The Senate was called to order at 3:47 o’clock p.m., the President in the Chair.

THE CHAIR:

[Gavel] Would the Senate please come to order, and I would invite our members and our guests to please rise and direct your attention to our acting chaplain, Ms. Benita Toussaint of New Haven, who will lead us in prayer.

ACTING CHAPLAIN BENITA TOUSSAINT:

Good afternoon, Senators. May we bow our heads in reverence to God's blessing. Help us to be honest and true in all that we say and all that we do. Give us the courage to do what is right. In Jesus' name, we pray, and we always say, Amen. Thank you.

THE CHAIR:

Thank you so much. And I would invite Senator Anwar to please come forward to lead us in the Pledge.

SENATOR ANWAR (3RD):
[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:

Thank you. Senator Duff. Good afternoon.

SENATOR DUFF (25TH):

Good afternoon, Madam President. And good to see you after this long weekend. Madam President, is there business on the Clerk's desk?

THE CHAIR:

Mr. Clerk.

CLERK:

The Clerk is in possession of Senate Agenda No. 1 dated Tuesday, May 28, 2019.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move all items on Senate Agenda No. 1 dated Tuesday, May 28, 2019, be acted upon as indicated and that the agenda be incorporated by reference into the Senate Journal and the Senate transcripts.

THE CHAIR:
So noted. So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. And now for our markings.

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

THE CHAIR:

Thank you. Mr. Clerk

CLERK:

Page 1, Calendar No. 525, House Joint Resolution No. 166, RESOLUTION CONFIRMING THE NOMINATION OF ERIN BENHAM OF WALLINGFORD TO BE REAPPOINTED TO THE STATE BOARD OF EDUCATION.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

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

THE CHAIR:

The question is on adoption. Will you remark?

SENATOR DUFF (25TH):

Thank you, Madam President. Erin Benham is to be a member of the State Board of Education. The position is four years. It's a part-time position and it’s a re-nomination. Ms. Benham was voted unanimously on her March 14th nomination hearing. Madam President, she is being re-nominated as a member of the board, State Board, as I mentioned, and has worked in the Meriden public schools for 39 years, and 35 of those years as a teacher in the
classroom. Madam President, I urge a favorable vote. Thank you.

THE CHAIR:

Thank you. Will you remark further? Senator Abrams.

SENATOR ABRAMS (13TH):

Thank you, Madam President. I rise in support of Mrs. Benham's nomination. I thank her very much for agreeing to serve on the board again. She is an incredible teacher in the Meriden public school system and has proven herself to be a great leader. And I thank her for all of the work that she's done to make the education of our children better. Thank you.

THE CHAIR:

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

SENATOR DUFF (25TH):

Thank you, Madam President. If there's no objection, might we place this item on a Consent Calendar?

THE CHAIR:

Page 1, Calendar No. 526, House Joint Resolution No. 167, RESOLUTION CONFIRMING THE NOMINATION OF TARINI KRISHNA OF RIDGEFIELD TO BE APPOINTED A NONVOTING STUDENT MEMBER OF THE STATE BOARD OF EDUCATION.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move acceptance of the Senate Committee's favorable report and adoption of the resolution.

THE CHAIR:

The question is on adoption. Will you remark?

SENATOR DUFF (25TH):

Thank you, Madam President. This is a volunteer, part-time student non-voting appointment. Ms. Krishna was voted unanimously at her March 14th nomination hearing, where we also wished her a happy 18th birthday. She was very able to easily answer the questions and did a great job on the committee. She'll be a high school senior graduating in June and will be headed to Barnard College at Columbia in the fall. And I urge adoption.

THE CHAIR:

Thank you, Senator. Will you remark further on the bill that is before us? Will you remark further? Senator Duff.
SENATOR DUFF (25TH):

Thank you, Madam President. If there's no objection, might this item be placed on our Consent Calendar?

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 2, Calendar No. 527, House Joint Resolution No. 168, RESOLUTION CONFIRMING THE NOMINATION OF ESTELA LOPEZ OF EAST HARTFORD TO BE REAPPOINTED TO THE STATE BOARD OF EDUCATION.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

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

THE CHAIR:

The question is on adoption. Will you remark?

SENATOR DUFF (25TH):

Thank you, Madam President. Estela Lopez to be a member of the State Board of Education. It's again a four-year, part-time. She's being re-nominated. She was unanimously voted on at her March 14th
nomination hearing. She holds a BA, graduated a cum laude with Spanish Literature at Queens College's City University of New York. She also has degrees from Columbia, an MA and a PhD. And I urge favorable vote.

THE CHAIR:

Thank you, Senator Duff. Will you remark further? Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Madam President. I rise in support of the re-nomination of Estela Lopez. She's from the town of East Hartford. She's already served about eight years and then she is a highly respected individual with integrity, hard work, and expertise and wisdom that is going to enhance the Board of Education. And I'm excited to stand in support of her nomination pre-appointment. Thank you.

THE CHAIR:

Thank you, Senator Anwar. Will you remark further on the nomination that is before us? Will you remark further? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.
Clrk:

Page 2, Calendar No. 571, House Joint Resolution No. 169, Resolution Confirming the Nomination of Karen Welch of Somers to be a Member of the Advisory Board of the Workers' Compensation Commission.

The Chair:

Senator Duff.

Senator Duff (25th):

Thank you, Madam President. Madam President, I move acceptance of the House, the House Resolution and urge adoption.

The Chair:

Thank you, sir. Will you remark further?

Senator Duff (25th):

Thank you, Madam President. Madam President, we're looking to put Ms. Welch from Somers on the Workers' Compensation Commission, and I would urge adoption.

The Chair:

Thank you. Will you remark further on the resolution that is before us? Will you remark further? Senator Duff.

Senator Duff (25th):
Thank you, Madam President. If there's no objection, might we place this item on a Consent Calendar?

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 2, Calendar No. 588, Senate Joint Resolution No. 41, RESOLUTION CONFIRMING THE NOMINATION OF MICHAEL J. AJELLO OF NORTH HAVEN TO BE REAPPOINTED A MEMBER OF THE STATE ELECTIONS ENFORCEMENT COMMISSION.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move acceptance of the Senate Joint Resolution and urge adoption as well.

THE CHAIR:

Will you remark further?

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, Mr. Ajello is with the Ajello Law Firm. He has been there since 2009 to the present. Before that, he was with Bershtein, Volpe & McKeon in New Haven. And Madam President, I would urge adoption.
THE CHAIR:

Thank you. Will you remark further on the nomination that is before us? Will you remark further? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If there's no objection, I'd like this item to be placed on a Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 62, Calendar No. 162, Senate Bill No. 42, AN ACT CONCERNING COINSURANCE, COPAYMENTS AND DEDUCTIBLES AND CONTRACTING BY HEALTH CARRIERS. There are amendments.

THE CHAIR:

Senator Lesser, good afternoon.

SENATOR LESSER (9TH):

Good afternoon, Madam President. Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

And the question is on passage. Will you remark?
SENATOR LESSER (9TH):

Yes. Madam President, the Clerk is in possession of an amendment, LCO 9788. I ask that the Clerk please call the amendment and I be granted leave of the chamber to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 9788, Senate Schedule A.

THE CHAIR:

Senator Lesser, please proceed to summarize.

SENATOR LESSER (9TH):

Yes, Madam President, this is a strike-all amendment that replaces the underlying bill, and it is a compilation of a number of different bills that were heard in the Insurance and Real Estate Committee. I'll summarize them briefly. There are some changes in, from what was heard initially. But I will go through them section by section, if I could. Sections 1 through 4 come from Senate Bill 42, which bans behavior by insurers to overcharge patients using contracts with third-party vendors. Section 5 is from Senate Bill 31, which adds laboratory services to surprise billing protections. Sections 6 through 8 is from Senate Bill 38. It shortens the time that insurers have to respond to urgent care requests. Currently, that is 72 hours. That
becomes 48 hours under this bill, except on weekends when it remains 72 hours. Section 9 bans -- It's from Senate Bill 87. This bans discretionary clauses in disability insurance contracts. Section 10 is from Senate Bill 46. Requires hospitals to report information on trauma activation fee amounts. Section 11 requires that insurance company -- It's from Senate Bill 43. Establishes a prudent layperson standard for emergency room visits. Section 12 comes from Senate Bill 28, and it's a study on a proposal regarding high deductible health plans. I urge adoption.

THE CHAIR:

Thank you, Senator Lesser. Will you remark further on the bill? Will you remark further? Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. And good afternoon. May I ask the Senate stand at ease just for a second, please?

THE CHAIR:

Yes, the Senate will stand at ease. Would the Senate please come to order? Senator Fasano. Good afternoon, sir.

SENATOR FASANO (34TH):

Good afternoon, Madam President. It's good to see you and thank you for visiting North Haven on Memorial Day.
THE CHAIR:

That was a great parade.

SENATOR FASANO (34TH):

Yeah, it was. It had a lot of people. But thank you so much.

THE CHAIR:

And a beautiful day.

SENATOR FASANO (34TH):

It was. Madam President, I rise to support the bill now before us. Madam President, it's always a pleasure to work with Senator Looney on these matters before us. And Senator Looney and myself, this is a trilogy. It is our third type of bill that deals with insurance. And then Dena Berlin [phonetic] and Mike Goodwine [phonetic] from my office worked together with Bryan Capparelli [phonetic] to put these bills together to try to make some sense, and we've been starting on this task for a very long time. Madam President, the one that's before us advances some of the policies we had there in our previous bills, like surprise billing for laboratory services. The surprise billing that we had was not put in to our other legislation. We now add that. Retrospective denial for emergency services. If you have -- Were you to believed a heart attack and go down to the emergency room, and maybe you have a pre-existing heart condition, you think it's a heart attack, it turns out to be indigestion or some other issue, you were not being covered for those emergency services.
Well, we don't want to encourage people to sit at home and wait for a full-fledged heart attack to take place just because you're afraid you're gonna get billed after the fact. So, Madam President, these are the types of, I would argue, changes that are logical and commonplace that happen that Senator Looney and I and Dena and Bryan all talk about to see if we can move it forward. Madam President, we've been very fortunate to have Connecticut on the forefront of this issue on many of our changes. And in fact, our staff has gone around the country to talk about the model that we have put out year after year on advancing consumer needs on health care insurance. And this is just another chapter to that attempt. So, Madam President, I look forward to its passage. Thank you.

THE CHAIR:

Thank you, Senator Fasano. So we are discussing the amendment. Will you remark further on the amendment that is before the chamber? Senator Looney, good afternoon.

SENATOR LOONEY (11TH):

Good afternoon, Madam President. It was very good to see you at the North Haven parade on Saturday where you were a major celebrity at the event. So it's --

THE CHAIR:

No, I would defer to Senator Fasano on that, sir.

SENATOR LOONEY (11TH):
[laughing] Madam President, rising in support of the amendment, which is of course a strike-all. It modifies sections of the bill. As pointed out by Senator Lesser and Senator Fasano, this deals with a significant number of insurance-related consumer protection issues that had started this session as separate bills, but are now combined into this one. And I would want to preface my remarks also by thanking Senator Fasano for all of his work and partnership over the last five or six years now that we have done a number of bills that have become national models in terms of consumer protection in health care and insurance going back to one when we were originally concerned about small physicians' practices being put at a disadvantage when they were being gobbled up by large hospitals and the community physicians being replaced by hospitalists, and a grave concern about that, and try to put some rules and regulations and requirements that acquisition of practices by the certain size be subject to a review process. And then going on from there to a number of major bills also, including the one just a couple of years ago where we prevented the price gouging and claw backs by pharmacy benefit managers who were unable under their contracts to inform their customers that in some cases it would be cheaper to pay cash for a generic drug rather than to put it through insurance. So this adds to that record I think of responsiveness to consumer concerns in this very significant area that so many people -- As Senator Lesser mentioned early on, the first part of the bill would protect the patients from practices in which insurance carriers would be bill an insured at a copayment or coinsurance rate that's higher than the rate that an insured, or that an uninsured person would be billed for the same service. And this was something that we had banned
in regard to PBMs and in Public Act 17241. So we extend it, extend it here. And clearly, this is extraordinarily unfair to patients and should be prohibited. So Section 1 bans the behavior and Section 2 makes that behavior a Connecticut insurance practices violation. Section 3 bans gag clauses that prevent patients from being told about less expensive options, just as we did with the PBM bill two years ago. And Section 4 adds the deductible to a managed care section, which had patient protections for copays but not for deductibles. We also incorporate what had been the provisions of Senate Bill 31 in the bill. And included in Section 5 of this bill that would strengthen the protections from surprise billing that were included in Public Act 15146, that Senate Bill 811 from that session was really a landmark health care legislation. And that Act reformed many aspects of our health care system. But one issue that we thought was covered by the general ban on surprise billing turns out to need separate legislation, and that is dealing with lab services that can still be an issue. And Public Act 15146 gave patients protection from surprise billing, and Senate Bill 31 would simply ensure that laboratory services are included in these protections. Back in 2015, we were stunned by the, by reports around the country about people having consultant surgeons brought in during a surgery, someone whom they had, that person had never met. It turns out that surgeon that, the consulting surgeon was out-of-network and people were hit with a big bill after the fact. So while we dealt with that situation then, the issue of lab reports remained unaddressed. And we all know that that is a problem, because a lab sample is taken and people don't often know where the sample is being taken for processing and
whether it is in or out of network. So under this bill, if a patient's samples are sent to an out-of-network lab without the patient's knowledge, the patient would be required to pay only the in-network cost. And the lab would have to accept the in-network rate as payment in full. We also deal here with the, with what had been the original content of Senate Bill 38. It's addressed in Sections 6 to 8 of the bill that would decrease the timeframe for -- or Sections 6 to 8 of the amendment -- would decrease the timeframe for expedited reviews. This is a timeframe that was unfortunately lengthened about eight years ago. Under the current system, an insurer has 72 hours to respond to an urgent care request. And in some cases, as we know, 72 hours can put a patient in serious danger if there was an issue about delaying care or delaying medication during that period. So the bill would decrease this to 48 hours, except on weekends where it would remain at 72. The American Medical Association and the American Hospital Association recommend 24 hours as the standard. But at least moving to 48 is a movement in the right direction. Section 9 of the bill, as was pointed out by Senator Fasano, would -- is based on Senate Bill 87. And originally that would protect residents who had purchased disability insurance policies. And many of these policies contain clauses that grant discretionary authority to the insurance company. So in other words, the insurance company has authority to interpret the language that it itself had created. These clauses require that the court reviewing the decision have to give deference to the insurance company's decision applying an arbitrary and capricious standard of review. So often the clauses would contain language something like "the plan administrator has sole discretionary authority to
determine eligibility for benefits or to interpret the terms or provisions of the policy or contract." So basically, there was an injustice here in that someone who drew up the contract language -- Obviously, this is not language that was negotiated. We are now, under current law, those who drew up the contract are also allowed to interpret it. And there's really an imbalance there. So many states prohibit these clauses because an insurance company has a conflict of interest obviously in both making the decision whether a person is "disabled" and then paying the monetary benefit. And a number of states have made it illegal to enforce these discretionary clauses. We also address the issue of trauma fees. Hospitals charging fees for trauma activation. The original bill that was submitted, Senate Bill 46, would have banned those. But this bill just requires that hospitals report these charges to the Office of Health Strategy, because they are currently unregulated. And we need to find out how many are charging these trauma activation fees, how many hospitals are, what's the range of the fees being charged. And it is charged when a hospital or a trauma center activates a team of medical professionals to meet a patient in the emergency room. And it is billed separately and also in addition to the hospital's charges for emergency department physicians and procedures, equipment, and facility fees. So there was one study by Vox and Kaiser Health that found that the fee can vary from $1,000 dollars to over $50,000. So clearly, we need to know what the range is and what the practice is. Because right now, there's unfettered discretion in the charging of those fees. And that is gonna be important to at least have the hospitals document what the practice is currently. So these are all important consumer protection elements of the bill,
Madam President. And the other one that Senator Fasano mentioned earlier of course was one that was separately contained in Senate Bill 43 prohibiting health carries from denying coverage for certain covered benefits provided in hospital emergency rooms. Because clearly if someone in good faith believes he has a medical emergency and goes to a hospital emergency room for it, we don't want to have people worried and taking the chance of not going to an emergency room when in fact they may have a condition that is in fact dire. So we don't want to have someone who is, who believes he may be having a heart attack, but is not entirely sure, but is in a great deal of distress, to think and say, well, maybe I should wait longer because I'm not sure whether the visit will be covered if it turns out not to be what I think it is. So this would deal with that situation. And it is important I think to do so. This is probably the clearest, most obvious consumer protection provision of the entire bill. And we would also, under the bill also create a task force to study and make recommendations regarding patient care and billing under high deductible plans. So, Madam President, I think this is a very important consumer protection bill. I want to thank Senator Fasano for his leadership on this and Senator Lesser as chair of the Insurance Committee and helping to shepherd us through. I think that it continues our tradition of protecting our citizens in a bipartisan way, in a way that puts the citizens first above the, kind of the normal drawing of political lines that we see too often. So I think this is something we should be able to celebrate and urge passage of it today. Thank you, Madam President.
Thank you, Senator Looney. Will you remark further on the amendment that is before the chamber? Will you remark further? Then all in -- So let me try your minds on the amendment that is before the chamber. All in favor of adoption of the amendment, please signify by saying, "Aye."

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Senator Lesser. Will you remark further on the bill as amended? Will you remark further? Therefore, Mr. Clerk, if you would please put forward a vote. The machine will be open.

CLERK:

Immediate roll call vote has been ordered in the Senate on Senate Bill 42 as amended by Senate A. Immediate roll call vote has been ordered in the Senate on Senate Bill 42 as amended by Senate A. Immediate roll call vote in the Senate, Senate Bill 42 as amended by Senate A. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill 42 as amended by Senate A.

THE CHAIR:

Have all the senators voted? Have all the senators voted? Have all the senators voted? The machine
has been locked. Mr. Clerk, would you kindly announce the tally, please?

CLERK:

Senate Bill 42 as amended by Senate A.

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THE CHAIR:


SENATOR DUFF (25TH):

Thank you, Madam President. Without objection, might we immediately transmit this down to the House of Representatives?

THE CHAIR:

Seeing no objection. So ordered.

SENATOR DUFF (25TH):

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

THE CHAIR:

The Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):
Thank you, Madam President. Madam President, might we PT the next item?

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

And could we then have the Clerk call the next item on our go list, please?

THE CHAIR:

Mr. Clerk.

CLERK:

Page 66, Calendar No. 437, substitute for Senate Bill 880, AN ACT INCREASING FAIRNESS AND TRANSPARENCY IN THE CRIMINAL JUSTICE SYSTEM. There are amendments.

THE CHAIR:

Senator Winfield, good afternoon, sir.

SENATOR WINFIELD (10TH):

Good afternoon, Madam President. I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

And the question is on passage. Will you remark?
SENATOR WINFIELD (10TH):

Yes, Thank you, Madam President. This is a bill that comes to us through the Judiciary Committee. What the bill does is it causes OPM, the Department of Criminal Justice, and the Board of Pardons and Parole to do some reporting; OPM by July 1st of 2020, the Division of Criminal Justice by February 1st of 2021, and the Board of Pardons and Paroles by January 1st of 2021. OPM would be required to make presentations about the prosecutorial data to the Criminal Justice Commission. It would also issue that report to the Judiciary Committee and make the report available online. The OC, Department of Criminal Justice would give us data that relates to arrests that have been made, citations, summonses, custody arrests, arraignments, continuances, diversionary programs, contact between victims and prosecutorial officials, and data of that sort. The Board of Pardons and Parole would give us information on the outcome of its hearings, where there was a probable cause for a violation of parole. It would also give us the number of individuals that would be remanded to the Department of Corrections for custody, outcomes of final parole, revocation hearings. It is a good bill. Madam President, there is an amendment that is in the possession of the Clerk. It is LCO 9747. I'd ask that it be called and I'd be granted leave of the chamber to summarize.

THE CHAIR:

Thank you, Senator Winfield. Mr. Clerk.

CLERK:
Sen. Winfield, please proceed to summarize, sir.

Sen. Winfield: Thank you, Madam President. This amendment is an addition to the bill, and what the amendment does is it causes the Criminal Justice Commission to post notices of the time, date, and place of meetings of the commission on the website operated by the commission. It also requires that any of the meetings the commission holds that are to appoint, reappoint, remove, or otherwise discipline the Chief State's Attorney, a deputy chief state's attorney, or a state's attorney would be held at the Legislative Office Building. It is a good amendment, and I urge adoption.

