandwich generation who’s taking care of an ill parent, and I’m sure many of us have been in that situation as well. I’m thankful of the fact that my jobs are both flexible in the sense that I have the ability to take the time off if I need to, to take care of a loved one, but I certainly know not everybody has that ability as well.

But the other reasons why this is important because yes, a lot of our larger companies do offer some sort of a paid family medical leave, but small businesses cannot. It’s difficult for them to do that, but this bill provides that equalizer for them to do that. This puts them on solid footing with large corporations when it comes time to bringing in talent that they can keep so that that talent will stay with them, and they don’t have the cost of retraining new and new people over and over again because they lose them because of benefits like paid family medical leave, so this is good in my opinion.
for small businesses, medium sized businesses because a lot of our large businesses are already offering it, and this will help them be able to compete on the same kind of a scale as well.

I think -- also think about my wife and I when we had our first child and our second child. She had paid family medical leave and was able to take 12 weeks off, and let me tell ya, some people may think 12 weeks off is a long time. When you have a newborn, it flies by. At least in the first couple of weeks, I know you’re not even sure what day it is. Many times you don’t even remember if you brushed your teeth because the days go by so quickly, and then that’s terrible, and -- but 12 weeks goes by very quickly. I remember when our first born came we thought oh, 12 weeks, we’re gonna have all these -- we have a to-do list like crazy. Next thing we know the 12 weeks ended, she’s back at work, and we didn’t even -- we didn’t even know what happened with all that time, so 12 weeks is I think a fair amount of time even though considering many other countries have much more -- are much more generous than even 12 weeks right now.

And, one reason why I’m so excited about this bill tonight, Madam President, is because -- and I spoke about this on other bills previously in the circle in other years, is that this piece of legislation is one of those bills that is a tangible bill -- a
tangible -- what will be a tangible law. It is a tangible piece of evidence of what we can do in this building that will positively impact the people across the state of Connecticut. Lots of times, we pass policy, and we’re not sure sometimes if we -- we do a piece of legislation what it will -- if we do another energy bill when I was Chair of the Energy Committee, and we hope that we pass a good piece of legislation it will help or sometimes there’s unintended consequences. I firmly believe that this legislation will be a -- will be tangible and will be positive, and it will have a positive effect on the people of the state of Connecticut. It will help keep our young people here. It will help our families. It will help move the state in the right direction. It will reduce cost for businesses because it will keep people in the same company rather than having them go to another company because those other companies may offer this benefit. This will be a good thing. This will put Connecticut on the map, and other states are going in other directions. This will be one of those -- one of those policies that I think people will say, Connecticut is a good place. This is a place that shares the same values that I have, that shares the values where I can have that work/life balance. I don’t have to worry about making those choices between my job and taking care of my family. I can
have that piece of mind. I can have that security in order to -- when I -- when I’m with my family.

So, Madam President, I am very, very excited about this legislation. I really want to urge my colleagues to vote for this. Before I sit down, I just wanted to thank you Senate President for his leadership on this legislation. He has pushed this from day one, and it is Senate Bill 1 because of Senator Looney, and without his tireless support, being an advocate for this, we would not be debating this bill right now, so I want to thank Senator Looney for his work and his stalwart support on this issue and supporting this issue before anybody else even supported this issue, so he has been a true champion for this as well. I certainly want to thank Senator Kushner for her leadership as well. She has worked doggedly over many, many months, juggling many big bills that we’ve had, but she’s been able to do that and do that and listen to various legislators and colleagues and others when trying to come up with just the right type of bill that would be one that we could pass, that would satisfy concerns, that would also ensure that we struck the right balance in a number of different ways. So, Senator Kushner, thank you for -- for your work as well, as well as certainly Representative Porter downstairs. They’ve been a dynamic duo and a great team also. We have great
staff behind me and our Deputy Chief of Staff who has worked very, very hard on this as well. He has put many, many hours and months of time and laboring in this also. I also just want to thank -- an aside before I sit down -- I want to thank the former administration -- presidential administration. Because when many of us had been to the White House under the previous administration, they were pushing paid family medical leave nationally state-by-state, and they worked really hard to provide us information, to gain support, and they never had the opportunity to see Connecticut pass it before they left, but I’ve been in touch with them since then, and they are watching closely and very excited that we are on the cusp in this body of passing this bill.