Sen. Kissel: Good afternoon, Madam President. Again, I'd like to thank you for participating in Enfield's Memorial Day parade on Sunday.

Sen. Kissel: Good afternoon, Madam President. Again, I'd like to thank you for participating in Enfield's Memorial Day parade on Sunday.
Thank you. I stand in strong support of the amendment as well as the underlying bill. I would like to thank Will Blanchette, Division of Criminal Justice, for helping with some of the language within the amendment. I think what this is all about, the bill as amended and strong support of both, is essentially data collection so that we can drill down deep, get some good insights as to how we can best bend the curve when it comes to criminal justice in the state of Connecticut such that justice is obtained as much as humanly possible. And so happy to work with Senator Winfield on this particular bill and again would urge my colleagues to support it. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further on the amendment that is before us? Will you remark further on the amendment? If not, let me try your minds on the amendment that is before us. All in favor of adopting the amendment, please signify by saying, "Aye."

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the legislation as amended that is before the chamber? Senator Winfield.

SENATOR WINFIELD (10TH):
Yes, Thank you, Madam President. First, let me thank Senator Kissel and Will Blanchette for helping us to come to a place where we could all agree. And if there's no further comment or question, I'd ask this be placed on Consent.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 65, Calendar No. 293, substitute for Senate Bill No. 972, AN ACT CONCERNING ACCESS TO ORIGINAL BIRTH CERTIFICATES BY ADULT ADOPTED PERSONS.

THE CHAIR:

Good afternoon, Senator Cassano.

SENATOR CASSANO (4TH):

Good afternoon, Madam President. I move acceptance of the Joint Committee's favorable report, move passage of the bill, waive its reading, and seek leave to summarize.

THE CHAIR:

Thank you. So the question is on passage. Do you have an amendment, sir?

SENATOR CASSANO (4TH):

Yes, Senate Bill 972. Let's hold on. That's the amended bill, I believe.
THE CHAIR:

Okay, so there's no amendment?

SENATOR CASSANO (4TH):

There's no -- No.

THE CHAIR:

There's no amendment. So the question is on passage. Senator --

SENATOR CASSANO (4TH):

Right, passage of the bill.

THE CHAIR:

Thank you for moving passage, Senator. Will you remark further on the legislation that is before us?

SENATOR CASSANO (4TH):

Yes, Thank you, Madam President. This is a bill that has been before us before. I believe maybe this is the third time it's gone through plan and development. This year, the vote was 16 to 6. It is an emotional bill. The bill would allow any adult adopted person or their children or grandchildren to access a copy of the adopted person's original birth certificate, regardless of the date of birth. Currently, only adoptees born or after October 1st, 1983, are eligible to receive these original birth certificates in Connecticut. That's a small window in time. That cut-off date was used because that was the date that the state
changed the adoption form. The actual form that was used to seek adoption, the form itself was changed. And by changing that form, they added a clause. The clause stated that the birth parents' identities may be disclosed, which created controversy. The form was silent on the subject of identity before that date. Since then, much has changed. And I'm not going to spend hours talking on this because it's unnecessary. We have a group of people with a period in time, and I could hold my fingers out, just a small period of time of six to seven years, where they are ineligible to receive their records. There are two different numbers that I've seen, 39,600 or 43,903 adults were adopted prior to the time of 1983 and so would eligible to receive their birth records. About 48 to 50 each year do apply for these records, make requests for uncertified copies of their original birth certificates. There's an impact on this. One of the first questions that the circle usually asks, what impact is the fiscal impact? Last year, there was a fiscal impact, or I should say two years ago. We might have done the bill again last year as well. But there is no fiscal impact this year because we've made a change. The state of Connecticut indicated that it was a difficulty to handle the potential 40,000, about 38 to 40 applications a year. And so it's been changed so that local town clerks -- You go to your local town clerk, and the town clerk has a 30-day period. And that was done for a reason. There are some town clerks that are only open a couple hours a week, or one day a week, or whatever it might be. And so 30 days, that gives the person plenty to go in, fill out the application, and it gives that town clerk the opportunity to come back and process that request. This means a revenue loss for the state of Connecticut that would have been
$2,275 dollars this year. But it also means starting next year a gain of over $5,935 dollars, because we expect more people would be applying and doing that at the local level. This is a result of meetings with the town clerks, who were tremendous in working with us to make sure that they could make it work smoothly and for the people that live in their districts. This is nothing more than a question of fairness. I look around the circle and we have 36 seats. And the beauty of this circle is if we look at 36 seats, I see 36 different people. Nobody's left out. We don't say that a person of color or a person with a nationality or those with gray hair or whatever it might be couldn't sit in this circle. Everybody is entitled to that opportunity. We do not provide that same opportunity today for these people who were born in that period of time. What's interesting is that maybe eight years ago [recording cuts off 00:12:10 R04]

THE CHAIR:

-- Senator.

SENATOR CASSANO (4TH):

Thank you. Probably eight years ago or nine years ago, this bill would not have a chance of passing. It passed 16 to 6 in the committee this year. I say it wouldn't have passed because we didn't have what we have on television today, number 1. No matter what station I turn on, there's an ad. Find out when you were born, who your parents are, who your uncles are, and who your aunts are. And you know what? People are using those things every day. The things that we were hoped to protect aren't being
protected. This is the right way to go, through a legal process, through our local town clerk with a direct payment to the town and a direct receipt back called an uncertified birth certificate. I don’t think anything can be clearer. And so I will stop at this point. Again, it's a question of fairness. It's a question of right and wrong. And the honor of serving in this circle now for almost nine years -- A couple weeks, I guess it'll be nine years. Is we tackle these bills, we tackle them together, and we do them well. And that's what we've done in Plan and Development, and I hope the committee does that, this Senate does that as well. Thank you, Madam President.

THE CHAIR:


SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I agree with everything that Senator Cassano said. On Planning and Development during the public hearing, we had more people come in and speak for this bill, and I don't believe I heard, I think it was one or two people that came in against. This is a matter of fairness. And it does break down to, if everybody else can go and get a copy of their birth certificate, everybody should be allowed to. And I also agree with the fact that, you know, you can go on TV, you can get, you can go to your local drug store and you can buy a kit, and that kit will tell you who your parents are or a closest relative. And when we talk about the closest relative, it could be somebody who will contact your birth mother prior to you doing it. So
it's not that discreet. So I do rise in support of this. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Champagne. Will you remark further? Good afternoon, Senator Somers.

SENATOR SOMERS (18TH):

Good afternoon, Madam President. And I rise opposed to this bill. I probably have a different thought here than most people in the circle. But I think I have to say things that need to be said. And while I appreciate the need to want to know who your original birth mother is, I also take exception to the fact that if a woman during that time period decided to give one of the most precious gifts, the gift of life, and give a baby up for adoption and chose that they did not want to be, have that known publicly at the time, then I believe that they have a right to that privacy. And right now, the Department of Public Health, if they are connect, if they are contacted by someone looking for their original birth records, they reach out to the birth mother and the birth mother has an opportunity to either say, yes, I would like to have it released and meet the adult child, or no. And that's where it, the distinction is made. And if the woman says, no, her wishes are granted. And I have to say, we've heard a lot about fairness, but what about fairness to the person who gave up the child for whatever reason? I know that I have been personally contacted by a woman in my district who does not want this to go through. She has a different family now. The only person that knows about what happened to her and her choice to have an adoption or to give
her child up for adoption is her mother. Her husband doesn't know. Her children don't know. And I don't feel that we should be the ones to say, yes, guess what, Mrs. So and So. We're going to turn over a record that, under the guise of that period, you thought was confidential. And I'd also like to bring this to everyone's attention. We are outing women only. Where are the male names on those birth certificates? We're not giving the mother and the father's name. We're just giving the mother's name in many of these cases. So if we're gonna do that, let's think about being really fair to both of the parents and saying, you know what, maybe we'll consider it, but both names have to be on this birth certificate, and we're gonna let you know who your father is and your mother. Not just your mother. Because you're putting women in a very, very difficult position. I've heard a lot of things in this circle in the past that are just blat -- just not true. You need to know what your birth, who your birth mother is for medical reasons. That is just not true. Talk to any MD. It's like a tiny fraction of what you need to know to make a health assessment. It's nice to know, but it's not a need to know. And I think it's wrong that we're setting the precedent that under this time period when people thought that this was gonna be confidential that we are now turning around and saying, guess what, we've changed our mind. We know that you can go to ancestry.com and find it. You can go here and find it. But that's not the state of Connecticut going back on something that it agreed to. That is finding it though the internet. You can also find that vampires rule, run the state of Connecticut too if you, if you want to. You can find anything you want there. So I think it's important that we keep it in context. Yes, you might want to know who your
birth mother is. And that might be something that is very important for you personally. And I can understand that, but you also have to look at the other side. And, you know, as someone who is a mother, I can't imagine that difficult decision in birthing a child and then giving that child up. And if I went and I did that and I thought I have confidence, confidentiality, and now I'm finding out with my new family and my new children that somebody is going to violate that -- And maybe I didn't have the father listed on the birth certificate. Why should I, only half of the parent, be the one that is outed? Why isn't it the father also? We talk about fairness. It's not fair that we're putting it all on the birth mother. That's just not right. And I think that going forward, the rules can be clear, they can be accurate. It can be known if you decide that you're going to give a child up for adoption that you have no right to confidentiality. And I think that we're think, we're thinking about this just from one side only. And I can understand. I've had friends that have been adopted that have searched for their birth parents, that have found them and reunited, and it's been a wonderful experience. But that's not true for everyone. And we do have a system right now. I checked with Public Health earlier in the session, and I think last year, if I'm recalling correctly, they said they had four people reach out. I think that was four that didn't want to be contacted out of about twelve requests. So we're not talking about a huge number of people. But those that say no, there's a reason that they say no and they don't want to be contacted. And I think that's something that we need to preserve as sacred. Thank you.

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

SENATOR CASSANO (4TH):

Madam President, may I comment?

THE CHAIR:

Senator Cassano. And then --

SENATOR CASSANO (4TH):

Yes -- Thank you, Madam President, and through you to Senator Somers. Senator, we have -- I agree with you fully that if the name of the father is listed that clearly that would be released. And I think that's what the town clerk intends to do. I'd also indicate that we received 288 individual letters from either organizations or individuals, mostly individuals, some of them birth mothers, some of them adoptees, many organizations, every organization that you can name possibly that was a woman's organization was also on board. So it is not just a small group of people. It is statewide. And because of television, it's raised an awareness and people really want to know the answer, and should know an answer to both parents. Thank you.

THE CHAIR:

Thank you, Senator Cassano. Will you remark further? Senator Formica. Senator Formica.

SENATOR FORMICA (20TH):
Thank you, Madam President. Good afternoon. Good afternoon, Senator.

SENIOR CASSANO (4TH):

Good afternoon.

SENIOR FORMICA (20TH):

I rise for a question or two of the proponent.

THE CHAIR:

Please proceed.

SENIOR FORMICA (20TH):

Thank you, Madam President. I remember the last couple iterations of this as we've moved forward and a lot of the conversations that have occurred during the last few years on this. And, you know, you talk of fairness, and Senator Somers matched the fairness conversation. But this population, was there an understanding at the time that was a different understanding that other mothers may have had when they gave up theirs? Was there an understanding that these folks had that they would not be subject to the same and therefore that's the exemption? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENIOR CASSANO (4TH):
Thank you, Madam President. Through you. There has been a rumor of an understanding, but in fact in the last year, and I have a letter in the file, the attorney who handled this and wrote this agreement up has indicated that in no way was a promise ever made, because they couldn't make a promise that somebody wouldn't reach out or reach you sometime. So it was never a part of the agreement. The agreement was that you would, that you would be separate out. But he made it clear that he could not provide that kind of a guarantee, because, and as we see with television today, you can't. So, and I loved his honesty on that, quite honestly.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator, for that answer. And this population that's affected, is back in the early 1980s. Could you refresh my memory as to what those exemption years were?

SENATOR CASSANO (4TH):

Born before 1983.

SENATOR FORMICA (20TH):

I'm sorry?

THE CHAIR:

Senator Formi -- Senator Cassano.
SENATOR CASSANO (4TH):

Born before -- I'm sorry, Madam President. Through you. Those born prior to 1983, and I think there's about 4,000, or I can give you the exact number. Excuse me, 40,000. There are two different numbers listed, 39,600 who were born during in that time, or adopted I should say, or 43,903. So I'm using around 4,000 as a round-figured number.

THE CHAIR:

Senator Formica.

SENATOR CASSANO (4TH):

Forty, excuse me.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you. Thank you, Senator. And that -- So anything from 1983 forward doesn't apply to this bill? They are people that can already access their certificates? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

That is correct.
THE CHAIR:

Senator Formica. Thank you, Madam President. Thank you, Senator. And so how far back from 1983 do we go? I mean, to get to that 4,000. Is it from -- Is there a beginning date? Is it 1970 to 1983 or?

THE CHAIR:

Senator Cassano.

SENATOR FORMICA (20TH):

Through you, Madam President.

SENATOR CASSANO (4TH):

I believe it went back 11 years, 19 -- Adoptees born after September 30, 1983, adoptees born before January 1st, 1944. They all have access. So if we subtract that out. I believe it was a seven-year period. I'm sorry, I don't have that right here. I know it's bracketed. It allows all such individuals to obtain the copy of the certificate upon request. It's the current law that provides this only for adoptions finalized on or after October 1st, 1983. How far prior back it goes, October 1st, 1983, I'm not quite sure.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):
Thank you. Thank you, Madam President. Thank you, Senator. So you're reading from Line 9? Is that --

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

No, I'm just reading from miscellaneous notes. [laughs]

SENATOR FORMICA (20TH):

Okay. Thank you, Senator. Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

SENATOR FORMICA (20TH):

I will just continue -- I'm just trying to figure out how much, how long a period of time this roughly 4,000 births occurred on. And there must have been some reason that this group separated it out. So I'm trying to get to the bottom line of why that letter was written or agreement was supposedly struck or -- So I'm trying to see if I can match the time period that applies to this and why there has been an exemption for so long and to now the change. Through you, Madam President.

THE CHAIR:

Senator Cassano.
SENATOR CASSANO (4TH):

Through you, Madam President. I believe it was because of the new form that it even became an issue. Because the new form said that you had to send a letter to the birth parent. And they didn't want to do that, and so that's where it changed. So those born prior to when that was passed in 1983, that's where everything turned. They had access until that time.

SENATOR FORMICA (20TH):

I see.

THE CHAIR:

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. So this was, this had nothing to do with anything other than a form change? It's not a religious conversation, not an age conversation, not a social norm conversation? It was really strictly a change of form and some people got offended or grieved by that and decided that may intrude on any privacy I may have had or want to keep for confidentiality. And that seems to have generated the change? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):


Yes, through you, Madam President. I think that's exactly what has taken place. I don't believe that the Senate or the House up until that period of time had any action whatsoever involved with this. But when the form was changed by the appropriate agency, that obviously was enough to stir the pot. If I was a senator at that time, I probably would have done the same thing, particularly to provide for the security of that birth parent. And I think that -- I wasn't there. Maybe Marty was. But I don't -- I'm just -- That's most likely how it happened. Like it happens here.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you very much, Madam President. Thank you, Senator, for your answers. I appreciate that. This is a confusing and convoluted issue here, because it just seems to separate out a population and period of time. And so therefore, it makes it very difficult to make a judgment call as we stand here today and look back 35 years ago or 36 years ago, whatever it is. So I want to thank the good senator for his patience with my questions and I'll sit and consider the rest of the testimony before I make my decision. Thank you, Madam President.

THE CHAIR:

Thank you so much, Senator Formica. Will you remark further? Senator Martin, to be followed by Senator Sampson. Senator Martin, good afternoon.
SENATOR MARTIN (31ST):

Thank you, Madam President. And good afternoon. I rise -- This is an interesting topic for me, because in my family, we do have some adopted family members and who found the family because of a social worker who came across birth certificates who matched, that was able to put, tie the mother with one birth certificate to another birth certificate. And we've found some great family members that we didn't know that we had. So -- But I do have some questions for the proponent of the bill. And primarily -- Just a few, actually. So if I understand this correctly that what the current practice is in the forms is that in the birth certificate, when a child is born and the child is given up for adoption, the birth certificate information is one and it's court-sealed, and then when the adoptive parents adopt, then there's a new birth certificate with their names on it. Is that correct? Through you, Madam Chair.

THE CHAIR:

Thank you, Senator Martin. Senator Cassano.

SENATOR CASSANO (4TH):

Yes, through you, Madam President. That is basically correct. It's -- I learned a lot in this last year. They have in some small town halls little sealed boxes with these records that are sealed off in a way, not mixed in with other records for the very protection that the law provides. And that was an interesting conversation with the town clerks. You also do not get a stamped, certified co -- It's an uncertified copy, but it is a copy of
the birth parents if both are listed or if only the mother, then the mother's listed. Thank you.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you. So is the practice under the proposed bill to get a court order to reveal or to obtain that original birth certificate by the original parents? Through you, Madam President.

THE CHAIR:

Thank you, Senator Martin. Senator Cassano.

SENATOR CASSANO (4TH):

Yes, through you, Madam President. No, you wouldn't need a court order. You would go to your town clerk. You would pay a fee of $65 dollars. That fee was established a few years ago by the state of Connecticut, because they thought it'd be extremely difficult to process that. The group that was the advocate for this program, as well as the town clerks, agreed to keep that fee in place. And so you go in there and you pay a fee, and then you get -- The town clerk has 30 days to get an uncertified copy of that birth certificate. And again, as I said earlier, there are some clerks that are open maybe three hours a week in some towns or one day a week or whatever it is. So we put it out 30 days so they had more than enough time to do it.

THE CHAIR:
Thank you, Senator Cassano. Senator Martin.

SENATOR MARTIN (31ST):

So through the bill, we're changing the transferring, or we're transferring that responsibility from the Department of Health over to the municipalities or the clerk's office? Through you, Madam Chair.

THE CHAIR:

Thank you, Senator. Senator Cassano.

SENATOR CASSANO (4TH):

Yes, that is correct with the full support of the association of the town clerks.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you. So in 1983, what took place that allowed the -- I guess anyone after 1983 can obtain this information? Is that correct? Through you, Madam Chair.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):
Yes. An agency pass -- I can -- A piece of paper, a form, a new form. And the new form had a part on that where you could notify or get in touch with the mother directly. Because of that -- And I'll read word for word so that I don't -- The cut-off date was used because this was the date the state changed the adoption form adding a clause stating that the birth parents' identities may be disclosed. They did not, they just wanted to be able to get the birth certificate and left it at that. And because of the form that said they may be disclosed, that's why they passed a bill following that so that they wouldn't be able to go after those parents or identify those parents. It sounds confusing. It is confusing.

SENATOR MARTIN (31ST):

Yeah.

SENATOR CASSANO (4TH):

Because it was -- It was the way things were done.

THE CHAIR:

Thank you, Senator Cassano. Senator Martin.

SENATOR MARTIN (31ST):

I agree, it is confusing. So does the form imply that the -- Is it -- Who may, I guess, share that information? I guess I'm looking from it from a confidentiality point of view and if the mother or the father or both decide that they want to keep it confidential, is that, does that form allow the parents to do that? Through you, Madam President.
THE CHAIR:

Thank you, Senator Martin. Senator Cassano.

SENATOR CASSANO (4TH):

Through you, Madam President. It is not allowed under this process. This process simply allows you to obtain the records. For some of these people, old records go back 20, 30 years. The chances of being in the same place, same time, all of that has changed. But with what we have on television and the blood identification programs and so on, that's where people clearly can identify birth parent -- And they do it for medical reasons in many cases, wondering if, you know -- I know my doctor, you know, one of the first questions and you have -- My family has a long history of some serious medical problems. I've lost four brothers with diabetes. So a medical history makes a difference. I'm fortunately one of those that doesn't have, have it. But those are the kinds of things that people are searching out. A lot of people are using television processes out of curiosity. I think a lot of people are using them out of necessity and fear that they may have a problem and they want to know what their family has.

THE CHAIR:

Thank you, Senator Cassano. Senator Martin.

SENATOR MARTIN (31ST):

So if I hear or understand correctly here, there is no confidentiality today? Or, I guess going back to
my question, when a parent gives up their child for adoption and is there a place on that form that they do not want to be notified or they don't want their name to be revealed? And if so, then is it honored? A parent -- I take with this bill that we would not be honoring that going forward. Through you, Madam Chair.

THE CHAIR:

Thank you, Senator Martin. Senator Cassano.

SENATOR CASSANO (4TH):

I don't know if one, one of the lawyers could tell me. I don't know what the form is today. I do know what the media is today. And we know how strong the media is. I can put down, I don't want this and I don't want that, but we know that just doesn't work.

THE CHAIR:

Thank you, Senator Cassano. Senator Martin.

SENATOR MARTIN (31ST):

I don't have any further questions, Madam President. It's a, it is a challenging bill here, regarding, you know, should we allow the, those that have been adopted and who want to do that, that search and find out who their parents actually are and then still trying to balance the privacy aspect of it. Because it does raise a lot of other issues and consequences once those -- should that exposed or that, you know, when the fam -- other family members find out that, gee, I have an adopted brother or sibling and what does that create. And sometimes
there's a reason why the parents do not want their names to be revealed. So I'm still struggling. I'm gonna listen to the rest of the debate and we'll see what happens. Thank you.

THE CHAIR:

Thank you, Senator Martin. Will you remark?
Senator Sampson, good afternoon, sir.

SENATOR SAMPSON (16TH):

Good afternoon, Madam President. Just listening to this debate, which I know has come up many, many times before in this chamber, and while I was listening, I was also looking up the legislative history. And I went back to 1975. And I was reading the comments from the Judiciary Committee and also from the floor of the House on Senate Bill 377, which was passed in 1975. This bill was an affirmative measure to maintain the confidentiality of the birth parents. The discussion we're having today is about whether or not we are going to modify our law to go back to prior to 1983 to allow people access to their original birth certificates. The issue I have with that bill is that -- And many people have used the term "assumption" or "insinuated" referring to how parents that went and had adoptions with Catholic Charities or some other group might have been told that their information would be kept secret. But there was nothing in the law to say that that was the case. Well, in 1975, that actually became the law. This body made an affirmative decision to make that the law. And no matter how you feel about the folks prior to 1975, I think it's very difficult to argue that we have the right in 2019 to do something they didn't do in
1983, which was, in 1983 they made a decision to change to the form and to give people access going forward. But they were not willing, they were not willing to go back on the people that had followed the law from 1975 to 1983, who under that law assumed their identity would be maintained as secret. And that is the issue I have with this bill. Nothing else. It's just quite simple to me. If we pass a law and people live under that law in our state, we do not have the right decades later to go back and undermine that decision. We were just sitting over here talking about the death penalty and how that was changed to be a prospective law only and how angry many of us are that the courts saw fit to go back and undermine that decision and go back on decisions that were made by other parties beforehand. That was wrong then, and this would be wrong now. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Will you remark further on the bill that is before us? Senator Anwar.

SENATOR ANWAR (3RD):

Madam President, I rise in support of this bill. I wanted to make a few comments and I wanted to put perspective that I think it's worth looking at. Now, keep in mind, the conversation we are having is that anyone who was born after 1983 would have the opportunity to know who their parents was. And this bill does not talk about mother or father separately. It talks about parents. So anyone in 1983 has that opportunity to know who are their parents, but the people who are prior to that, because of a form change, whether it was because
advocacy efforts of a group or not, actually do not have that right. And I think we need to spend some time with individuals who have been adopted, because I had the opportunity to meet some of the people and they felt that their lives were incomplete. They wanted to know the circumstances. They wanted to know who their parents were. They wanted to understand what may have happened. It was very personal to those individuals and it was almost the things that many of us would take for granted. We may not understand what an individual feels if they have been adopted and they are basically missing the first few chapters of their life. And sometimes those chapters may not be happy, but at the same time, it's important. Now, we're looking at individuals who at minimum would be 36 years of age or older just by the law. They would be 36 plus years old. And if you do the math, the person who's most likely going to be a parent would be at least 15 to 20 years older than at that time. I think it's important to give that opportunity to people based on this date, an arbitrary date of 1983 that has been fixed, that is actually unfair to the individuals not to know where their heritage is, what they are about. Now I want to clarify also from a medical point of view. I teach in two medical schools and I teach residents. One of the very basic things in clinical science is that you need to get family history. We have a responsibility in medical education, but also management, to know about the medical history, because there are significant number of illnesses, if not most of them, have a genetic component to it and a predisposition to it. So dia -- The main killers that we have in our society right now are hypertension, diabetes, coronary artery disease, high cholesterol, asthma, allergies. All of those
things have a genetic predisposition. And when a person who is adopted comes in, they would actually just say, you're adopted, and that's the end of that conversation. But we now have the capacity through science to invest into the management to prolong the life of individuals, improve their quality of life. So emotional wellbeing, improving the quality of life of individuals, improving the longevity of life of people. I think this is in my mind a no-brainer to be supporting, and I would urge each and every individual if they would support this bill. Thank you, Madam President.

THE CHAIR:

Thank you, Dr. Anwar, Senator Anwar. Will you remark further? Senator Berthel.

SENATOR BERTHEL (32ND):

Good afternoon, Madam President. I rise in opposition to the bill before us today. And it's a difficult discussion I think we're having here for many of the reasons that Senator Anwar just spoke to and for some of the same reasons that Senator Sampson and Senator Somers spoke to. But I think that what it all comes down to for me as one of the 36 around this circle today is that we did make a promise. And while I fully understand that we have, we have people living amongst us who don't know who their biological parents are, those parents made what I can only imagine was a remarkably difficult decision to have to give up a baby, a child for adoption and whether they were in an economic situation where they couldn't support a new baby in their life. Perhaps they made a decision not to terminate a pregnancy. Whatever the condition was,
at that moment in time, that mother and father had to make a decision to, to give up that child. And, you know, I know Senator Cassano spoke to lots and lots of pages of testimony. There was testimony submitted against this bill as well. And one of the, one piece of testimony that came in among others that was against this came from Catholic Charities from the archdiocese of Hartford. And they speak to exactly what I'm speaking to now that they have had during the timeframe that we're trying to undo in the course of this legislation. They had people that came to them and asked for help as many people do, they reach out to religious, their church, their religious organizations. And there was a promise that was made. And I think that we have a responsibility to maintain that promise. As much as we may feel that it should be right to let someone know who their biological mother or father is. I can tell you that I had a constituent in my office earlier this year who was a mom that gave up her child for adoption. She's 70 years old. That child is now almost 50. And that woman pleaded with me and said, please do not support this legislation. There's a reason why I gave up my child for adoption. There was a promise that was made to me, and you can't break that promise. So as much as I think this is a difficult moment for us, and we've had a number of those this session, not unlike other sessions -- And this is not the first time that we've had this legislation before us. This is, this is just something that I am not compelled to support, because I think that this legislative body, as Senator Sampson spoke to, many years ago codified into the law that we would not reveal this information about birth parents to, to anyone. And I think we have a responsibility today to uphold that. Thank you.
THE CHAIR:

Thank you, Senator Berthel. Will you remark further? Senator Somers, for the second time.

SENATOR SOMERS (18TH):

Thank you, Madam President. You know, there's been a lot of talk in the circle about how the adoptee feels. But we're -- I feel we're losing sight of how does the birth mother feel in the case where she was promised anonymity and now it's going to be revealed. And many of the women that I've spoken to or have come to me are upset that this did not, number one, go through Public Health. This is a P&D bill. And that it's ripping open a wound in an extremely emotional time in their lives. They -- Many of them were young, in high school, and felt that they were doing the right thing by giving a child a better life. And their identities have been sealed now for close to 35 years. And if we open this up, we are ripping open a wound that can have devastating impacts to families. It is an invasion of privacy. And I'd also just like to touch base on the health care part. And from the clinicians and physicians that I have spoken to, if a patient has a clearly genetic disease like hemophilia, family history is important. But family history is only part of a much larger work-up that you do as a clinician. And very rarely is any decision made based on purely family history. If there's a significant genetic disease, we have DNA testing, which is covered by HIPPA, which would not be released, just like these birth certificates should not be released. So with that in mind, I would like
to ask the Clerk who's in possession of LCO 9854 to please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 9854, Senate Schedule A.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Woops. Thank you, Madam President. And if I could summarize the amendment.

THE CHAIR:

Yes, please, please proceed to summarize.

SENATOR SOMERS (18TH):

Thank you. This amendment is put in because I feel that in many of the cases where an adoption has occurred, it has occurred in many times a very young female. And in many times, the father's name is not listed on the birth certificate. I feel that if this bill moves forward, it is disproportionately putting the responsibility -- It is outing women, specifically. And I would like to make sure that no birth certificates are released, should this go forward, unless the birth father's name is listed on
the birth certificate. That would only level the playing field and have it be more fair. Thank you.

THE CHAIR:

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

SENATOR CASSANO (4TH):

Yes, Madam President, could the Senate stand at ease for a minute?

THE CHAIR:

The Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I'd like to mark this item PT, please.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

And if the Clerk can now call Calendar Page 66, Calendar 353, Senate Bill 1070, please.

THE CHAIR:

Mr. Clerk.

CLERK:
Page 66, Calendar No. 353, substitute for Senate Bill No. 1070, AN ACT CONCERNING ABANDONED AND BLIGHTED PROPERTY STEWARDSHIP. There are amendments.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President. I move acceptance of the Joint Committee favorable report and move passage of the bill, waive its reading, and seek leave to summarize.

THE CHAIR:

Thank you. So the question is on passage. Do you have amendments?

SENATOR CASSANO (4TH):

Yes, we have a substitute Senate bill, AN ACT CONCERNING ABANDONED AND BLIGHTED PROPERTY STEWARDSHIP.

THE CHAIR:

Mr. Clerk.

SENATOR CASSANO (4TH):

The LCO is 9196.

THE CHAIR:
Thank you, sir. Mr. Clerk.

SENATOR CASSANO (4TH):

Nope. That was changed. Okay. 9593. That's this one.

THE CHAIR:

LCO 9593.

CLERK:

LCO No. 9593, Senate Schedule A.

THE CHAIR:

Senator Cassano, would you please proceed to summarize?

SENATOR CASSANO (4TH):

Yes, thank you, Madam President. This is a bill concerning abandoned and blighted property in the state of Connecticut. And cities and towns with a population of 60,000, I believe -- Is that right? Seventy-five. It changed to 75. A population of 75,000 or more. This is what we refer to as probably one of our worst urban issues. In the years that I've been up here -- And this is my ninth year. Every year, we have had a blight task force. We have blight studies. We've done tours in our major cities and we find that there is no change, no improvement. We cannot seem to locate owners. Owners don't want to be located, because it means paying taxes. It means having responsibility.
Their buildings are, as we can say easily, they're a mess. Some people live in them. Sometimes there are real dangers. Perhaps, the most recent example magnitude was the Worcester fire where many homeless people were living in an empty, blighted building, and I believe 13 died in that particular fire. There are too many of these things happening. People move into neighborhoods and they watch as buildings fall apart. There are also blighted buildings where people are living that landlords own. And people are forced, because of economics, to pay a low rent but get nothing for it. Even to get fresh water sometimes is a blessing. And those neighbors, neighborhoods do really exist. And if you talk to our friends who represent those large urban districts, I know they can take us to an area, because I've been to some of those areas with various representatives over the year on the Blight Task Force. What this bill does is provide assistance through the courts, where the court would appoint a steward. The steward's responsibility would be to oversee that particular building. If the building is paying nothing in fees, is abandoned, or whatever it might be, then under the court's guise, responsibility, this steward would be able to determine, working with the community obviously, the best outcome for that particular building. Can it be sold? Does it need to be torn down? Can it be rehabbed? What can we do in conjunction? What can we do to find the owners, those, the people of responsibility? And this is a first time that we've actually, with all of the different blight task forces we've had, had a position where somebody could go out and do something. I never knew, as an example, in Connecticut, in Waterbury, in Bridgeport, and probably in other places, but two people who are
serving on the task force were actually blight officers for the city of Bridgeport and Waterbury. Their job was to deal with these types of buildings, to make sure that people weren't going into them because they were such a danger for criminal reasons, for safety reasons, for a whole variety of reasons. And the longer they sit there dilapidated, the more it spreads. It's like a cancer. These buildings spread from one building to the next building to the next building. And before you know, an entire block's gone. And if you notice, even in one of the best examples in America today, who would've thought of Detroit, Michigan, as the best example? What did they do? They took down entire blocks, city blocks of these types of buildings, and started to rebuild from scratch and provide new life or opportunity. So that's what this building -- That's what this amendment does. And I urge passage of the bill.

THE CHAIR:

Thank you, Senator Cassano. Will you remark further? Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. This was a bill that was brought by the cities and looking for other ways to take care of blight. And blight being a serious problem. In fact, we've dealt with a lot of blight in my history just in our small town, that anything we can do to help make the neighborhood safer, make them better, we should look at. And I think this is a good idea to help those, those urban areas to fix up whatever they need to fix up, especially the abandoned properties. Thank you, Madam President.
THE CHAIR:

Thank you, Senator Champagne. Will you remark further on the amendment that is before us? Will you remark further on the amendment? If --

SENATOR CASSANO (4TH):

Seeing none, Madam President, I would ask that it be placed on the Consent Calendar.

THE CHAIR:

Let's -- Before we put it on the Consent Calendar --

SENATOR CASSANO (4TH):

[crosstalk 00:06:55 R05] the amendment.

THE CHAIR:

-- let me try your minds on adoption of the amendment that is before this chamber. All in favor of the amendment, please signify by saying, "Aye."

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. There has been a request that this be placed on the Consent Calendar, but I do believe Senator Fasano would like to speak. Senator, good evening.
SENATOR FASANO (34TH):

Good evening, Madam President. Madam President, I understand the well-intentioned nature of the bill. I have some concerns over the bill. And I understand there are properties that are blighted. And just for legislative intent, if I may, to the Senator Cassano, and please Senator, I know that please if you want to sit answering the questions, I understand. Please, stay there at your seat. So, Madam President, through you, the import of this is to get blighted, abandoned property to move forward. No one likes to see blighted property. And the real import of this is to put the onus on the owner of the property to, if you would, either rehabilitate the property or get rid of the property. But you just can't sit there and blight the neighborhood or the municipalities. Is that accurate? Through you.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Yes. Through you, Madam President, yes.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. And then a party of interest that could make a petition obviously is the owner of the building, the lien holder, or the bank, a resident or business within a thousand feet, a
development organization, through you, Madam President, and that development organization it should, must be in the municipality where it's located, where the building is located -- So it has to be a -- What do they call it? A development organization within a municipality. It has to be like a redevelopment authority of some sort. Through you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Cassano.

SENATOR CASSANO (4TH):

Yes, through you, Madam President. That should be a redevelopment organization or some organization within the community.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. And then a petition would be made out by this receiver, if you would, or party of interest saying that the property has a number of problems with it, including but not limited to, and it must abandoned. Is that, is that a key element? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):
Yes, that's correct.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

And then there are other such things that they would have to state. So we're really talking about a property that is almost beyond -- I don't want to say, beyond repair, 'cause nothing's beyond repair, I suppose. But uninhabited, abandoned for all practical purposes, just hanging on to -- We're not talking about a property maybe had slight neglect by the property owner because they can't replace the shingles or the siding and there's mildew on it, maybe one broken window. We're talking about something that is clearly uninhabitable for all practical purposes, is inhabitable, and it's clearly been left to decay on, in that municipality. Is that accurate? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Yes, through you, Madam President. Yes, I think that would be the best description.

SENATOR FASANO (34TH):

Thank you.
Senator Fasano.

SENATOR FORMICA (20TH):

Thank you, Madam President. Please sit down, Senator Cassano. So I thank you for that. So, Madam President, this, what this bill essentially does, for the import of this bill, is to take these properties that are in absolutely decay form off the rolls. And a party of interest can go up and say, it is decaying, this is what I'm gonna do to the property. The court would then approve this party of interest to do it, so it's regulated by a court, reviewed by the court, and then at the end, if the property owner wanted to redeem the property, they would pay the party of interest, the receiver if you would, monies that were out of pocket that is under the auspices of the court. Madam President, I note that this is kept at 70,000, population in a city of 70,000 and above. And I presume those are problems that the folks deal with in the city. And just for legislative purposes, I just want to be clear what the full intent of it was, for purely abandoned property. Not something that's just unsightly, but is actually uninhabitable, and in fact is not habitable. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Senator Cassano. Senator Cassano.

SENATOR CASSANO (4TH):

Seeing there are no --
THE CHAIR:

Was that a que -- I think there was a que, that was a question.

SENATOR CASSANO (4TH):

Yes.

THE CHAIR:

Thank you, Senator Cassano. Will you remark further on the bill as amended? Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. Good afternoon again. Speaking in support of the bill as amended, I want to thank Senator Cassano for his work in committee for bringing this bill forward and all of his work on it since then to deal with the concerns that came up, and I want to especially thank Senator Fasano also for his input into the amendment in helping to make sure that every step under this process would be under review by the court. In other words, we would not be giving unilateral power to municipal bodies to enforce sections of this. Everything would have to be under court review and court authority to enforce. So I think that's an extra protection for the rights of the property owners in the bill, as well as allowing the municipalities to move forward in order to try to get this, this blight situation addressed. Because, as Senator Cassano said, the frustration that municipalities have dealt with in dealing with blight, especially when the properties are owned by absentee owners who
may live out of state, who own a large number of units and operate through a number of LLCs or partnerships and very difficult sometimes to even determine who the actual owner is in order to get the proper party to be held accountable for making the repairs. So I think that this will really allow for an expedited way to get needed repairs done. Because as we know, a single blighted property can have a cascading effect in a neighborhood, because it will lower the property values of all the neighboring homes on that street. It will diminish confidence in people looking to buy in that neighborhood. It has a depressing effect throughout the entire housing market in the area of that property. So to the extent that municipalities can have this extra, extra means, extra option, extra weapon, extra authority to try to move forward to deal with blight where it has become a festering concern in the neighborhood. And it is -- This does primarily happen in communities with populations above 75,000. So I would urge passage of the bill as amended. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on the bill as amended? Senator Cassano.

SENATOR CASSANO (4TH):

Seeing if there are no comments or questions, I would ask that it be placed on Consent Calendar.

THE CHAIR:

Senator Sampson. Okay, we will call a roll call, because we do have people who may be voting against
it. So with that, Mr. Clerk, if you could call the roll 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 1070 as amended by Senate A. Immediate roll call vote has been ordered in the Senate, Senate Bill 1070 as amended by Senate A. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill 1070 as amended by Senate A. Immediate roll call vote has been ordered in the Senate, Senate Bill 1070 as amended by Senate A.

THE CHAIR:

Have all the senators voted? Have all the senators voted? If so, the machine will be closed. Mr. Clerk, would you please announce the tally?

CLERK:

Senate Bill 1070 as amended by Senate A.

| Total number voting        | 35 |
| Total number voting Yea    | 32 |
| Total voting Nay           | 3  |
| Absent and not voting      | 1  |

THE CHAIR:

[Gavel] The legislation is adopted. Mr. Clerk.

CLERK:
Page 4, Calendar No. 82, substitute for Senate Bill No. 813, AN ACT CONCERNING A STUDY OF ISSUES RELATING TO EARLY COLLEGE AND DUAL ENROLLMENT PROGRAMS.

THE CHAIR:

Good evening, Senator McCrory.

SENATOR MCCRORY (2ND):

Good evening, Madam President. How are you this evening?

THE CHAIR:

Just fine. Thank you, sir.

SENATOR MCCRORY (2ND):

That's wonderful. That's wonderful. Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

And the question is on passage. Will you remark, sir?

SENATOR MCCRORY (2ND):

Absolutely. Madam President, this bill is pretty much a study. It requires the State Department of Education to conduct a study of student enrollment in, and graduation from, middle college programs, early college high school, and Connecticut Early
College Opportunity programs in dual enrollment programs. The study must include how data relating to student enrollment and graduation from these programs is being reported by local and regional boards of education and collected in state-wide public-school information systems. I move adoption.

THE CHAIR:

Thank you, sir. Will you remark further on the bill that is before us? Will you remark further on the bill that is before us? Senator McCrory.

SENATOR MCCRORY (2ND):

Thank you, Madam President. Madam President, if there is not an issue here or any against this bill, I ask that it be placed on Consent.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 11, Calendar No. 179, Senate Bill No. 570, AN ACT CONCERNING OPPORTUNITY ZONES.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Madam President, I'd like to mark this item PT, please.
The Chair: So ordered. Mr. Clerk.

Clerk: Page 6, Calendar No. 108, substitute for Senate Bill No. 1030, AN ACT CONCERNING THE AUDIT PERIOD FOR THE TRANSFER OF HAZARDOUS WASTE ESTABLISHMENTS. There are amendments.