So, there’s a number of people obviously who are a part of the success in what I hope will be tonight after we take the vote, but again, there’s many hands who have brought us to this point tonight, and I want to thank everybody for doing that, and of course, the advocates who are here tonight in the gallery, and others who may be watching or who will benefit from this. They all had a hand in this as well.

So, Madam President, again, I strongly advocate for those to vote yes on this legislation. This is one of those moments that we will have -- we will make
real tangible effect and a positive impact on peoples lives here in the state of Connecticut by passing Senate Bill 1. Thank you.

THE CHAIR:

Thank you, Senator Duff. Will you remark further? Senator Fasano, good evening.

SENATOR FASANO (34TH):

Good evening, Madam President. Madam President, I rise in opposition of this bill. Let me just say a few things. First of all, I think it’s been said that with respect to the California law, we cannot compare Connecticut to California because as I mentioned since the 40s or 50s maybe California has had the disability insurance for all employees unlike the Worker’s Comps. When you add a benefit to the California, you’re not creating a whole new system. Madam President, this is going to be extraordinarily costly for the state of Connecticut, one of which I think the bill even recognizes that it’s success is somewhat dubious, and the reason why I say that is that they say that if it doesn’t pan out we’re going to reduce the benefit. The bill says that, so understand when you pass this bill what you’re passing may not be in reality what happens a year or two from now, and I think that’s why Governor Lamont takes the position that he was going to veto this bill, and he’s going to veto this
bill because he has concerns as drafted with a number of state employees. They will be state employees with fringe that are going to be added to this bill that that cost, and don’t forget for every state employee, it’s 96 cents fringe -- 96 cents fringe. Basically, one state employee equals two. I think Governor Lamont’s concern was -- and I think he said this a bunch of times not only privately but publicly if we are going to do this I don’t want to have to after two years to come back and say I’m cutting a benefit or I need to take more money out of the employee’s pockets. I think that’s a fair argument. I think that’s a responsible argument. I think when people say, you know what we supported you, we gave your our votes, and now you owe us irrespective of the consequences that it could bring, it’s very concerning to me. You may support somebody and believe in 95 percent of what they want to do, but that doesn’t mean that you do a bill that could put the very nature of the bill in jeopardy just so you can say I’m on your side, and I applaud Governor Lamont for looking at this bill and saying the economics scare me. I am not going to make a promise I can’t guarantee I’m gonna uphold, and I’m certainly not going to make a promise that says I am going to give you these things and then without the discretion of the legislature or the governor some of it may be removed because the numbers don’t pan out. That is a legitimate concern, and I respect
Governor Lamont for standing up to this, and his argument was we need to privatize this.

Now why? Why? It isn’t to make money for insurance companies. Sure, they’re going to make some money. No question about it. That’s what businesses do. I know that sounds like an evil word sometimes in this building, but that’s what businesses do. They make money, but he’s doing it because it’s gonna cost -- if you look at this bill, this bill is almost identical to the bill that’s in the state of Washington. That computer system is $80 million dollars just for the computer system, and if you check with Washington, which we did. Now, mind you it’s all data. It’s back in I think of March of April. They were concerned that as they wrote the bill in Washington the numbers were not panning out the way they thought. They were running into a deficit. That was our conversation with them. That’s what Governor Lamont doesn’t want to happen, and when you have this group that’s gonna hire employees without this legislature oversight, a system that’s gonna have to watch this without this legislature’s oversight, running by itself without this legislature oversight, all you have to do is look at those quasis across the state, which you’ve heard me mention a hundred times in this Chamber that I’m going appoint to that have had problems. And, the answer in this bill is they’re gonna fix
that problem without anybody in this circle weighing in. You’re out. That’s not responsible government. That’s not responsible to the people that you made a promise to.