The Chair: Good afternoon, Senator Hartley. Good evening, Senator Hartley, whatever we are here. [laughs]

Senator Hartley (15th): Good evening, Madam President. Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill, Madam.

The Chair: The question is on passage. Will you remark?

Senator Hartley (15th): Yes, thank you very much, Madam President. Might I just start off by recognizing --


Senator Duff (25th):
Thank you, Madam President. Madam President, I'd like to yield to Senator Needleman, please.

THE CHAIR:

Senator Needleman. Good evening.

SENATOR NEEDLEMAN (33RD):

Good evening. Thank you, Madam President. Based on Rule 15, I'd like to recuse myself from this vote.

THE CHAIR:

Thank you, Senator. The record will so reflect. And Senator Hartley, please proceed.

SENATOR HARTLEY (15TH):

Thank you, Madam President. I'm sorry for being a little hasty there. Having moved acceptance and passage, I would like to first of all recognize the incredible amount of work that has gone in to the underlining proposal before us and to thank my colleague, Senator Cohen from the Environment Committee, and all of the members from her committee and my ranking members, also the commissioner of the Department of Environmental Protection, and the commissioner of Economic and Community Development and their staffs. It was very refreshing from the start to have the commissioner of DEEP come in and recognize the fact that the agency did in fact share the goal of modernizing the Transfer Act. And Commissioner Lehman himself also was quoted as saying that he supports this and had great concern with regard to the amount of time it took for properties exchanging hands. Also -- Well, there is
an amendment, Madam President. The Clerk is in possession of LCO 9793, and I'd ask that the Clerk please call and I be granted leave to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 9793, Senate Schedule A.

THE CHAIR:

Senator Hartley, please proceed to summarize.

SENATOR HARTLEY (15TH):

Yes, thank you, Madam President. I move adoption.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment that is before the chamber?

SENATOR HARTLEY (15TH):

Yes, thank you, Madam President. To frame this amendment first of all, the underlining LCO is in recognition of the goal of the protection of the health and the environment, human health and environment of the state, which we have been such fastidious stewards of. And also it recognizes the fact that in practice, as the Transfer Act has evolved over the years -- It goes back, actually, to 1985. That there have been in fact a history of unintended consequences. Most recently, CERC itself
assessed the cost of the Transfer Act in Connecticut related to 7,000 jobs lost directly, direct jobs, and approximately $180 million dollars associated with lost tax revenue. The Transfer Act itself goes back to 1985, and while there have been some changes to it over the years, by and large the most recognizable was in 2011 when we adopted the Brownfields Program here in the state of Connecticut. And to really kind of understand the magnitude that this act has had over time, our own LOR reports that there were 4,500 properties that have been brought under the Transfer Act, and of those 4,500, only 1,500 have actually been able to complete the process of the Transfer Act. The result is of course billions of dollars in expense with regard to assessments and reviews, plummeting property values when a particular property gets brought in under a Transfer Act, many of which ended up having mothballed. Properties are just shuttering them. I think it's kind of universally accepted that it has had a chilling effect on the economy. We also hear frequently from the investor community that we are often bypassed by investors who are very concerned about getting brought into the act where industrial and commercial properties end up languishing for years upon years. So without question, there was a universal agreement when we sat at the table that there needed to be some appropriate changes, and best summarized in the most current LCO. It essentially will narrow the types of hazardous waste that will count towards triggering the thresholds and triggering a property to go into the Transfer Act. And most importantly, once a property goes into the Transfer Act, it, as we said, has languished for years. In fact, antidotally, the folks who have worked on it have mentioned the fact that there, it has been
generations that a particular property may have stayed under the act. So what we sought to do was to have some definitive windows where property owners, potential investors could recognize what the process and the timeline would be. And so what the bill does is shorten the general audit window for final verification from three years to one year. And then it establishes definitively that once a property is in the Transfer Act and it has been determined that there will be an audit, that it will be completed definitively within a three-year period. Madam President, the last part of this proposal seeks to continue this conversation, recognizing that there are other parts of the bill which in fact could be updated and which all parties agree that we could be, achieve common grounds. And so that calls for a working group, which will begin in the interim and report back to this body at the start of the next session. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Hartley. Will you remark further on the amendment that is before us? Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. Madam President, I rise in support of this bill. It was a great working group. The good chair did an outstanding job of collecting all the right players at this, at the table, and we met numerous times. And my compliments to DEEP for being open to the changes that the stakeholders were asking for and the obstacles that we since 1985, I believe, since the Transfer Act came into play, they did a, just a
wonderful job of keeping their, their ears open to see, gee, how could we make this work. So my compliments to all the stakeholders, as well as the Department of Economic Development and DEEP as well. But the Transfer Act, as we all know, regulates the transfer of certain polluted real estate properties as well as businesses in the state. This act, or the act requires the disclosure of environmental hazardous conditions when certain pieces of real estate properties or businesses are transferred. And as it stands currently through the public testimony that we heard, the committee found that the Transfer Act as it is written today is somewhat outdated and overreaching at times and has killed a lot of economic opportunities throughout the state. And the goal of this piece of legislation is to amend the Transfer Act and to encourage investments in real estate by clarifying and refocusing the act on high-risk, hazardous pieces of property and sort of removing the lower risk or no risk at all from our statutes. So -- Or from this, from the investigation process that the Transfer Act requires. So these changes will not affect the property owners' obligation to remediate contaminated sites. So I urge this circle to adopt this piece of legislation. Thank you.

THE CHAIR:

Thank you, Senator Martin. Will you remark further on the amendment that is before the chamber? Will you remark further on the amendment? If not, let me try your minds. All in favor of adopting the amendment, please signify by saying, "Aye."

SENATORS:
Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the legislation as amended? Will you remark further on the legislation as amended? Senator Hartley.

SENATOR HARTLEY (15TH):

Madam President, if there is no objection, I would ask that this be considered for the Consent list. Oh. I withdraw that request [Crosstalk].

THE CHAIR:

Thank you. When the vote is taken, it will be taken by roll. And, Mr. Clerk, if you would kindly call the roll.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Bill 1030 as amended by Senate A. Immediate roll call vote has been ordered in the Senate on Senate Bill 1030 as amended by Senate A. Immediate roll call vote in the Senate, Senate Bill 1030 as amended by Senate A.

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 1030 as amended by Senate A.

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<td>Total voting Nay</td>
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</tr>
<tr>
<td>Absent and not voting</td>
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</tr>
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</table>

THE CHAIR:


SENATOR DUFF (25TH):

Thank you, Madam President. I'd like to yield to Senator Berthel for a point of personal privilege.

THE CHAIR:

Senator Berthel, do you accept the yield?

SENATOR BERTHEL (32ND):

Yes, Madam President. Thank you, Senator. I do accept the yield. Madam President, I rise for point of personal privilege.

THE CHAIR:

Please proceed.

SENATOR BERTHEL (32ND):

Thank you. Just very quickly, we're quite honored today to have two guests from the great city of Waterbury up in the gallery. They are actually
Senator Hartley's constituents. We have Ray Waurk [phonetic] from Waterbury who's a great leader with the Boy Scouts of America in the greater Waterbury area. And we also have Joe Rezario [phonetic]. They're here taking in the day's work. They've been down in the House and properly introduced there, so we couldn't let the opportunity slip us by up here in the upper chamber to extend a warm greeting to our guests from Waterbury. So if the chamber would join me in welcoming Mr. Rezario and Mr. Waurk to the chamber, that would be greatly appreciated. Thank you, Madam President. [applause]

THE CHAIR:

Gentlemen, welcome. Nice to have you here. And Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Madam President. And I would like to echo the remarks of my colleague, Senator Berthel, and welcome actually my neighbors here to the General Assembly, and most particularly the Senate. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Mr. Clerk.

CLERK:

Page 5, Calendar No. 88, substitute for Senate Bill No. 892, AN ACT CONCERNING THE PROVISION OF CERTAIN INFORMATION PERTAINING TO CONGREGATE CARE FACILITIES LICENSED OR ADMINISTERED BY THE DEPARTMENT OF CHILDREN AND FAMILIES. There are amendments.
THE CHAIR:

Good evening, Senator Slap.

SENATOR SLAP (5TH):

Good evening, Madam President. Hope you're doing well. I move acceptance of the Joint Committee's favorable report and passage of the bill, please.

THE CHAIR:

The question is on passage. Will you remark?

SENATOR SLAP (5TH):

I would like to call an amendment. It's LCO No. 9367.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 9367, Senate Schedule A.

THE CHAIR:

Senator Slap, please proceed to summarize.

SENATOR SLAP (5TH):

Thank you. This bill calls for the development of a framework for assessing and reporting regarding the safety and quality of state-licensed treatment in
facilities for children. And it arises directly from the Office of Child Advocate's 2017 investigation and subsequent public hearing regarding the death and suicide of a 16-year-old girl and her unborn baby at the Solnit Center and that's a DCF run Treatment Facility for Girls. And what the amendment does is really creates a frame for, framework for reporting certain information and it would be eventually posted on the website and be sent out to the public. But it would really be routine collection of information concerning monitoring and inspection of facilities, health, and safety, and treatment, and discharge outcomes concerning children receiving care at the facilities. It did pass bipartisan and unanimous of course out of the Children's Committee, and I would request my colleagues to support the amendment and the bill. Thank you.

THE CHAIR:

Thank you, Senator Slap. Will you remark further on the amendment that is before us? Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. I have a couple of questions, through you, to the proponent of the amendment.

THE CHAIR:

Please proceed.

SENATOR KELLY (21ST):
Thank you. In Line 10 of the underlying bill, it stated that the parents would be notified of the information with, you know, collected in part of this process. In the amendment, it talks about the parents would be promptly notified. And could you explain to me the difference between notifying the parents and promptly notifying the parents?

THE CHAIR:

Senator Slap.

SENATOR SLAP (5TH):

Yeah, I don't think there's a timeframe beyond promptly that's been delineated. But I would say that what they're gonna doing between now and the end of the calendar year is coming up with a process and then those of us on the, serving on the Children's Committee would be able to analyze that and make suggestions and recommendations. So this is really just part of a plan in process, and I certainly would value your input in collaboration in coming up with what some of those terms mean, Senator. Through you.

THE CHAIR:

Thank you, Senator Slap. Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. Another question has to do within the original bill. It talked about notifying the parents with regards to investigations including corrective actions. However, in the amendment, it doesn't talk about sharing the results
of such investigations. It only talks about basically any sanctions imposed against the facility if such action or sanction is related to the health and safety of such child and any corrective actions that are undertaken. So it appears that we're not gonna be looking at potential investigations of these group homes, and I wondered whether or not that was I guess purposeful to withhold that from the amendment. Through you, Madam President.

THE CHAIR:

Thank you, Senator Kelly. Senator Slap.

SENATOR SLAP (5TH):

Yes, through you, Madam President. I think that they're gonna be looking at a whole host of information. There -- Sometimes where an investigation might start and it be deemed very quickly that there's -- If it's not of substance, it doesn't need to continue. But certainly anything that they learn that is in the criteria pointed out in Section 3 through 13 would be disclosed. That's my understanding. Through you, Madam President.

THE CHAIR:

Thank you, Senator Slap. Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. And I thank the good senator for his responses. I do look forward to working with you in the upcoming session when the, I guess the report comes back and to crafting
something that's gonna protect the kids in group homes. Thank you.

THE CHAIR:

Thank you, Senator Kelly. Will you remark further on the amendment that is before the chamber? Will you remark further on the amendment that is before the chamber? If not, let me try your minds. All in favor of adopting the amendment, please signify by saying, "Aye."

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended that is before the chamber? Will you remark further? Senator Slap.

SENATOR SLAP (5TH):

Yeah, if there's not further discussion or comments, I might ask that it be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:

Page 8, Calendar No. 140, substitute for Senate Bill No. 926, AN ACT ALLOWING LANDLORDS TO ACCEPT CERTAIN ADVANCE RENTAL PAYMENTS. There is an amendment.
THE CHAIR:

Good evening, Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Good evening, Madam President. I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

The question is on passage. Will you remark?

SENATOR BERGSTEIN (36TH):

So I'll just briefly summarize. This bill would allow landlords to accept advance rental payments from rent assistance programs, which are essentially nonprofits that pay in advance the rent for homeless people. And this currently is not allowed by our statutes. So this is a bill that is supported by not only the Commission on Human Rights and Opportunities and the Connecticut Coalition to End Homelessness, but also by the Connecticut Realtors Association.

THE CHAIR:

Thank you, Senator Bergstein. Will you remark further on the bill that is before us? Will you remark further on the bill that is before us? Senator Bergstein.

SENATOR BERGSTEIN (36TH):
If there's no further comment, I move this -- I would like to ask this be moved to the Consent Calendar.

THE CHAIR:

Seeing no obje -- Ah, Senator Bergstein, we will -- Senator Fasano, would you like to speak on this bill? Okay. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. To Senator Bergstein. So this allows a landlord to collect $250 dollars in advance of rent. Could you explain that a little bit to me? Through you, Madam President.

THE CHAIR:

Yes, Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. The $250 dollars is actually a fine. If the landlord does not remit payment for a lease that was not fully -- Like if the tenant left and the lease was abrogated for some reason and they had to return payment and the landlord wilfully withheld the payment that was owed to the tenant or to the rental assistance program, then there would be a $250-dollar fine for knowingly, wilfully failing to return rent payment assistance.

THE CHAIR:

Thank you. Senator Fasano.
SENATOR FASANO (34TH):

Through you, Madam President. So this is where a tenant after a lease has ended has made a payment that should not have been made to the landlord and the landlord doesn't return that payment, is that when the fine would go in? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Once the tenancy ends, the bill requires that excess payments that were made in advance but did not cover actual tenancy be returned. So surplus payments would be returned. And if they are not returned, if they are withheld knowingly and wilfully, then there would be a fine, a mere fine of $250 dollars.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Through you, Madam President. Would that be after a hearing or how would that fine be assessed? Through you, Madam President.

THE CHAIR:

Senator Bergstein.
SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I am not entirely clear about what the process would be. If I could take a moment to review. May I take a moment, Madam President?

THE CHAIR:

Yes, the Senate will stand at ease for a brief moment.

SENATOR BERGSTEIN (36TH):

Thank you.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I don't believe the bill specifies a process. But all of the advanced rental payments are held in an escrow account. So the process would be similar to whatever the process would be for releasing funds from an escrow account. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):
Madam President, through you, to Senator Bergstein. How would a landlord know -- So who -- Strike that. Who would assess the landlord? Where would that notice come from for the $250 dollars? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Madam President, the bill refers to the commissioner, but does not specify which commissioner.

THE CHAIR:

Thank --

SENATOR BERGSTEIN (36TH):

Maybe -- Oh, actually it does. Sorry. It's the banking commissioner.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, I am gonna vote no on this bill. I don't fully understand the process for which a landlord would be held responsible for the $250 dollars, whether he would have the opportun -- It's just a tenant who says, I didn't get my money back, and then there's a
fine assessed. And how would the landlord be able to defend himself, and the $250 dollars. That whole process -- I agree with Senator Bergstein to look at the bill is a little bit murky on how it all works out. So I'm not exactly sure in real life, although well intended, how the bill would work out and how the landlord knows when he is in compliance and when he is not and who informs him that he is and not? And who would be the ones who would collect the $250 if he's not? And how would that be assessed against a landlord? And would that be a civil action? Would that be the Attorney General's Office? Why would the banking commissioner be involved in a housing matter? The list of questions -- I'm not gonna belay it with Senator Bergstein, but I think that the bill is missing an awful lot of components, other than saying that if you don't return the rightful money, you landlord, however that's defined, you gotta pay a $250-dollar fine. Well, there's a lot between a lip and a cut in terms of how did that happen. Was that a dam -- Was there damage done to the unit? Did the landlord give a notice to the tenant and saying that there's damage and therefore that's why they didn't return the money? Was there an order of the court saying that the money could be held if the tenant didn't comply with A, B, and C? There are a plethora of questions that needed to be resolved here. So, Madam President, because I think this bill has an awful lot of loose ends and unknowns, I am going to vote against it. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the bill? Senator Bergstein.
SENATOR BERGSTEIN (36TH):

Thank you, Madam President. There is language in the bill that addresses the process. So written notice is required upon termination of a tenancy. This is on Line 97. The tenant's forwarding address must be provided not, within 30 days after termination of the, a tenancy or 15 days after receiving written notification of the tenant or rent assistance program's forward address. There is also language about deductions for any damages to the property suffered by the landlord. So there is a process whereby the landlord is, will be given notice. The rent assistance program will also be given notice. And the tenant is also involved. So there's a, the three parties must work together and resolve their differences, and then if those differences cannot be resolved and the advanced payments are still in an escrow account, that is when the commissioner may have to get involved. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

So, Madam, with -- Madam President, with those answers, let me ask a few more. So how does all this information get to the banking commissioner? Through you, Madam President.

THE CHAIR:

Senator -- Thank you, Senator Fasano. Senator Bergstein.
SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I don't believe that is stated explicitly in the bill. But presumably, since the commissioner is a public employee, they could call up their office and appeal to them and the commissioner would oversee this bill, this statute, and provide assistance. Thank you, Madam President.

THE CHAIR:

Thank you. Senator Fasano.

SENATOR FASANO (34TH):

So, Madam President, with that, would it be the tenant that contacts the commissioner and tells him, hey, the landlord hasn't paid me? And would that be the way the commissioner would get involved? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, that is one method.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):
And in the bill, would the land -- Would the tenant be responsible to provide to the commissioner all of the background information relative to the underlying issue? In other words, whether they received notice from the landlord? Whether there was a court order? Is that required under the bill? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Again, this is not explicitly spelled out in the bill. But the purpose of the bill is to allow landlords to do a service to their community and to the residents of this state that they are not currently allowed to perform. And this helps not only landlords and communities, but also homeless people and the nonprofits that are trying to assist them. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

So I guess the original question I had was that the tenant contacts the banking commissioner and -- In writing or would that be verbal? Through you, Madam President.

THE CHAIR:
Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. In these particular instances, while the tenant could advocate for him or herself, it's most likely that the rental assistance program, the nonprofit that is assisting that tenant would advocate on their behalf. Thank you, Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

And through you, Madam President. Would that be in writing or would that be verbal?

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. In writing.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

And I'm wondering where in the bill can you find that it says that the notification to the banking
commissioner would be in writing? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. That is not explicitly stated in the bill as far as I can find, but I believe it is contemplated.

THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

And what would the banking commissioner do, if anything, once he receives the notice through the tenant --

THE CHAIR:

Senator Bergstein.

SENATOR FASANO (34TH):

-- or the -- I apologize, Madam President.

THE CHAIR:

Oh, go ahead.

SENATOR FASANO (34TH):
-- or through the rental system's folks? What would the banking commissioner -- Would that banking commissioner be obligated to contact the landlord? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I believe that the banking commissioner would conduct his or her own due diligence to determine whether or not there was a willful and knowing withholding of the advance rental payment, because those are -- that's the standard by which this fee is determined.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

And with respect to that due diligence, can you identify where that due diligence procedure is in the bill? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. So the commissioner has the right as stated in this bill to request from the landlord information related to the tenant's
security deposit or rent, including the name and account number of the escrow account where the monies are held. So that would indicate that with that information, the commissioner could conduct his or her due diligence.

THE CHAIR:

Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

And can you just refer to me what lines that might be in the bill? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Line 236 is where it begins.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. I'm just trying to get down to those lines. So it just says that commissioner -- Reading Line 236, if the commissioner makes a written request to the landlord for any information related to the security deposit or rent-assisted payments, and asks for, including the name, prior to that, what is the banking
commissioner doing? Is he contacting the landlord to find out the accuracy of the information? Is he contacting the landlord to get the landlord -- Before he makes the written request for the information, is the commissioner making a factual determination whether or not the landlord is in the wrong such that they have to supply this information? Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, I believe the banking commissioner would make his or her own determination of whether this is a knowing or wilful violation of the law.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

And is that Administrative Procedure Act as we know it in our, on our statute? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):
Thank you, Madam President. I'm not familiar with the Administrative Procedure Act details. But we could certainly get further clarification from the banking commissioner on what his or her practice would be.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34th):

So that's a concern that I had, Madam President. The banking commissioner's gonna make a determination to find out all your financial information, I would think that there would have to be some right given to the landlord to argue that, you know, this tenant hasn't paid me or this tenant defaulted on the lease or this tenant fill in the blank. And I don't see in the bill where that is a procedure for which the banking commissioner is going to determine before requesting sensitive financial information relative to this landlord. Perhaps the good senator can show me where on here that there is some due process, factual finding by the commissioner before he asks for the information relative to bank account numbers. Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36th):

Thank you, Madam President. On Line 297, it sets forth some restrictions on what the commissioner
shall have jurisdiction over. So the commissioner is not able to simply ask for financial information without cause.

SENATOR FASANO (34TH):

So -- I'm sorry.

SENATOR BERGSTEIN (36TH):

Go ahead.

THE CHAIR:

Senator Bergstein.

SENATOR FASANO (34TH):

I'd like to -- No.

THE CHAIR:

Oh, I'm sorry. Senator Fasano.

SENATOR FASANO (34TH):

That's okay. Thank you, Madam President. So I would say with respect to 297 through 307, first the commissioner on 236 has already asked for information. With this 297 through 307, just specifies what jurisdiction, after getting the information, I assume, what jurisdiction the commissioner has and does not have, which still begs the question. Is there ever a finding of fact by the commissioner as spelled out in this bill before the commissioner asks the landlord for all this
financial information? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. There are some legal standards set forth in this act. But it also contemplates that the commissioner -- This is on Line 309, 310. The commissioner may adopt regulations as necessary to carry out the purpose of this section. But it does require that there be a good faith claim for actual damages suffered by the landlord.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

So as we stand here today, we don't know what powers this statute will give the commissioner. He will formulate his own regulatory powers over the landlord. Is that correct? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):
Thank you, Madam President. The commissioner, he or she may adopt regulations to carry out the purpose of this section. But the maximum -- May I just remind the good senator, the maximum fee contemplated for this knowing and wilful violation of the act is a mere $250 dollars. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Fasano.

SENATOR FASANO (34TH):

Yes, perhaps the money value is not the issue. It's due process and the right to be heard. Madam President, I thank you. I thank Senator Bergstein for the questions. But let me say this. Number one, this bill says that basically if you read through it, any tenant who feels aggrieved can make a complaint to the commission about $250 dollars, saying that they didn't get the money for a variety of reasons. This commissioner, once they get the complaint without a due process, without a notice to be heard, will then contact the landlord and say, I want all your bank account information. Now, those of us in government long enough knows what that means. Not only are you gonna look at that bank account, but I'm gonna look at every single one of your bank accounts for every single one of your tenants. That's what this does, without any probable cause, without any factual determination. And those of us who either represent landlords or those of us who have rental property knows what the quagmire that comes in there. You're just gonna say, let me pay the $250 dollars and let me be done with this thing and get people off our back. That's
what this thing does. That's exactly what this thing does. And then people wonder why it's so expensive to rent in Connecticut. People wonder why our kids can't afford to live in Connecticut because of the expense. This is the clearest example, this stuff that goes on. This is a problem. I should say, this is a solution looking for a problem. We have housing courts. And we have aggrieves. If you feel you've been aggrieved, you pay the rent to the court and the judge pulls the landlord in and say, what's the deal? You feel you're aggrieved; you have small claims court. This is now complicating a process that's already expensive in this state. This is why landlords go up and up on their rents. And this is what we hear in this chamber time and time again, the rents are too expensive in the state of Connecticut. This is the reason. This'll be a fishing expedition. No doubt about it. Without even a right to have an administrative hearing. Why is that important? Because every time we have factual finding, we go to the APA, and you're allowed to bring in evidence, meet the accuser, and then go through the process. This says, no. A letter, a phone call even, a phone call, and you could start a process that starts digging in to your records, with a phone call. How many times, those of us who've probably practiced landlord-tenant law, how many times is there an eviction and the first thing they do is go to the Public Health Department and say the property has mold, the property has this, the property has that, as a defense to an eviction. Now, if they haven't paid and then they make that complaint, it doesn't carry much water. But then there's a whole slew of other problems that come in. That's all this is about. We're not helping anybody here. We're not helping people here. We're hurting people. It feels good. It
feels like ra, ra, standing up for the person. But in actuality, you could end up hurting people because this is gonna have effect upon doing business as a landlord in the state of Connecticut. That's what it's gonna do. And under this bill that's before us, there are not even any substantive rights that a landlord has, zero. A verbal complaint starts a process. And you're automatically on the defensive. You gotta send in the letters. Well, maybe I was evicting the person. Maybe they damaged the apartment. Maybe they broke walls, making noise, selling drugs. I mean, the list can go on. But, no, now we're subject to this. Madam President, it's for those reasons that I'm going to vote against this bill. Due process, the procedure, the fact that it's a verbal. So Madam President, I'm gonna vote no. Thank you.

THE CHAIR:

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

SENATOR SAMPSON (16TH):

Good evening, Madam President. Yes, so when I first saw this bill come up, I instinctively thought it might be a good policy and I would automatically vote in favor of it since it sounds like it might make the lives of landlords easier in our state, because they would not have to worry or be concerned about future rental payments coming to them in a timely manner. But just listening to the conversation that just went forward, I do have some concerns. And I would just like to ask a few questions to the proponent of the bill, if I could. Through you, Madam President.
THE CHAIR:

Please proceed, sir.

SENATOR SAMPSON (16TH):

The first question, just a very basic one: Is the landlord required to accept these advance rental payments? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. The landlord is not required to. There is no mandate. This bill simply allows a landlord to accept advance rental payments.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I thank the gentlelady for her answer. So if a landlord has a tenant that is signed up with a rental assistance program, and that rental assistance program wants to issue a payment to that landlord on behalf of that tenant and it is advance of their regularly scheduled payments, that landlord is not required under this new law if it passes to accept that future advance payment. Is that correct? I just want to make sure
for the record. Very important to me. Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I refer my colleague to Line 63. A landlord may receive and accept. It does not use the word shall. So the acceptance of advance rental payments is optional. Thank you, Madam President.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. And if I'm understanding this correctly, does that mean that the landlord is not going to be subject to any punitive action by that rental assistance program or state agency for failure to accept advance rental payments? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Under current law, they would be subject for a failure or to -- They're not allowed under current law to accept advance rental
payments. This gives them the option. Thank you, Madam President.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I appreciate the answer, but that's not exactly what I asked. I understand that under current law, a landlord cannot accept advance rental payments. I want to just make sure for the record that a landlord who refuses to accept advance rental payments from a rental assistance program is not going to find themselves in violation of the law or in trouble with CHRO or the banking commissioner in this particular case because they refuse to accept advance rental payments. For the record. Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I cannot speak to whether that action would violate any other statutes, but refusal to accept advance rental payments would not violate this statute on its face. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Senator Sampson.
SENATOR SAMPSON (16TH):

Through you, Madam President. And I appreciate that answer. So since most rental agreements are for a one-year term, a lease for instance, does that mean that if someone is making monthly payments and they are going to make payments that are for future months, that is what we are considering to be advance payments under this legislation? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, the idea of advance rental payments is that one lump sum would be put into an escrow account and then draw down for monthly payments for that rent. Thank you, Madam President.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Well, Thank you, Madam President. And I thank the lady for her answer. It's illustrative of how flawed our current law is on the subject of rental payments. Because there is an assumption that rental payments are supposed to be monthly, and we have written all of our laws in this state in that manner, when that is not how a lease is written. A
lease is written to say that someone is going to rent the property for a year, for instance, and if that rent was a thousand a month, for instance, the amount of the lease would be $12,000 dollars. That is the amount that is due. It is only Connecticut law that prohibits someone from taking the $12,000 now. And I'd like to just get that for the record, too, Madam President. Through you, is a landlord allowed to accept what would be considered advance rental payments in this bill from a tenant that is not receiving benefits from a rental assistance provider? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes. Through you, Madam President.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I appreciate that answer. I gotta remember what I asked now, because I'm surprised by the answer. My understanding is that a landlord is not currently allowed. Did we just confirm that a landlord is not allowed to receive advance rental payments per the definition in this bill before us? Through you, Madam President.
THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I believe the landlord is allowed to accept advance rental payments from individual tenants as well as from rental assistance programs. Through you, Madam President.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I -- That's surprising to me, because my understanding of the current law is that you are not allowed to accept advance rental payments and that this bill is being drafted for the purpose of allowing it only for this specific circumstance, which is in the case of rental assistance providers. So let me just ask another question. And that is, what is the purpose of requiring the landlord to provide their banking information to the rental assistance provider? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Once the landlord agrees -- And remember, this is the option of the
landlords who agree to accept those advance rental payments. Once they agree to accept advance rental payments, those payments have to go into an escrow account. So it is their obligation to disclose where that escrow account is held. So they can't just take the money and spend it. Thank you, Madam President.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I appreciate the response. But I wonder why, since the agreement would be for a year lease and upon the completion of that lease, both parties are obligated to the terms. And that would obligate the tenant to the full amount of the lease. And that money is rightfully earned by the landlord at that time. So why would the banking commissioner or anyone else need to know what the status of those funds are? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Well, advance rental payments may also include security deposits, which I'm sure the good senator knows are excess payments to cover possible damages. And at the end of a tenancy, if there is no damage, then the security deposit must be returned. And also there are
situations where a lease ends prematurely or both parties agree to end the lease prematurely, and agree to release funds that were paid in advance. Thank you, Madam President.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. And I thank the gentlelady for those answers also. And I'm well aware of those circumstances. But there are other remedies. Certainly, if a lease ends prematurely under the current law, there's no, you know, obligation for the landlord to be reporting where that security deposit has been held to the banking commissioner or anyone else. And we have housing court. We have small claims court. We have a lot of ways that people can find, you know, a way to recover any damages. I guess that's the conclusion of my questions. And I appreciate the answers very much. I'm gonna have to go back, Madam President, and doublecheck what the law actually reads about advance rental payments. My understanding is that we are limited in Connecticut as landlords to collect no more than two months' security deposit and that landlords are taught not to accept more than three months ever at the start of a lease for the purpose of not violating the law. So I find it interesting to hear that there is no restriction in current law for someone to make an agreement where the person pays for their lease in full at the time that they sign it or maybe, you know, six months in advance. But I will have to go back and do my homework to make sure that that's the case. If we
are making a policy specific to only situations where there's a rental access provider, I think that's a dangerous policy. I think it should apply across the board. I also don't believe that a landlord should be obligated if they are accommodating someone in this circumstance to make the reporting requirements that are in this bill. It's not their obligation. They don't work for the state of Connecticut or the banking commission. So why they would be obligated to do that is beyond me. I'm gonna listen to the rest of the debate, Madam President. I just wanted to get a couple of those questions on the record. And I appreciate your time and the fine senator for her answers. Thank you very much.

THE CHAIR:

Thank you, Senator Sampson. Will you remark further? Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Madam President. I do not have any questions, but I wanted to make some remarks. And I rise in support of this bill. I think in the conversation for the last 45 minutes or so, we have lost track of the reason why we are having this conversation, at least for me and many of the observers. The issue is that there are people in our state who actually could benefit from rental assistance. And this is a part of a broader strategy. Our state of Connecticut is way ahead of most other states in dealing with homelessness. And I think this is the core of the issue, because there are people who are homeless. But within the various categories of the homelessness, there's a segment
which requires the rapid home, the rapid rehousing and rapid exit. And this is part of that strategy of the rapid rehousing where an individual is literally one paycheck or lack of a paycheck away from being homeless. And this actually advance payment is going to save them from being on the streets. We can have the conversation and go into the minutia and lose sight of why we are here and what we are doing, but our responsibility is to try and make sure of the people to protect them from being homeless. And this bill does exactly that. So let us not be confused by things. I want people to support this bill, because this is a good bill which is supposed to help us and then have the opportunity for people who are willing to do good in our state to keep the people in their homes in a shelter in the extremes of weather and make sure that they are protected. And this is what it does. So I want to thank your leadership, Senator Bergstein, for the work that you are doing on this and I look forward to voting in support of this. thank you.

THE CHAIR:

Thank you, Senator Anwar. Will you remark further? Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Good afternoon or good evening, Senator Bergstein. I just have a, one, maybe two questions.

THE CHAIR:

Please proceed, sir.
SENATOR FORMICA (20TH):

Thank you, Madam President. This bill is strictly limited to those landlords and those tenants who are involved in a rental assistance program through the state of Connecticut, through the federal government, through whatever. It has nothing to do with any other regular renter-landlord relationship? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. While that is the intent of the bill, I do not believe it precludes landlords from accepting advance rental payments from entities other than a rent assistance program. Through you, Madam President.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

That was not the answer I was hoping for, but. I was hoping for a simple yes answer. So did you say, Senator, through you, that this bill could be assumed to touch any landlord-tenant relationship in the state of Connecticut even if it's not dealing with a rental assistance program? Through you, Madam President.
Thank you, Madam President. The intent of the bill is to allow landlords to receive rent assistance payments in advance. But it does not necessarily preclude landlords from receiving advance rental payments from entities that are not rent assistance entities. Through you, Madam President.

Thank you, Madam President. Thank you, Senator. So if I have a three-family home now, and I rent those rooms, those apartments out to three families, there is nothing that would stop me or the tenants from offering or accepting multiple rents in advance. Maybe one of the tenants is deployed. Maybe one other tenant works for Pfizer and they're getting transferred down to Norfolk or EB from N -- or whatever, that wouldn't preclude them from that. I don't believe there's anything now that prohibits that from happening. Right? Through you, Madam President.
Thank you, Madam President. To my knowledge, that's correct. Through you, Madam President.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. But through your knowledge, Senator, through you, Madam President, the rental assistance program, anybody on a rental assistance program cannot accept multiple month's rent or week's rent. I guess, does it say months or is it -- I guess -- Let's just say months. Cannot accept multiple rents in advance unlike the example that I gave. Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. That is correct.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. So therefore, I'm going back to my original question that if we're specific to rental assistance program, this bill will not affect and should not affect any regular landlord-
tenant relationship that has nothing to do with any federal, state, or local assistance programs? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. That is correct. That is not the intention of this bill to impact other landlord-tenant relationships. Through you, Madam President.

SENATOR FORMICA (20TH):

Thank you very much, Madam President. Thank you, Senator, for your clarification.

THE CHAIR:

Thank you. Will you remark further on the bill that is before us? Will you remark further on the bill that is before us? If not, Mr. Clerk, would you kindly call the 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 926. Immediate roll call vote has been ordered in the Senate on Senate Bill 926. Immediate roll call vote in the Senate, Senate Bill 926. Immediate roll call vote in the Senate.
THE CHAIR:

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

CLERK:

Senate Bill 926.

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Senator Looney of the 11th is in the Chair.

THE CHAIR:

Bill passes. Mr. Clerk.

CLERK:

Page 41, Calendar No. 493, substitute for Senate Bill No. 1022, AN ACT CONCERNING MINORITY TEACHER RECRUITMENT AND RETENTION. There is an amendment.

THE CHAIR:

Senator McCrory, distinguished chair of the Education Committee.

SENATOR MCCRORY (2ND):

Well, how are you doing, Mr. President?
Very well, thank you.

SENATOR MCCROPY (2ND):

That's wonderful. Mr. President, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

The bill has been moved. Will you remark? Senator McCrory.

SENATOR MCCROPY (2ND):

Yes, absolutely. Mr. President, the Clerk is in possession of amendment LCO 9071. It's a strike-all amendment. I would ask that the Clerk please call the amendment.

THE CHAIR:

Mr. Clerk.

CLERP:

LCO 9071, Senate Schedule A.

THE CHAIR:

Senator McCrory.

SENATOR MCCROPY (2ND):

Sure. So let me review the --
THE CHAIR:
Could we just move the amendment first? Just move it and then discuss it.

SENATOR MCCRARY (2ND):
Oh, I move adoption of the amendment, ask that its reading be waived, and seek the leave of the chamber to summarize.

THE CHAIR:
Please proceed, Senator.

SENATOR MCCRARY (2ND):
Mr. President, I actually have a new amendment. And I would -- Can I withdraw the current one I have?

THE CHAIR:
Yes. Mr. Clerk. Senator McCrory, if you would move to withdraw the L -- If you'd site the LCO number of the amendment you want to withdraw. Or Senate A, designated as Senate A. Will you withdraw Senate A? Is that your motion, to withdraw Senate A?

SENATOR MCCRARY (2ND):
Yes. Yes, Mr. President. Thank you.

THE CHAIR:
Thank you. Okay, Senate Amendment 9071 is withdrawn. Senator McCrory.
SENATOR MCCRORY (2ND):

Yes, I would like to ask the new amendment, removing Nos. 9866. I move.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 9866, Senate Schedule A.

SENATOR MCCRORY (2ND):

I move adoption of the amendment and ask that the reading be waived and seek leave of the chamber to summarize.

THE CHAIR:

Thank you, Senator McCrory. The amendment has been moved. Will you remark, Senator McCrory?

SENATOR MCCRORY (2ND):

Thank you. And sorry for that misunderstanding. This is -- I'm gonna summarize the amendment. It creates -- This amendment creates an annual minority teacher hiring goal of approximately 200 minority teachers and administrators across the state of Connecticut, expands the teacher certification reciprocity with other states. It also grants teacher certification in the subject, in shorter subject areas for applicants currently certified in teaching, and also requires that they receive a satisfactory score on a teacher's assessment. It
expands the mortgage assistance for teachers who graduated from colleges and universities that traditionally serve minority students. It also allows for re-employment of retired teachers who graduated from educational reformed districts in Connecticut or from colleges and universities that are traditionally serving minority students. It also creates flexibility of certain teacher certification requirements. And finally, it renews subject matter assessment required for teachers seeking to be recertified after their certification lapses in certain areas.

Mr. President, this has been a labor of love. I want to thank all the advocates who have worked diligently over the past couple of years to work with the committee to enhance the number of teachers of color in the state of Connecticut. We know that this is very successful. All the research shows that all our children, all our children actually do better when they're being taught by a diverse teaching population. Just recently, John Hopskins [sic] University completed a study, and that study said that if our students in elementary schools, specifically African-American and Latino students in elementary school, have one teacher of a color, there's a 50 percent less likely that that individual will drop out of school. And it's a 75 percent more likely that that individual will graduate from college. It is the expectation of this committee to put forth individuals in front of our students so that they can achieve at the highest levels that they possibly can. And it's very important that we do that in the 21st Century that we live in. Mr. President, I move adoption.

THE CHAIR:
Thank you, Senator McCrory. The amendment has been moved. Will you remark further? Will you remark further on Senate Amendment Schedule B, LCO 9866. Will you remark further? Senator Berthel.

SENATOR BERTHEL (32ND):

Good evening, Mr. President. Thank you. I stand in support of the bill. I echo the sentiments of the chair of the Education Committee for the importance of moving this legislation forward. I do have a few questions, if I may, to the good chair. Through you, Mr. President.

THE CHAIR:

Please proceed, Senator Berthel. And Senator McCrory, prepare yourself for the questions. Thank you.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. Mr. President, through you, to Senator McCrory. The beginning of the amendment, at, beginning at Line 9, references a number of 250 new minority teachers and administrators. And I'm just wondering if the good senator would clarify whether or not this is a mandate or is this a goal of the Teacher Recruitment Oversight Council. Through you, Mr. President.

THE CHAIR:

Thank you, Senator Berthel. Senator McCrory.

SENATOR MCCRORY (2ND):
Thank you, Mr. President. And that was a great question. It is not a mandate. It is actually a goal. And let me give some background information on these numbers. Me being an educator myself, I'm really informed about this information. Before 1986 in the state of Connecticut, and after the assassination of Dr. Martin Luther King, Jr., what Connecticut did and what a number of northern states did, they realized that the populations in our public schools were increasing and were becoming increasingly students of color. And what Connecticut did was to go down in our southern states at our HBC university and specifically recruit teachers of color to come to Connecticut to teach in our school system, specifically mostly in our urban school system. And also at that time, they went to Puerto Rico and also recruited teachers to come to the state of Connecticut 'cause they saw the change in demographic of the student population at that time. That went on until 1986. And then after 1986, Connecticut changed a law. We voted in what we call the Education Enhancement Act. And at that time, Connecticut modified some of the things they did in teaching. First thing they did, required testing for all students. And it also enhanced the pay of teachers in the state of Connecticut. And at that time, we were the number one or maybe number two state in the United States with the highest teacher salary. And oddly at that time, after '86, Connecticut stopped recruiting teachers from HBCU and just focused on the teachers they had in the state of Connecticut. Well, you can imagine what happened to the population of teachers in the state of Connecticut of color. They actually started to decrease. And they've been decreasing ever since then. Now we're at a point where at one point I just know in the city of Hartford alone, it
was upwards of 30 to 40 percent of teachers of color. Now we're at maybe 20 percent. And currently in the state of Connecticut where you have over 40 percent of the student population are students of color and less than 9 percent of those educators are minority. And I might add also in this bill, there is also a goal of recruiting of that 250 teachers, 30 percent be male. Because in the state of Connecticut, less than 1 percent of the teaching population of color is a man. Less than 1 percent, guys. Understand that. So, no, I guess that's the longwinded answer to a short question. But I would continue to add if you continue ask more questions, I will give you some more background information. So, yes, it is not a mandate, but it is a goal that is obtainable if we work hard at it. Thank you. And through you, Mr. President.