Madam President, we put up an amendment. I know it went down, so no sense going over great of these details of that amendment, but that was the free-market amendment. That was the ability to make employees do what they wanted to do. Madam President, the other problem I have with this bill is -- was mentioned in this circle. State employees are excluded. Nonunion employees in this building get the same benefits as those who join the union in this building. They get vacation days. They get sick days. They can accumulate. I was talking to a staffer today who has 60 days of sick time accumulated -- 60 days. They can take off 60 days of sick time and not once lose a dime out of their pocket. We also have a system in this building, and we used it for one of our staffers years ago where you could donate your sick time to a state employee, nonunion, so that they could go through issues, and we did that in our caucus and I think this building -- not just republicans, nonpartisan staff and partisan staff donated time. But now they’re going to be losing money from their pocket unless they unionize so they don’t lose the money. Is that by design? I don’t know.
We see what happens with the contracts in this building. All the contracts that we’re going to be approving and six tomorrow really takes nonunion employees and unionizes them because we made a decision we can’t afford those raises, and that’s why those contracts came back. We’re taking the private union sector that work out their agreements in some bargaining unit, and they work out their time, but they’re going to be paying out of their pocket for this. I think the intent of this bill is noble and I support it. I think the reason for it makes sense. And, without getting persona, my family we had an issue where one of a loved one missed several weeks leading up to almost a month and a half because of a medical reason, and to say you don’t feel for these people is wrong, but to argue there is another way of doing it is what’s important. And, it’s not that we don’t object or it’s not that we object to paid family leave because nobody in this circle objects to paid family leave. It’s the manner of which you’re going to do it. Either it’s going to be forced and mandated and taken out of your pocket, or we’re going to let people decide for their own and let the private sector operate.

So, Madam President, I agree with Governor Lamont. I agree that there is a pathway. This is not it, and with that reason, I will be voting no.
Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further? Senator Looney, good evening, sir.

SENATOR LOONEY (11TH):

Good evening, Madam President. Madam President, I rise in -- in support of Senate Bill 1. First, I wanted to thank Senator Kushner, who although she is new to this Chamber is not new as an advocate for the working people of this state. She has devoted her whole life and career to that effort both in her former employment and now as a member of -- of this body. Also, her colleague, her Co-Chair, Representative Porter, my dear friend from New Haven, they have both worked tirelessly on shaping this bill in response to the needs of the people of our state, and I wanted to thank you Majority Leader, Senator Duff, who has put in countless hours building consensus in our caucus on this issue in conversation after conversation to help bring us to this evening, and -- and great thanks to him too for all his strategic support and strategy, his wisdom, and his one-on-one approach to bringing members to enthusiastic support of this bill.

Madam President, according to a 2016 Institute for Women’s Policy research report entitled Implementing
Paid Family Medical Leave Insurance in Connecticut

only 13 percent of workers have access to paid family leave currently through their employment, and fewer than 40 percent have access to personal medical leave through employer provided short-term disability insurance, and according to that report for families with incomes below $25,000 dollars a year, 62.7 percent of leaves taken are uncompensated completely, and while some workers may be eligible, of course, for the federal benefit of the 12 weeks of unpaid job protected leave under the Federal Family Medical Leave Act -- if they’re fortunate enough to work for an employer, but large enough to be required to provide that benefit -- many Connecticut employees are of course ineligible for this unpaid benefit, and the reality is that only a very small fraction of people can afford to go without a paycheck for a month or more, and many cannot afford to go more than a week without a paycheck.

People are living literally paycheck to paycheck in our state. And, in fact, many of them consider themselves middle class or close to middle class but the net beneath them is very tenuous and very frayed, and this is not an abstraction. The needs of people and what they face -- this -- people without this benefit are facing an abyss, an a chasm if something happens to bring them into a situation
where they have a sick child, a sick family member, a sickness themselves, and it is -- it is something that is just so startling and so disturbing as we heard the moving testimony of Senator Winfield earlier about the experience that his mother went through in her final illness and his own fears in the birth last year of his -- of his twins. This is something that -- as I said -- is not something to think about as a -- as a casual benefit that people might like as an add on. The absence of it is a tragedy in many lives, and that’s what we’re trying to deal with this evening. That it means that there are about 74 percent of Connecticut children live in households where all parents work, and a lack of paid family and medical leave means that parents of these half a million children are unlikely to have the ability to take time from work to care for them without a severe financial loss, so there is the worry and the concern and fear about the health of a child, and the worry, concern, and fear about how the family is going to live if the parents take time off to care for that child.