THE CHAIR:

Thank you, Senator McCrory. Senator Berthel, you have the floor.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. And I thank the senator for the very detailed explanation and the necessity for establishing at least a goal for minority teacher and administrator recruitment. Moving on to another section of the bill, I'm very pleased to see around Line 26 that we are finally looking to address the issue of reciprocity agreements in the state of Connecticut with respect to the hiring of teachers. This was an issue that we did discuss at length in committee, in the leadership meeting of the committee and then with the members, the full membership of the committee. I do have a question
though. And I'm just wondering because I don't know myself, and I think it would be important for understanding the legislative intent of this section. Are there any reciprocity agreements in place today? Through you, Mr. President.

THE CHAIR:

Thank you, Senator Berthel. Senator McCrory, would you care to respond?

SENATOR MCCRORY (2ND):

Absolutely. Another great question. Currently, we do have reciprocity agreements with a few states, mainly the states that border Connecticut. So we have reciprocity agreement with Massachusetts and I believe we have reciprocity agreements with New York. However, if our goal is to increase minority teachers, just having reciprocity agreement with the state of Massachusetts where the population of people of color is very small, just like Connecticut, and New York will not do the job. So therefore, we need to create opportunity to have reciprocity agreement with other states in the United States of America such as maybe any states in the southeastern part of the United States or other states like that, that have some of the same goals and the same requirements with teacher certification that we have. Through you, Mr. Speaker, I mean, Mr. President.

THE CHAIR:

Thank you, Senator McCrory. Senator Berthel, you have the floor.
SENATOR BERTHEL (32ND):

Thank you, Mr. President. And again, I thank the senator for his explanation. As I mentioned, there was a lot of dialogue in committee with regard to reciprocity, and I think that it's a good step in the right direction with respect to encouraging teachers to come to Connecticut to do their work in their classrooms. We find throughout our public school systems all across the state that there are very specific subject matter shortages that we're having difficulty addressing and, and then, I think as we study what will happen with teacher retirements going through the next decade, we will continue to see shortages in perhaps all area, all subject areas. On Line 52 of the bill, Mr. President, we reference a study that the education commissioner shall submit back to the Education Committee. And I'm just a little bit unclear as to what we, what we really expect to learn. I know it says that it will talk about the development and implementation of reciprocity agreements and intrastate agreements. But what will we do -- Mr. President, through you, to the senator. What will we do with the results? Through you.

THE CHAIR:

Thank you, Senator Berthel. Senator McCrory.

SENATOR MCCRARY (2ND):

I believe that -- Just for clarification purposes, is that -- is the question is, what will we do with results from the reporting back through SDE, I think that's the question. Through you, Mr. President.
THE CHAIR:

I think Senator Berthel referred to Lines 53 of the amendment.

SENATOR BERTHEL (32ND):

Yes, Mr. President. And then that is correct. I'm looking to for clarification as what we, what we would do with the results of the study that will be completed no later than January 1st of 2020 as identified in Line, beginning in Line 52 through 58 inclusive. Through you, Mr. President.

THE CHAIR:

Thank you, Senator Berthel. Senator McCrory.

SENATOR MCCRORY (2ND):

Well, Thank you, Mr. President. So what will happen with those results of the study is the opportunity for us to analyze the results that we're having with the reciprocity agreement. Are we being effective with them? Is there something else we have to do to modify what we're doing in the state of Connecticut to engage in those reciprocity. So it's basically giving us an update on how well we are doing with those reciprocity agreements that we're trying to develop with other states. Through you, Mr. President.

THE CHAIR:

Thank you, Senator McCrory. Senator Berthel.

SENATOR BERTHEL (32ND):
Thank you, Mr. President. Thank you, Senator McCrory, for the further explanation. Moving ahead, and just a few more questions if I may. In the next section, Section 3, we speak about a change in the language. And I, I know what our intent is here, and I would just like to make sure I have clarity on that. We're changing the word with respect to achievement from "excellent" to "satisfactory." And I know we discussed this in committee and that the change is not to in any way whatsoever diminish or reduce the level of expectation with respect to the performance of a certified employee seeking to teach in Connecticut, specifically here in this part of the bill with respect to a subject shortage area. But actually, we're changing the word from "excellent" to "satisfactory" to address the use of the word "satisfactory" elsewhere in not only the bill before us, but in some of the existing law. Through you, Mr. President.

THE CHAIR:

Thank you, Senator Berthel. Senator McCrory.

SENATOR MCCRARY (2ND):

Yes, through you, Mr. President. Yes, that's another great question. So here we have a situation that often caused barriers for individuals outside the state of Connecticut to come into the state of Connecticut to teach. We create these false barriers. So at that time, from my understanding, the committee was trying to come up with a term to use where individuals from outside the state of Connecticut have to score a certain score. And they said, well, they should be excellent teachers. So
they should get an excellent score. Unfortunately, there's no definition of an excellent score, and there hasn't been a definition of an excellent score since we put this legislation in. The requirement is to have individual potential teachers to pass the testing requirements just like the testing requirements for our current state. They shouldn't have to be super teachers if they're coming from another state. They should be able to pass the assessment that teachers in the state of Connecticut have, and that's having a successful, satisfactory score like the teachers in the state of Connecticut have currently. Through you, Mr. President.

THE CHAIR:

Thank you, Senator McCrory. Senator Berthel, you have the floor.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. Thank you for the clarification with respect to the language. And again, moving forward a few more lines in the bill. If the good senator could speak to what is meant by, on Line 79 in the Section 4, there is reference to an educational reform district. And I'm wondering if the good senator might be able to explain what an educational reform district is. Through you, Mr. President.

THE CHAIR:

Thank you, Senator Berthel. Senator McCrory, would you respond?

SENATOR MCCRORY (2ND):
Absolutely. So those education reform districts are a list of some of the lowest achieving school districts in the state of Connecticut. Sometimes they might be referred to as alliance districts, but all district style alliance districts aren't necessarily reform districts. So they're probably our bottom 12 to 15 school districts that we're referring to when we talk about reform districts. Through you, Mr. President.

THE CHAIR:

Thank you, Senator McCrory. Senator Berthel, you have the floor.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. And thank you again to the senator for the answer. And I think it's important that that definition was provided here as we are moving through the examination of the bill prior to a vote, just because I think that recruitment from those educational reform districts will be important in terms of not only identifying, as the senator spoke to in his opening remarks, opportunities to recruit from outside of Connecticut, but also to raise minority teachers up through the process and into our classrooms. So just a comment also about Section 5, you know, the Section 5 and Subsection b. with respect to why this is important. You know, this really does broaden the opportunity and addresses the shortage areas, and I think the, again, the language there with respect to a teacher that has graduated from a public high school in an education reform district is very important and germane to what we're
discussing here. I do have another question and I think I'm almost done. The section of the bill at Lines 125 --

THE CHAIR:

Of the amendment?

SENATOR BERTHEL (32ND):

Of the amendment. Thank you, Mr. President. Addresses a change -- In actually, in Line 127, that you, a person may hold a bachelor's degree or an advanced degree from an institution of higher education. And I was wondering if the senator might explain why we are adding what seems like something that should be, might have already been in the language for the bill, why we are making the change to add, in addition to or -- I'm sorry, holds a bachelor's degree or an advanced degree, why that language is important in the amendment. Through you, Mr. President.

THE CHAIR:

Thank you, Senator Berthel. Senator McCrory.

SENATOR MCCRORY (2ND):

I believe. Thank you. Through you. Yes, Mr. President. I believe from that, in that area, in that section, that basically speaks to the fact that we have again individuals from industry. You might have someone who might have a master's degree in biology. You might even have someone who have a PhD in physics. Unfortunately, with all those qualifications that an individual might have, they
are not able to teach in our public school system. And so what we're saying is that if an individual comes to the state of Connecticut with advanced degrees -- I'm talking about master's degrees. I'm talking about a PhDs in their fields of study. We should not make it difficult for individuals with all that knowledge they have, to come into our school districts and teach. So therefore, we put this piece of legislation in there to encourage individuals from other countries, from other states, to come into our school districts. If they have those advanced degrees, make it less difficult for them to come in and teach it to our students.

THE CHAIR:

Thank you, Senator McCrory. Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Mr. President. And I would just like to finish my remarks with respect to Section 7, the last part of the bill. I think that when we look at the language in the amendment -- Excuse me, not the bill, in the amendment, beginning around Line 170 and going through 182, we are providing a tremendous opportunity, something that does not currently exist in the Connecticut state law for teachers who have left the teaching field to actually come back with much greater ease. Teachers who are demonstrated in their proficiency to be in a classroom. Right now, if you want, if you exit the field and try to come back, there are some pretty big obstacles to try and to get back into a classroom. And while we, while I believe the legislative intent of those obstacles originally -- And maybe we shouldn't call them
obstacles, but requirements. Were very important and genuine, we're acknowledging in this section of the amendment that we will allow a teacher to come back who has met a certain amount of time in the classroom, has, you know, proven that they can work in a classroom in Connecticut, and not require them to go back through some of the process that they had to go through originally. So I think that that's an important part of this legislation and will also address some of the issues that we are seeing with respect to shortage. So, Mr. President, in conclusion, as I started, as I stated when I started my comments, I do stand in strong support of this legislation tonight. I think this is an important step for Connecticut as we navigate whatever the future may be from an economic standpoint and we see populations leaving Connecticut. Whatever the challenges may be before us to address teaching shortages in our public schools, this is a step in the right direction to begin to help with that situation. And I do encourage my colleagues around the circle to support this legislation tonight. Thank you, Mr. President. And I thank the senator again for his answers.

THE CHAIR:

Thank you, Senator Berthel. Would you remark further on the amendment, on LCO 9866, previously designated as Senate Amendment Schedule B? Would you remark further? Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Mr. President. I rise to support the amended bill. I wanted to first thank the leadership of Senator McCrory. This is, as one
reads through the bill, there's a lot of thought that has gone into it and it's very focused to increase the opportunity for recruitment and retention of teachers. I think if you look at the numbers, it's pretty sad. The last time I looked at this data is from December of 2018, and literally, in many of our towns across the state, across the board, you would see that the recruitment and the retention of minority teachers is epidemic. It's a disastrous situation and this is not good. And as I recently had a chance to talk to some of the students in East Hartford and ask some of them about this specific question about how would they be impacted if they felt that they could identify with the teacher based on their background and if they had, from the minority backgrounds, and all of the students that I interacted with felt strongly that it would be important for them to connect with the teacher from that perspective. But they value every teacher from every background, but there is a connection that they would feel much more in that situation. So this bill just allows us to have a comprehensive strategy to start to address this challenge. It will take many years to be able to get to where we to. But I can essentially say that this is going to be a very important step and a much needed step. So I would urge everybody to join in and vote for this very important bill as amended. And I wanted to thank again the leadership of Senator McCrory for the work he and his team has done. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Anwar. Will you remark further on the bill? Senator Maroney.
Thank you, Mr. President. I stand in support of this amendment and of the underlying bill. I too would like to thank Senator McCrory for his good work on this bill. As we know, Connecticut has one of the largest opportunity gaps in the country. And this is an important tool for us to start to fight that opportunity gap and ensure that all students, regardless of their ethnicity or color, have the ability to succeed and have that opportunity to succeed. Senator McCrory cited a study from Johns Hopkins University. There also was a study by the National Bureau of Economic Research that showed that students who have just, African-American students who have just one African-American to teach, African-American teacher in grades Kindergarten through third grade have, are 7 percent more likely to graduate high school and 13 percent more likely to enroll in college. This is one of the most cost-effective things we can do to help narrow that achievement gap and improve opportunities. As we know, within the next five years, 75 percent of the jobs in Connecticut are going to require a post-secondary credential. So it's critical that we provide that opportunity to all students. Also, as Senator McCrory stated, it's not just the minority students who benefit. All students benefit. And actually, they found positive effects for students who didn't even have an African-American teacher, that there was just a teacher in their school, and so it's critical. It's also critical for improving race relations. I saw somewhere a quote that said it's very hard to be racist when your calculus teacher was an African-American, or he had a black calculus or history teacher. So I think it's critical for improving
race relations as well as the educational opportunities of all the students within our state. So I thank Senator McCrory for his work and I stand in strong support of this bill. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Maroney. Would you remark further on the amendment on LCO 9866, previously designated Senate Amendment Schedule B. Senator Formica.

SENATOR FORMICA (20TH):

Good evening, Mr. President.

THE CHAIR:

Good evening, Senator.

SENATOR FORMICA (20TH):

I rise for the purpose of one question for the proponent of the amendment, please.

THE CHAIR:

Please proceed, sir.

SENATOR FORMICA (20TH):

Thank you, Mr. President. Good afternoon, Senator. Reciprocity is a process that does not exist in the state of Connecticut right now with teachers from other states. And I believe this bill would change it with regard to everybody who teaches or has a
teaching certificate in the United -- In the United States. In the state of Connecticut or people that are interested coming from the state of Connecticut. Would that be correct? Through you, Mr. President.

THE CHAIR:

Thank you, Senator Formica. Senator McCrory.

SENATOR MCCRORY (2ND):

Yes, through you, Mr. President. Currently, we do have reciprocity. But we only have it with a couple of states, and those states from my understanding are Massachusetts, and we may have it with New York. But we don't have it with the other states within the United States. Through you, Mr. President.

THE CHAIR:

Thank you, Senator McCrory. Senator Formica, you have the floor.

SENATOR FORMICA (20TH):

Thank you very much, Mr. President. So this bill would allow reciprocity through any other states for any other person that comes or goes regardless of the program that, the additional program to recruit minority teachers in here. That's not specific to that is what I'm talking about. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Formica. Senator McCrory.
SENATOR MCCORY (2ND):

Yes. Just for a little clarification. So the reciprocity agreements will have to be worked on with our state, with other states. It is not just limited to minority teachers. It will be limited -- it will be open to all teachers. But the idea is to have reciprocity agreement with other states where there is a large population of teachers of color. So, therefore, by doing, having reciprocity with those states, we can increase our numbers of minority teachers in the state of Connecticut. Through you, Mr. Speaker. I mean, Mr. President.

THE CHAIR:

Thank you, Senator McCrory. Senator Formica, you have the floor.

SENATOR FORMICA (20TH):

Thank you, Mr. President. Thank the good senator for his clarification. Thank you.

THE CHAIR:

Thank you, Senator. Will you remark further on LCO 9866, Senate Amendment Schedule B?

SENATOR MCCORY (2ND):

Yes, just one more comment, Mr. President, on that.

THE CHAIR:

Senator McCrory.
SENATOR MCCORY (2ND):

You know, when I started, when I first came here a number of years ago, and even up to the last couple of years, when I checked, we had 169 school districts. And at that time, out of the 169 school districts, over 100 of them didn't have one teacher of color. [sneezes] Excuse me. Not one teacher of color. And what message does that send to the students? What message does that send to the students by when they have never seen someone in the front of their classroom give instructions. I think that's the wrong message we should send. And I'll just add two more things. I remember hearing Congresswoman Jahana Hayes, who was the national teacher of the year, and she was on her stump speech, and she said -- She told a story about one of her students. And she -- And her students told her that I am so glad that you were my teacher. I was so glad that you were my teacher, because it -- what you done for me dispels the rumor that I was learning at home, that people that look like you couldn't teach and you couldn't be successful. So she was a role model for her students. And what we need is more people like that. I will say that as an educator myself, when I started, I taught in a number of schools. In every school I went to, I was the only male teacher of color. The only one. And I still talk to students who will go to school today, and they'll tell me in 2019, they have never had a teacher of color from K to 12 in the state of Connecticut. That's disappointing. Never had a person that looked like them in front of them. And lastly, last week, I was in Bridgeport at a seminar, and there was a question being posed to some young men of color. And they asked them -- And these guys are potential teachers. This is their second
career. And the question was asked, well, when did you think about becoming a teacher? He said, becoming a teacher! Well, why would I do that? That's like returning to the scene of a crime. Think about that. He said, why would I be wanting to become a teacher? It's like returning to a scene of a crime. That's not the experiences our students need to have. And if we want to develop more teachers of color, we, they have to see teachers of color. You can't be what you don't see. And if you don't have people in front of you that will motivate you, that will provide the experience they have to you, then we'll never change this. We have to start growing our own and providing opportunities. So with that said, Mr. President, you know, this is a term that are called, we call trauma informing structure. I just recall when I used to teach. And it's something that would happen in our community, maybe it was a killing or a death or a fire, whatever the case. I wouldn't teach that day. I wouldn't teach. I would sit down and have a conversation with the young people that were in front of me. Today they call that trauma informing structure. But we were doing that 20 years ago. And that's some of the invisible baggage that teachers of color will bring to a classroom. That institutional knowledge, that fortitude to know when to push and when to pull back. They know the charms and the challenges of their students to see them through a clear glass lens with no biases, un tarnished. We need that in our state of Connecticut if we want to move forward to prepare our children for the 21st Century. And by passing this legislation, I think we're on our way. Thank you, Mr. President.

THE CHAIR:
Thank you, Senator McCrory. Would you remark further on the amendment, on LCO 9866, Senate Amendment Schedule B? Will you remark further? If not, we'll try your minds. All in favor, please indicate by saying, "Aye."

SENATORS:

Aye.

THE CHAIR:

Nays? Hearing none. The ayes have it. Senate Amendment Schedule B is adopted. Would you remark further on the bill as amended? Will you remark further on the bill as amended? Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Mr. President. I just wanted to thank Senator McCrory for those comments. And I'm so proud of the fact that we have a citizen legislature where folks come from all various backgrounds, all walks of life, and bring something to the table that many of us would not be familiar with through our everyday course of our lives. And I think the story that Senator McCrory shared with the circle is so moving and so personal, and shared it with his experiences as a teacher, in that story that somebody would say, wanting to become a teacher, that why would they want to go back to the scene of the crime is, to me is, just speak volumes of why we need to pass this bill today. So I look forward to voting in the affirmative on the bill. Thank you, Mr. President.
THE CHAIR:


SENATOR MCCRARY (2ND):

Thank you, Mr. President. Seeing no objection, I ask that this bill be placed on Consent.

THE CHAIR:

Thank you, Senator McCrory. Senator McCrory has moved to place this item on our Consent Calendar. Is there objection? Is there objection? Hearing none. It's so ordered. The bill will be added to the Consent Calendar. Mr. Clerk, call the next item, please.

CLERK:

Page 30, Calendar No. 403, substitute for House Bill No. 6643, AN ACT CONCERNING REGIONAL ANIMAL CONTROL SHELTERS.

THE CHAIR:

Senator Cohen, distinguished chair of the Environment Committee.

SENATOR COHEN (12TH):

Good evening, Mr. President.

THE CHAIR:
Good evening, Senator.

SENATOR COHEN (12TH):

Mr. President, I move acceptance of the Joint Committee's favorable report and passage of the bill with, in concurrence of the House of Representatives.

THE CHAIR:

Thank you, Senator. The bill has been moved in concurrence with the House. Would you remark further? Senator Cohen.

SENATOR COHEN (12TH):

Yes, Thank you, Mr. President. This bill seeks to modify existing statute to allow animal shelters to regionalize even if they are not from contiguous towns, as is currently stated in the general statutes. It also changes the population requirement from under 25,000 to under 50,000. The bill passed unanimously out of committee and out of the House.

THE CHAIR:


SENATOR MINER (30TH):

Thank you, Mr. President. Good evening. Mr. President, I also rise in support of this important legislation. This is an area that communities have found a way to regionalize. Some have actually been
working together for a number of years, especially in the northwest corner. We heard positive testimony. This isn't the first year we've had this bill before us here in the legislature. I would ask for the chamber's support on this legislation. Thank you.

THE CHAIR:

Thank you, Senator Miner. Will you remark further on the bill? Senator Slap.