Connecticut -- we are not literally surrounded by states that do offer this benefit. Massachusetts, New York, Rhode Island, New Jersey all provide this critical benefit to their residents, providing significant not only financial but psychological reassurance to their residents. Many talk in the
circle about and say, well, Connecticut isn’t keeping pace economically with some of our neighboring states, and we’re not as attractive to — to bringing young people into work. Well, since these other states have already adopted these benefits, and if we do not, we will fall even further behind in these areas. How are we going to attract young families to Connecticut when they see our neighboring states provide this benefit, and we do not? This is in a way a self-protective measure for us to adopt this measure to keep us competitive in terms of the human benefits of employment with our neighbors. It is critically important that we recognize that, that we are not going to be a pathfinder in this bill. We’re not going to be at the leading edge. We’re just trying to catch up and keep pace with other states that are enlightened at this regard. As we said, other states have adopted. In Washington State and many of the other states that have adopted this bill, it was a bipartisan effort. It was something that both parties recognize in the interest of the people of the state. In Washington, for instance, one of the prime sponsors was Senator Joe Fain, a republican, who when he was able to stay home for an extended period after his son was born because the legislature wasn’t in session and his wife’s employer did give a generous leave, he said he wanted other families in his state to have the same
opportunity, and he said, “When I thought about all the things I did to give my son his best start in life, I realized most families don’t have that ability to focus solely on their new baby he said. In many cases, dads are heading back to work the next day, and we heard Senator Slap’s testimony earlier, very compelling testimony, about the regret he feels to this day that he had only four days to be with his newborn daughter, his first child. So, we know from studies and anecdotal evidence and our own experience as Senator Fain said that it is critical to the family to have that time to adjust and to bond, and Washington’s legislation, again, calls or both employers and employees to pay into the system, and many of the other states that have adopted it are doing the same.

So, even in adopting it, we are still doing something less generous and less farsighted than other states are doing, but we are asking this modest effort to forward tonight. The bill does allow employers to alternatively provide benefits through a private plan, so people are not locked in exclusively to the government plan as long as the private plan provides the employees with at least the same levels of benefits under the same conditions an employee costs as the family medical leave program. So, again, it is something that is not an inflexible box that people are necessarily
going to be shoehorned into. There is -- there is
an option for employers who would rather manage this
on their own through a system that they are able to
devise and invest in on their own.

The authority that will be set up to -- to manage
the enterprise will have the authority to enter into
contracts or agreements necessary to performance
duties and execute its powers, will have the
authority to issue RFPs if it wants to use an
outside contractor services for: 1) Initial claims
processing. 2) Website development. 3) Database
development. 4) Marketing and advertising. 5)Implementing other program elements and as the
developed criteria for evaluating proposals. So,
there is an opportunity for private interest,
private insurance companies, others to be involved
in this system and to -- and to implement it if they
are able to put together a winning RFP, so the
criteria -- the criteria involved has to be
transparency, cost, efficiency of operations, a work
quality related to the contracts, user experience,
accountability, and a cost-benefit analysis
documenting the direct and indirect costs that will
result from implementing the contracts. This
unbalance is something that is absolutely essential
as a minimum that as an enlightened state we offer
to our employees here. It is something, as we know,
the absence of the benefit is something that can
create a crisis in the lives of families, and not just poor families. We are talking about working families, talking about middle-income families here because the tragedy is that even middle-income families we know don’t have much of an economic safety net, and have very little in the way of reserves just as we are increasingly finding that more and more people in retirement are relying more heavily on Social Security for -- to live on because they don’t have significant pensions or well-resourced 401Ks. This is something that will provide greater peace of mind, greater stability for our families. At a half a percent, it’s a very, very minimal payroll deduction for a very, very significant amount of peace of mind and protection for those who would be in need of this, and the reality of human existence is that one never knows when someone themselves or herself will be ill, a spouse, a parent, a child could very well be healthy one day and fall into a significant need the next where someone would need to take at least 12 weeks off to be able to care for that person in need. Again, these kinds of things in life can strike randomly without warning, and you’re living comfortably one day and the next day you’re in a crisis, and this bill’s passage tonight and we hope by the House of Representatives and eventually be coming into law will help reduce that sense of
crisis and that sense of panic when that terrible moment comes in the lives of families in this state. 