SENATOR SLAP (5TH):

Thank you, Mr. President. I just wanted to rise very briefly in support the bill and thank the leaders of the Environment Committee for moving this forward. I know it's very important to a number of towns across Connecticut, including two towns that I represent. And that's Farmington and Burlington. So I think this is gonna help them and a lot of others increase service and save funds. I want to thank them for supporting this. Thank you.

THE CHAIR:

Thank you, Senator Slap. Will you remark further? Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Thank you, Mr. President. So nice to see you up there.

THE CHAIR:
Thank you.

SENATOR NEEDLEMAN (33RD):

I rise in support of this bill. Essex is part of a three-town regional shelter and we host it and it works extremely well. So I just want to say this is a great idea and it is a way for towns to save money and work together. Thank you.

THE CHAIR:

Thank you, Senator Needleman. Would you remark further on the bill? Would you remark further on House Bill 6643, which is before us in concurrence with the House? Senator Cohen.

SENATOR COHEN (12TH):

Thank you, Mr. President. Mr. President, if there's no objection, I move to place this on the Consent Calendar.

THE CHAIR:

Thank you, Senator. Senator Cohen has moved to place this item on our Consent Calendar. Is there objection? Is there objection? Hearing none. It is so ordered. The bill will be added to our Consent Calendar. The Senate will stand as ease for a moment before calling the next item. Mr. Clerk, if you would call the next item, please.

CLERK:
Page 12, Calendar No. 186, substitute for Senate Bill No. 847, AN ACT CONCERNING THE REGULATION OF VOICE SERVICE PROVIDERS. There are amendments.

THE CHAIR:

Thank you, Mr. Clerk. Senator Needleman, distinguished chair of the Energy and Technology Committee.

SENATOR NEEDLEMAN (33RD):

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

THE CHAIR:

Thank you, Senator. Will you remark?

SENATOR NEEDLEMAN (33RD):

Sure. Mr. President, the Clerk is in possession of an amendment, LCO 9569. I would ask the Clerk please read the call of the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 9569, Senate Schedule A.

THE CHAIR:

Senator Needleman.
SENATOR NEEDLEMAN (33RD):

Thank you. I move adoption of the amendment, waive its reading, and seek leave to summarize.

THE CHAIR:

Please proceed, Senator.

SENATOR NEEDLEMAN (33RD):

Thank you, sir. This bill is an attempt put Frontier Communications on an equal footing with the other voice providers in the state. Most of the other providers are deregulated. Frontier is a legacy provider, having about 10 percent of the market and they remain the only voice provider that is still regulated. They have conceded to hold the rate for consumers, residential consumers, for five years who still have the POTS line, the voice only line, and have worked out agreements with the other providers, Charter and Spectrum and the other cable companies to work on wholesale charges with them. So I think that this is about time to move this forward. They are kind of the last buggy whip manufacturer and they have such a small share of the market, it's unfair to have them working on a regulated platform, and all of their competitors are not on that platform. I think that's it. I think that, that this body has chosen to approve this in the past, and I'm hoping that this time it gets moved through the House. Thank you.

THE CHAIR:
Thank you, Senator Needleman. Will you remark further on LCO 9569, previously designated as Senate Amendment Schedule A? Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Mr. President. Good evening. I rise for the purpose of a question and a comment for the proponent of the amendment.

THE CHAIR:

Please proceed with your question if that comes first before the comment.

SENATOR FORMICA (20TH):

Thank you, Mr. President.

THE CHAIR:

If you would, to please prepare yourself, Senator Needleman, for the question.

SENATOR FORMICA (20TH):

Thank you, Mr. President. Good evening, Senator. With regard to this bill, there's some of the concerns out there from Frontier have been their lack of being able to compete, the over, you know, the outdated regulations that this bill is trying to address to make them more competitive. The fact that their customer base for landlines have been dwindling over the last number of years as we all go, you know, more and more to the computers we carry in our pocket. And then Frontier has a large presence in the state and they remain encumbered by
all of these regulations. With regard to the PURA's authority over some of these regulations moving forward, through you, Mr. President, that doesn't change as a result of this bill?

SENATOR NEEDLEMAN (33RD):

Through you, Mr. President, no it doesn't --

THE CHAIR:

Yes, thank you. Thanks, Senator Formica. Senator Needleman, would you care to respond?

SENATOR NEEDLEMAN (33RD):

Through you, Mr. President. No it does not.

THE CHAIR:

Senator Formica, you have the floor.

SENATOR FORMICA (20TH):

Thank you, Mr. President. Thank you, Senator. I did not think so and then that there is, through you, Mr. President, the cap rates remain stable for the next three years on this, so it gives some continuity moving forward. Is that correct? Through you, Mr. President.

THE CHAIR:

Thank you, Senator Formica. Senator Needleman.

SENATOR NEEDLEMAN (33RD):
Through you, Mr. President. I believe so.

THE CHAIR:

Senator Formica, you have the floor.

SENATOR FORMICA (20TH):

I'm sorry, I did not -- I didn't hear what you said.

SENATOR NEEDLEMAN (33RD):

Through you, Mr. President. I believe so.

SENATOR FORMICA (20TH):

Okay, thank you.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Mr. President. Thank you, Senator, I don't have any other, I don't have any other questions. I'll make a closing comment. There has been a lot of comments on both sides of this bill. There are some folks that think that this is going to have a negative effect on the competition moving forward, and there are other folks in the industry that remain neutral on this bill. And so I think I would like to offer the opportunity to move this bill forward to get it to the House to see where we are with the understanding that PURA's oversight remains intact moving forward and the opportunity for PURA to rectify or any problems that may come up
in the next number of years or once this cap rate expires in three years, I'm hopeful that PURA will do the right thing and make sure that as technology advances, they will have an opportunity to control any conflicts that may occur. So I agree with Senator Needleman and ask my colleagues to support this resolution, this bill. Thank you. Thank you, Mr. President.

THE CHAIR:

Thank you. Thank you, Senator Formica. We are on Senate Amendment Schedule A, LCO 9569. Will you remark further on the amendment? Will you remark further on the amendment? If not, we'll try your minds on the amendment. All in favor, please indicate by saying, "Aye."

SENATORS:

Aye.

THE CHAIR:

Opposed? The ayes have it. Amendment is adopted. LCO 9569, Senate Amendment Schedule A is adopted. Will you remark further on the bill? Will you remark further on the bill? Senator Needleman.

SENATOR NEEDLEMAN (33RD):

I move that we move this forward for a vote. Thank you.

THE CHAIR:
Thank you. Is there additional comment on the bill before moving to a roll call vote? If, if not the Clerk will please call the roll on this item.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Bill 847 as amended by Senate A. Immediate roll call vote has been ordered in the Senate, Senate Bill 847 as amended by Senate A. Immediate roll call vote has been ordered in the Senate on Senate Bill 847 as amended by Senate A.

THE CHAIR:

[Gavel] In the pendency of this vote, I would ask the members to stay close to the chamber after this vote, because it's our intent to call the Consent Calendar next, in which we have quite a few items. So as members are voting, come in to vote on this item, I would advise you to stay close to the chamber so we can proceed quickly so a Consent Calendar vote.

CLERK:

Immediate roll call vote has been ordered in the Senate on Senate Bill 847 as amended by Senate A. Immediate roll call vote has been ordered in the Senate on Senate Bill 847 as amended by Senate A. Immediate roll call vote in the Senate.

THE CHAIR:

In the pendency of this vote, I would ask the members to stay close to the chamber after this
vote, because it's our intent to call the Consent calendar next, in which we have quite a few items. So as members are voting, come in to vote on this item, I would advise you to stay close to the chamber so we can proceed quickly to a Consent calendar vote.

CLERK:

Immediate roll call vote has been ordered in the Senate on Senate Bill 847 as amended by Senate A.

THE CHAIR:

Thank you, Mr. Clerk. Again, while the vote is pending, would remind members as they come in to vote on this item, stay close to the chamber, because it's our intent to proceed to a vote on our Consent Calendar as the next item. Have all the members voted? Have all the members voted? Will you please check the machine to make sure that your vote is properly cast? And so, Mr. Clerk, if you would close the machine for the tally.

CLERK:

Senate Bill 847 as amended by Senate A.

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THE CHAIR:
The bill passes. Thank you, Mr. Clerk. Mr. Majority Leader.

SENATOR DUFF (25TH):

Thank you, Mr. President. Mr. President, if the Clerk can now read the items on the Consent Calendar No. 1, followed by a vote, please.

THE CHAIR:

Mr. Clerk. We will proceed to call the items on the Consent Calendar and then we'll move to an immediate vote.

CLERK:

Consent Calendar No. 1, Page 1, Calendar 525, House Joint Resolution 166. Page 1, Calendar 526, House Joint Resolution 167. Page 2, Calendar 527, House Joint Resolution 168. Page 2, Calendar 571, House Joint Resolution 169. Page 2, Calendar 588, Senate Joint Resolution 41. Page 4, Calendar 82, Senate Bill 813. Page 5, Calendar 88, Senate Bill 892. Page 30, Calendar 403, House Bill 6643. Page 41, Calendar 493, Senate Bill 1022. And Page 66, Calendar 437, Senate Bill 880. Immediate roll call vote has been ordered in the Senate on Consent Calendar No. 1. Immediate roll call vote has been ordered in the Senate on Consent Calendar No. 1. Immediate roll call vote in the Senate, Consent Calendar No. 1.

THE CHAIR:
Have all the members voted? Have all the members voted? Please check the machine to make sure that your votes are properly cast. Mr. Clerk, if you would take the tally.

CLERK:

Consent Calendar No. 1.

- Total number voting 35
- Total number voting Yea 35
- Total voting Nay 0
- Absent and not voting 1

THE CHAIR:

Thank you, Mr. Clerk. Consent Calendar No. 1 is adopted. Mr. Majority Leader.

SENATOR DUFF (25TH):

Thank you, Mr. President. Mr. President, we're going to recess for a little bit of time, probably till about 8:00, 8:15, and then we'll come back, for the purposes of a Senate Democratic caucus. So we can -- The Clerk can call for an immediate Senate Democratic caucus, we will recess till about 8:00, 8:15, or so. Thank you, Mr. President.

THE CHAIR:

Thank you, Mr. Majority Leader. The Senate -- Senator Witkos. For an announcement.

SENATOR WITKOS (8TH):
Thank you, Mr. President. Immediate Senate Republican caucus in the caucus room.

THE CHAIR:

Thank you, Senator Witkos. The Senate will stand in recess for caucuses for both the Democratic and Republican caucus.

CLERK:

There will be an immediate Senate Republican and Democratic caucus. An immediate Senate Republican and Democratic caucus.

On motion of Senator Duff of the 25th, the Senate at 7:40 p.m. recessed.

The Senate reconvened at 9:44 p.m., the President in the Chair.

CLERK:

[Gavel] The Senate will convene immediately. The Senate will convene immediately.

THE CHAIR:

Good evening, Senator Duff.

SENATOR DUFF (25TH):
Good evening, Madam President. Madam President, for the purposes of the markings.

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar Page 37, Calendar 453, Senate Bill 761, go. On Calendar Page 61, Calendar 139, Senate Bill 72, go. On Calendar Page 65, Calendar 317, Senate Bill 393, go. On Calendar Page 63, Calendar 193, Senate Bill 320, go. And then from a previously marked item as PT, I want to mark that as last as Calendar Page 11, Calendar 179, Senate Bill 570, go. Thank you, Madam President.

THE CHAIR:

So noted. Mr. Clerk.

CLERK:

Page 37, Calendar No. 453, substitute for Senate Bill No. 761, AN ACT PROMOTING THE USE OF HONEST RECOMMENDATIONS BETWEEN EMPLOYERS AND PROHIBITING AN EMPLOYER'S USE OF A NONDISCLOSURE AGREEMENT RELATING TO ACTS OF DISCRIMINATION OCCURRING IN THE EMPLOYER'S WORKPLACE. There are amendments.

THE CHAIR:

Good evening, Senator Winfield.

SENATOR WINFIELD (10TH):
Good evening, Madam President. I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR WINFIELD (10TH):

Yes, Thank you, Madam President. This is a bill that comes to us through the Judiciary Committee. It requires employers to make recommendations to disclose known acts of sexual assault in the workplace or complaints of sexual harassment that are filed with the CHRO. It also prohibits employers from requiring employees as a condition of their employment to sign a nondisclosure agreement that would prohibit discussing or disclosing acts of discrimination or harassment. Madam President, there is an amendment that is a strike-all. It is LCO 9542. I would ask that it be called and I be granted leave of the chamber to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO 9542, Senate Schedule A.

THE CHAIR:

Senator Winfield.
SENATOR WINFIELD (10TH):

Yes, Thank you, Madam President. What the amendment does is it makes some changes to the underlying bill. It includes in the first section a time limit on the duty to disclose, which is a year. It also -- It doesn't change the impact of the settlement agreements in the second section. In the first section, it also means that the disclosure is not just a potential employer, but it's also to, will be able to consider headhunters of placement agencies, and the employer would have to disclose if he or she has actual knowledge, not just speculation about an event. And then an individual could be both an employee, employer and the person giving the recommendation. I urge adoption.

THE CHAIR:

Thank you. The question is on adoption. Will you remark? Senator Kissel. Good evening.

SENATOR KISSEL (7TH):

Good evening, Madam President. A couple of questions, through you, Madam President, to the proponent of the amendment.

THE CHAIR:

Please proceed, sir.

SENATOR KISSEL (7TH):

Thank you. I notice that in two areas, both with regard to the assault and the harassment, the underlying bill said "knows," and now the new
language would be "have actual knowledge." And I'm wondering what the purport of this new language is. What exactly does "have actual knowledge" mean? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I think that gets to what I was just referring to when I was bringing out the amendment, that it's not just simply that there's a speculation that something happened, but that they would have to -- I'm gonna repeat the words. But actually have actual information that goes beyond guessing, assuming, hearsay. Through you, Madam President.

THE CHAIR:

Thank you, Senator Winfield. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much. And through you, Madam President. So would the employee have had to file some kind of complaint? Would something have to be reduced to writing? Could the actual knowledge be dependent upon just what one witnessed? Through you, Madam President.

THE CHAIR:

Senator Winfield.
SENATOR WINFIELD (10TH):

If you give me a second, Madam President, I'll get to the bill. Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

The bill is -- The bill does not lay out a particular definition the way that sometimes it is laid out for the question that Senator Kissel's asking. So it would have to be a reasonable belief. So it would be a set of circumstances in which either the person who has the requirements under the bill has something in writing or it is a situation where there's not simply that they assume a set of circumstances or facts, but that the circumstances or facts present would lead to a reasonable belief that such has happened. Through you, Madam President.

THE CHAIR:

Thank you, Senator Winfield. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much. And clearly this bill, to my mind, is a reflection of a response to what allegedly took place in former Congresswoman Elizabeth Esty's office, which I don't believe had a lot of employees. So my next question, through you, Madam President, is, let's say an individual works for a large corporation. Let's say there's over a
thousand workers, and someone made a complaint regarding let's say sexual harassment to the HR, Human Resource Department. But the person's immediate supervisor was not aware of that, and then this employee's looking for another job and asked their immediate supervisor for a letter of recommendation. Would it now be the policy of the state of Connecticut that whomever is asked for a letter of recommendation would have to go up the line of command, would have to check in with HR? Would it be a violation if the supervisor, who was not personally aware, had no actual knowledge, wrote a letter of recommendation, but that that information was in another department of this large corporation? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you. Through you, Madam President. I believe the answer to that would be no. If we are looking in the part of the bill we were just discussing in Lines -- I want to get the exact sentence. Beginning in 32, which describes for the purposes of this section when an employer has, knows about an act of sexual harassment -- I'm sorry. Knows about an act of sexual harassment when there was an individual who provides the recommendation, a positive commentary as the employer, or an employee of -- the employer and has actual knowledge of such act. In the description that Senator Kissel just laid out, that individual would not have actual knowledge, and so therefore, would not be subject under the bill. Through you, Madam President.
THE CHAIR:

Thank you, Senator Winfield. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. And another question. It seems likes there's two hoops that have to be jumped through on the harassment side. There has to be the actual knowledge, but there also has to be a complaint with CHRO, and to mind, while both are egregious, I think sexual assault being criminal in nature, is even more egregious. And yet there doesn't seem to be that other hoop. It'd just have to be actual knowledge of a sexual assault, and it delineates a list of statutes that it could fall under. So there wouldn't necessarily have to be criminal charges filed in an assault matter? Just the predicate of an actual knowledge? Through you, Madam President.

THE CHAIR:

Thank you, Senator Kissel. Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. The bill is as described by Senator Kissel. The two hoops, if you will, are what makes the bill active. Through you, Madam President.

THE CHAIR:

Senator Kissel.
SENATOR KISSEL (7TH):

Thank you very much and through you, Madam President. If an employer runs afoul of this, either through willful or negligent conduct, what are the parameters of what could befall them? Are there --

THE CHAIR:

Senator Winfield.

SENATOR KISSEL (7TH):

What exactly is the penalty? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

One second, Madam President. Thank you, Madam President. I had someone in my ear verifying the line that I was on. Through you, Madam President. I was looking to verify. The bill does not have a penalty, so to speak, in it. It only talks about a liability of the person who made the recommendation potentially in a court of law. Through you, Madam President.

THE CHAIR:

Thank you, Senator Winfield. Senator Kissel.

SENATOR KISSEL (7TH):
Thank you very much, Madam President. And through you. And these proscriptions would last for one year? Or if there was a resolution for the assault charge in a criminal matter and for the harassment charge under CHRO, if there was a resolution, I believe the amendment says the matter would end as well. Through you, Madam President.

THE CHAIR:

Thank you, Senator Kissel. Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. Senator Kissel describes the bill correctly. Through you, Madam President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. No further questions for the good senator from New Haven. I would say that I very much support the amendment. I think it tightens up the underlying bill considerably. I think there's enough in here to give employers guidance going forward, and I think it does address a very unfortunate incident that apparently occurred in Washington, D.C. And it's good that we try to resolve those things going forward. Thank you, Madam President.

THE CHAIR:
Thank you, Senator Kissel. Will you remark further on the amendment that is before the chamber? Will you remark further on the amendment? If not, let me try your minds. All in favor of the amendment's adoption, please signify by saying, "Aye."

SENATORS:
Aye.

THE CHAIR:

SENATOR FASANO (34TH):
Thank you, Madam President. Madam President, I support the bill as amended. In particular, I'm intrigued by the nondisclosure agreement not being a forced agreement in order to keep employment. In keeping with that, I'd like to perhaps take that to a different level and ask the Clerk to call LCO 8637.

THE CHAIR:
Mr. Clerk.

CLERK:
LCO No. 8637, Senate Schedule B.

THE CHAIR:
Senator Fasano.
SENATOR FASANO (34TH):

Thank you, Madam President. I wish to adopt the amendment and request permission to summarize.

THE CHAIR:

Please do proceed to summarize.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, what this does is it says any person who is a state employee or is a candidate, as defined under 9-601, must disclose a, any nondisclosure confidentiality agreement that relates to an action dealing with sexual harassment or sexual assault defined by Connecticut general statutes. And you can look at the statutes. It's any sexual harassment and any sexual assault. If you have a nondisclosure agreement that refers to that sexual assault or sexual harassment, you have to disclose that, and the disclosure of that would not by our statute violate the nondisclosure agreement. Madam President, what this does is it gives clear indications that a state employee or a candidate would make this disclosure to the Secretary of State, and as I said, such disclosure would not violate the nondisclosure or confidentiality part of the agreement, because such confines would be contrary to public policy. Madam President, essentially, in the world we live in, sometimes nondisclosure agreements for sexual harassment or sexual assault, albeit, you may not even be the perpetrator but somehow involved in the incident, this would allow disclosure and we would keep it
pure within our House, being state employees and candidates. Madam President, I would seek adoption of our amendment. I lift support of it from our circle. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark on the amendment? Senator Winfield.

SENATOR WINFIELD (10TH):

Madam President, I got just one question for clarification.

THE CHAIR:

Please proceed.

SENATOR WINFIELD (10TH):

The amendment that is before us, if I understand it right, I think that what it's seeking to do is disclose the fact that this disclosure agreement exists. Not all the contents of the disclosure agreement? Is that correct? Madam President.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

That is correct, Senator. This would be to disclose the fact that there is a nondisclosure agreement that is laid out in this section, but not the
essence, the facts, and the names relative to that agreement. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. I, I guess I rise in objection. I appreciate what is attempted by the amendment. I think that it potentially leads to people guessing about what the nondisclosure agreement itself is, which can operate for all types of reasons. I work in an employment context where there are lots of people who are subject to nondisclosure agreements and how they get there are related to this particular subject that we're talking about doesn't necessarily have anything to do with the actions actually taken. Doesn't necessarily have to do with any sense of guilt of, on one side or the other, necessarily. And I think to require that disclosure is potentially setting up somebody who might be finding themselves in the context that the amendment talks about, unfortunately suggesting that something may have happened that did not happen. So I rise in opposition and ask that when the vote it taken, it's taken by roll.