So, Madam President, I urge adoption of approval of this bill this evening. Thank you.

THE CHAIR:

Thank you so much, Senator Looney. Will you remark further? Will you remark further? If not, Mr. Clerk, if you would kind announce the roll call vote? And, the machine will be open.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill No. 1 as amended by Senate A. Immediate roll call vote has been ordered in the Senate on Senate Bill No. 1 as amended by Senate A. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked, and Mr. Clerk would you please announce the tally?

CLERK:

Senate Bill No. 1 as amended by Senate A.

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THE CHAIR:

(Gavel) [Applause] Measure is adopted! [Applause]. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, does the clerk have Senate Agenda No. 3 on his desk?

THE CHAIR:

Mr. Clerk.

CLERK:

The clerk is in possession of Senate Agenda No. 3, dated Wednesday, May 22, 2019.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move all items on Senate Agenda No. 3, dated Wednesday, May 22, 2019 to be acted upon as indicated, and that the Agenda be incorporated by reference in the Senate Journal and Senate Transcripts.

THE CHAIR:
Senator Duff, that will be so ordered and so noted. And, I would just ask that everyone in the Chamber give their attention to Senator Duff, and that we have quiet so that we can finish our proceedings. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I’d like to yield to Senator Looney.

THE CHAIR:

Senator Looney, do you accept the yield?

SENATOR LOONEY (11TH):

I do, Madam President. Thank you, and thank you Mr. Majority Leader. Just for a point of personal privilege?

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY (11TH):

Thank you. Thank you, Madam President. Today, is the 30th birthday of one of our beloved staff members, Nick Neeley, Jr. who is 30 years old today spending the day with us [Applause] as he does so many other days. [Laughing]. I remember -- Madam President, I remembered at his birth 30 years ago today how thrilled his parents Nick Neeley, Sr. and
Sue Iselberg were and still are about all the greatness he has brought into their lives, and their wedding a couple years prior to that was one of the best weddings I ever attended, so congratulations to Nick and to his parents.

THE CHAIR:


SENATOR DUFF (25TH):

Thank you, Madam President. I think Nick Neeley would like to share a few words with all of us, but the Senate rules [Laughter] -- Senate rules won’t allow it. Thank you, Madam President. That concludes our business for today. It will be our intention for the Senate democrats to caucus at 11 o’clock tomorrow and to be in session at noon tomorrow.

THE CHAIR:

And --

SENATOR DUFF (25TH):

And, I’ll yield to Senator Witkos.

THE CHAIR:

Senator Witkos, do you accept the yield?
SENATOR WITKOS (8TH):

Thank you, Madam President. Yes, I do. Senate republicans will caucus tomorrow at 11 as well.

THE CHAIR:

Senator Duff. Ah. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. And, yes, as Senator Witkos says, we are caucusing, but I do want to remind the President that we do have a certain decorum in this Chamber, and I just hope from this point forward we continue on with the tradition of the decorum that we’ve have always held dear to our heart in this Chamber.

THE CHAIR:

Yes. We will.

SENATOR FASANO (34TH):

Thank you, Madam President.

THE CHAIR:

Thank you, sir. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move that we adjourn subject to Call of the Chair.
THE CHAIR:

Thank you. We are adjourned. Go forth and govern. (Gavel).

On motion of Senator Duff of the 25th, the Senate at 8:45 p.m. adjourned subject to Call of the Chair.