THE CHAIR:

A roll call will be ordered. Senator Fasano.

SENATOR FASANO (34TH):
Thank you, Madam President. And Madam President, I appreciate the senator's comments. I will also note that in the bill that's the underlying bill, it talks about the nondisclosure agreement being entered into and I would argue that the same purpose and intent of those parameters are being used in this amendment as well, which is just disclosure that the agreement exists. Madam President, it is not to disclose confidential information, but that this simply exists. If we're gonna ask private sector to look at it in such a degree, I would also argue it would be appropriate for us to apply the same rules and laws that we looked at for private sector for state employees, and certainly candidates, to follow the same, same degree of scrutiny that we constantly put on our private sector, but we always either exclude ourselves or the state employees. So Madam President, I still urge adoption of the amendment. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment that is before us? Will you remark further on the amendment that is before us? If not, Mr. Clerk, would you kindly call the roll? 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 761, Senate Amendment B, LCO No. 8637. Immediate roll call vote has been ordered in the Senate on Senate Bill 761, Senate Amendment B, LCO No. 8637. Immediate roll call
vote, Senate Amendment B, LCO No. 8637. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Amendment B, LCO No. 8637, the underlying bill 761. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the senators voted? Have all the senators voted? The machine will be locked. Mr. Clerk, would you kindly announce the tally?

CLERK:

LCO No. 8637, Senate Amendment B.

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THE CHAIR:


SENATOR WINFIELD (10TH):

Yes, Thank you, Madam President. If there's no further comment or question, I'd ask that this be placed on Consent.

THE CHAIR:

Seeing no objection. So ordered. Mr. Clerk.

CLERK:
Page 61, Calendar No. 139, Senate Bill No. 72, AN ACT ESTABLISHING A TAX CREDIT FOR EMPLOYERS THAT MAKE PAYMENTS ON LOANS ISSUED TO CERTAIN EMPLOYEES BY THE CONNECTICUT HIGHER EDUCATION SUPPLEMENTAL LOAN AUTHORITY, as amended by Senate Amendment Schedule A, LCO No. 8228. There are amendments.

THE CHAIR:

Good evening, Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Good evening, Madam President. Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR BERGSTEIN (36TH):

Madam President, the Clerk is in possession of amendment, strike-all amendment LCO 8999. I would ask leave to summarize the amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8999, Senate Schedule B.

THE CHAIR:
Please proceed to summarize, Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Madam President, this bill would allow residents of Connecticut and those who graduate from institutions of higher learning in Connecticut and live here, choose to live here, and choose to work here to have part of their student loans refinanced, CHESLA student loans, repaid by their employers. This bill has gone through many iterations. I've worked closely with Senators Maroney and Haskell to create something that would incentivize young, talented people who graduate from college here or who graduate from colleges in other states but want to move to Connecticut to bring them here. It also is a great recruiting tool for employers and has a very minor fiscal note. So, essentially, the bill allows employers to partially repay, refinance CHESLA loans up to a maximum of $5,450 dollars a year within five years of a student graduating from a college and earning a Bachelor of Arts degree.

THE CHAIR:

Thank you, Senator Bergstein. Will you remark on the amendment that is before us? Will you remark on the amendment that is before us? If not, let me try your minds. All in favor of the amendment, please signify by saying "Aye."

SENATORS:

Aye.
Opposed? The amendment is adopted. Will you remark further on the bill as amended? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, to the good senator, on the amendment that is now the bill, it is my understanding that this applies to -- Is it CHELSA [sic] loans? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. It applies to CHESLA refinance loans.

SENATOR FASANO (34TH):

CHESLA.

SENATOR BERGSTEIN (36TH):

And CHESLA, for the record, is the Connecticut Higher Education and Supplemental Loan Authority, which is one of the finest student loan repayment programs in the country, issuing very low-cost loans to students. It probably is not widely known and not used nearly enough. And this will be an excellent tool for marketing it and recruiting students to our state.
Thank you, Senator. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. And why not other loans? What is so special about this particular loan program we would not open up to students who live here, work here, gonna stay here? Why would we not open up to those other folks? Thank you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Ideally, we would open it to all students. However, we tried to be as reasonable as possible, and limit it to refinance loans alone. And I'd like at this point, if it's possible, to yield to my colleague Senator Maroney to answer this further.

THE CHAIR:

Do you accept the yield, Senator Maroney?

SENATOR MARONEY (14TH):

Yes, thank you, Madam President. Thank you, Senator Fasano, for the question. One of the reasons why we proposed utilizing only the refinancing loan was that it allows students to refinance other loans. So, for instance, when you go to college, you'd have to take a separate loan for each of your four years,
hopefully it's only four years for the parents' sakes. But each of those years of college. Or it allows you to refinance both private loans, as well as the federal loans. And at one point, it probably wouldn't be recommended to consolidate a federal direct loan because of the public service loan forgiveness, although, unfortunately, now that that has come due, we've seen 99 percent of the people are rejected for public service loan forgiveness. So it would probably make sense now to consolidate those loans at a lower rate.

THE CHAIR:

Thank you.

SENATOR MARONEY (14TH):

Through you, Madam President.

THE CHAIR:

Thank you, Senator Maroney. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. So, to Senator Maroney, so essentially, what you're saying, you could still if you were a student and you had a federal loan or some other private loan, you could refinance through this particular loan and still take the advantage of what this bill has to offer. So just switch it over to this, which you would argue has a lower interest rate, and then you could get a business, should they want to, then pay off the loan and get the credit? Is that accurate? Through you, Madam President.
THE CHAIR:

Senator Maroney.

SENATOR MARONEY (14TH):

Through you, Madam President. Yes, yes, it is.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. As a parent paying off a couple of these loans, I will definitely look into that one. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the amendment that is before us? Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. While I think the program is very worthwhile, I have a couple of amendments I'd like to offer which I think will test its effectiveness. And that being said, the Clerk has in his possession LCO No. 9827. I ask that it be called and I be given leave to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:
LCO No. 9827, Senate Schedule C.

THE CHAIR:

Please proceed to summarize, Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. Basically, this does exactly what I said initially, is that the, they must report back to the Banks Committee on the effectiveness of the tax credit as described in the bill no later than January 1, 2023. So it would be for a two-year period and then annually thereafter to make sure that we are putting our money in the most appropriate places. And I ask for adoption of the bill and when the roll is taken, it be taken by roll call.

THE CHAIR:

And thank you, Senator. And when the vote on the amendment is taken, it will be taken by roll. Will you adopt -- Excuse me. Will you remark further on the amendment that is before the chamber? Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. With all due respect, I'd like to oppose this amendment. The -- It just creates further burden on the system. CHESLA is already known to disclose its, its function, its effectiveness. There is enough reporting going on that we have the data we need to verify whether this bill if enacted would be effective.
THE CHAIR:

Thank you, Senator Bergstein. Will you remark further on the amendment that is before the chamber? Will you remark further on the amendment? If not, Mr. Clerk, would you kindly call the roll on the amendment? And the machine will be open.

CLERK:

Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate on Senate Amendment C, LCO No. 9827. Immediate roll call vote has been ordered in the Senate, Senate Amendment C, LCO No. 9827. Immediate roll call vote has been ordered in the Senate, Senate Amendment C, LCO No. 9827. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the senators voted? Have all the senators voted? The machine will be closed. And Mr. Clerk, would you please announce the tally?

CLERK:

LCO No. 9827, Senate Amendment C.

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THE CHAIR:

[Gavel] The amendment fails. Mr. -- Let's see. Will you remark further on the bill as amended? Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. So the reason given for rejection of the amendment that was just voted on was it would be too burdensome on the agency to report back to the Banks Committee on the progress of the CHESLA financing. And I find that disturbing in that we, we don't want to know if the tax credit is being use appropriately. We had a conversation in the Caucus Room earlier about the banks and the mediation program and how that has to be reauthorized every two years. That was just done last year. And it's been continuously renewed I think for the past, well since the mortgage crisis we had in this state. And that didn't seem to be too burdensome. And in fact, we knew, we heard testimony at the public hearings and around this circle about how great the program was doing. And if we don't have folks reporting back to us, how do we know how well the program is doing? So we set a precedent about sunsetting programs and making sure that this body, if it's a good program, reauthorizes it. So in that vein, Madam President, the Clerk has in his possession LCO No. 9834. I ask that it be called and I be given leave to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:
LCO No. 9834, Senate Schedule D.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. This does nothing to change the underlying bill. It just says that the bill sunsets in January 1, 2027, and it would need an affirmative vote by this body to continue in its operation. I move adoption and when the vote is taken, I ask that it be taken by roll call.

THE CHAIR:

Roll call will be ordered. Will you remark further on the amendment that is before the chamber?

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Again, I rise to respectfully oppose this amendment. Sunsetting this prematurely would only inhibit achievement of the objectives we're trying to attain, which is to get the word out to students and to employers that we have a positive mechanism for recruiting and retaining talent in young people in this state who will then choose to live here, put down roots, buy homes, become taxpayers, and contribute significantly to the growth of our state. Thank you, Madam President.

THE CHAIR:
Thank you, Senator Bergstein. Will you remark further on the amendment that is before the chamber? Senator Hwang.

SENIOR Hwang (28TH):

Thank you, Madam President. Through you, could I ask the proponent of the amendment additional questions?

THE CHAIR:

Please proceed, sir.

SENIOR Hwang (28TH):

Thank you, Madam President. I think the opposition was that the sunset wouldn't be relevant as a measure. Through you, Madam President, I believe for us to have any measure of a bill that works, it is imperative for us to have data. Data should be an important point of any project that we undertake that has a fiscal note. Through you, Madam President. Is that the purpose for this, to get data and a relevancy in regard to whether this program is a success or not? Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENIOR WITKOS (8TH):

Thank you, Madam President. And through you, that is 100 percent correct. This would give this
legislative body over five years of data to see if it does the things that the good chairwoman of the committee so eloquently stated that the purpose of the bill is to do. But it also gives the body the opportunity to say if this program isn't working, then it sunsets and we don't renew it. My hope is we're, that we would be coming back in five years and when it, it meets all the goals and expectations that are set forth in it, and we can continue the program. Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. Through you, through the long tenure of the good senator in this building, would it not be fair to say that there are many bills, many proposals that are innovative and creative in initiative that we have imposed sunset programs and review? Through you. This is not unprecedented. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. Through you, that is also correct and I, it goes back to the example I gave in my bringing out the amendment of the Bankers' Remediation Program, how that sunset every two years. And this body has found it worthy to continue offering that program because of the good
that it does for the folks in this state. It also protects the taxpayers, if you will, because there is a cost to this program through the tax credits, and if it is inviable, then it would be deemed to be sunsetted after five generous years of action. Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President, I want to thank the proponent for his answer and I urge support of this amendment, because it is important for us to evaluate and get data points on programs that may in concept be very, very positive. But nonetheless, market conditions are unlike our theoretical theories. I think the applicability and the data points that we get will be a relevant help and a sunset would help us assess that. Through you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Will you remark further on the amendment that is before us? Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I'd just like to note, the amendment before us actually goes back to original language that we had in the bill which would allow tax credits not only for refinancing but also for finance loans. So we did do originally a
broad sweep, because we wanted to be able to help as many students as possible. However, that bill came back with a substantial fiscal note of over $10 million dollars. So in our efforts to be fiscally responsible and to put forth policy that does not burden the taxpayers of Connecticut, that does not create more fiscal irresponsibility that we have been subject to for many years in this state -- I think we can all agree to that. We narrowed the bill. We narrowed the bill so it could just be as impactful as possible, achieve the objectives we're trying to achieve, and yet have very little fiscal impact on our state. In fact, what we project, what we hope the data will bear out is that by offering this incentive, although there is a fiscal note now of about $525,000 dollars, we will actually, this will be a net positive. Because we will cultivate future taxpayers, residents, contributors to our economy who will actually help grow the economy. So, with all due respect, I still oppose the amendment because it would generate a substantial fiscal note of at least $10 million dollars. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Will you remark further on the amendment that is before the chamber? Will you remark further? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, I am also equally troubled by the fact that there is no reporting to review this, as Witkos said. And I think it's also correct that Senator Witkos had indicated that the Bank Remediation Program was
supposed to sunset, and it didn't. So let's talk about a few other things that are supposed to sunset, and they didn't. The Real Estate Conveyance tax. I think almost ten years ago was supposed to sunset, and it didn't. The Corporate Surcharge tax was supposed to sunset, and it didn't. There are plenty of bills and laws that we pass. Senator Witkos's amendment here suggests that we set it for the future. We will have committee meetings between now and then, and if the program works, we can continue it. If the program isn't working, then we think of something else. But typically, what we do in this building is start a program, launch it off, and no one ever goes back to repeal. I can't ima -- I can't even remember all but one bill that, since I've been here that this body voted to repeal flat out, saying we don't need that law anymore. So we just don't do that as a body. This allows us to have information to make sure what we're doing makes sense. And the fiscal advice given to me by Senator Maroney with respect to these types of loans may make sense. But maybe it doesn't work in practice, and we have to do something else. We won't know till we get the feedback. And the way to force us to act is have a deadline, because that's how we act. We are not -- We are reactive. That's just what this body does. So, Madam President, I think it makes all the sense in the world. Senator Bergstein talked about fiscal prudence. Well, fiscal prudence comes on the heels of review of data. That's how you establish fiscal prudence. So, Madam President, what Senator Witkos puts before us embraces a fiscal prudence result and embraces the notion that we need to keep track of those bills that we do pass. Thank you, Madam President.

THE CHAIR:
Thank you, Senator Fasano. Will you remark further? Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. While I share my colleague's concern that we do want accurate reporting and disclosure and transparency for all our government functions, we already have that with CHESLA, because CHESLA is subject to the reporting of CHEFA. They issue annual reports. They are a quasi-public agency that are subject to all of the disclosure requirements as any quasi is. And there is adequate transparency and reporting. I do not think we need to burden our state agencies or our legislature more with unnecessary reporting when the data's already available. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Will you remark further on the amendment that is before us? Will you remark further on the amendment that is before us? Mr. Clerk, would you please announce a roll call vote? The machine will be open.

CLERK:

Immediate roll call vote has been ordered in the Senate on Senate Amendment D, LCO No. 9834.
ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Amendment D, LCO No. 9834. Immediate roll call vote has been ordered in the Senate, Senate Amendment D, LCO 9834.

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?

LCO No. 9834, Senate Amendment D.

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THE CHAIR:


SENATOR MARTIN (31ST):

Thank you, Madam President. Madam President, I am just a simple guy. I just don't get this bill, whatsoever. I've employed employees. And this bill, from what I understand, just provides a tax credit. And the way that I've been explained the bill is, the employer can pay up to half of the amount of the loan that is outstanding from the student, or the employee now. To get a credit of $2,625 dollars. So that loan could be $30,000
dollars. Half of that is $15,000. He makes that payment, he gets a tax credit of $2,625. If I was the employer, I would take 100 percent credit by just simply giving that employee a bonus and I've got a complete 100 percent ride-off. So I just don't get it. It's a rhetorical question, but I just don't get it. I'll be voting no for the bill. I voted no for all these amendments, because I just didn't understand the bill. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Martin. Will you remark further on the bill as amended? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. On the amended bill, which is now the underlying bill, through you, some questions for the proponent of the bill, please.

THE CHAIR:

Senator Bergstein, prepare yourself. Please proceed, Senator Hwang.

SENATOR HWANG (28TH):

Thank you. Through you, the acronym, and I'm familiar with CHESLA, are there loan eligibilities for this specifically for higher education in either two years or four years? Are there any eligibility criteria to get CHESLA's loans? Through you, Madam President.

THE CHAIR:
Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam Chair. Madam President, sorry. I'd like to yield this question to Senator Maroney, please.

THE CHAIR:

Senator Maroney, do you accept the yield, sir?

SENATOR MARONEY (14TH):

Yes, I do, Madam President. Through you. These loans are available to, for recertifying school-certified loans that remain to finance attendance at a non-for-profit higher education institution within the United States. They are for either citizens or permanent residents, and you have to reside in the U.S. or Connecticut at the time of application. There are other -- In addition, for the refinancing loan, your monthly payment cannot exceed 43 percent, the debt-to-income ratio. So your debt can't exceed 43 percent of your income.

SENATOR HWANG (28TH):

Through you, Madam President. I appreciate the yield and the answer. But a better clarification, through you, Madam President. Is it eligible, when you talk about higher education loans, are you looking at not simply four-year colleges, but two-year colleges? But I also consider the importance of vocational-technical schools and as we have emphasized so much in this circle, apprenticeship
programs that may be perceived, and I denote as higher education, would the CHESLA loan be eligible for those individuals? Not just simply colleges and four-year, two-year colleges, but apprenticeships, vocational-technical professional programs? Through you, Madam President.

THE CHAIR:

Senator Maroney.

SENATOR MARONEY (14TH):

Thank you. Through you, Madam President. And I thank you for the clarification. And I agree, it's important not just to get degrees, but high-value certificate programs. As we know, the plan of the Commissioner for our higher education has said that 75 percent of the jobs in Connecticut will require a post-secondary credential. It is unclear from the CHESLA website. For the first-time CHESLA loan, it is only for undergraduate education. However, it just says to recertify the loans for the refinance. So I am inferring that it would be for, only for the bachelor's degree. However, I can't state that with authority.

SENATOR HWANG (28TH):

Through you --

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):
Thank you. Through you, Madam President. That is part of my concern with this bill. Because it is so focused. And it's an important part of our talent pool, but it is so specifically focused on a bachelor degree to be eligible for this tax credit. As the good Senator Martin mentioned earlier, he employs many employees. He would love to be able to have them develop skills and vocational-technical skills, apprenticeship skills, maybe even professional schools that aren't related to a four-year college are indeed oh-so-valuable employees. What we have literally said in this bill is that a four-year college is important for us to create a bill to give the employers tax credits. What happens to that employer when they employ a talented carpenter? They employ an apprenticeship-trained individual or somebody that graduated from vocational-technical schools? This bill literally says, mm-mmm, you gotta get a four-year college. What kind of message does that send when we in the circle have focused so much on developing skills sets for people that bring satisfaction, bring a skill set that's needed to companies? There are many other bills that we have in this circle than we passed even last year that gave apprenticeship tax credits. I think this is a bill that again kind of segregates and gives distinction to four-year colleges. And I thought in our circle in our discussions throughout this session we were moving away from that. We were placing values on individuals and unique skills that are valued. And so I'm troubled by this that we're sending a message that four-years college is the way to go. Why not incorporate other skill sets? Why not ask CHESLA to see if their loans are eligible for other skill sets or other vocations or other educational opportunities? I find it troubling. And I would
urge that we go back to the drawing board, re-evaluate this good idea of tax credits to employers that want to retain and hire good employees. But we have to be much broader, much more respectful of skill sets that cross all the spectrums, instead of this very specific bill that says, when you have a four-year college degree, you fit the criteria of a tax credit. I'm troubled by that. And it sends the wrong message of what we're trying to do in this circle and in this building that we want to give every individual every skill set, every opportunity, and every employer an opportunity to benefit those people. Not just individuals with a four-year college, as this bill specifically says. So I'm troubled by that. And I would urge that we take caution in that and not segregate and elevate certain categories over another. Through you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Senator Maroney.

SENATOR MARONEY (14TH):

Through you, Madam President. I thank you for your concerns. This bill identifies a specific need. We have a number of bills, as you've mentioned, apprenticeship tax credits. What this bill is aiming to attack is the fact that the outstanding amount of student debt in Connecticut has more than doubled in the last ten years. Across the country, it has more than tripled in the last ten years. And so we have a generation of students who are graduating from college burdened by debt. Surveys have shown that they are delaying when they have a family. They are delaying when they purchase a
home. And so what we are trying to do is to partner with our businesses to solve this problem. Another problem that's been identified is that some of our companies have trouble recruiting young people to move, move there. And I've heard this, you know, anecdotally from some of the larger companies around the Hartford area. Oftentimes, you know, the younger people would rather move to New York or Boston. So what we're doing is we're giving them another tool to help them to recruit. So we're partnering with them to that. I agree that, you know, everyone should have the skills when they graduate high school to be able to go to college, but not everyone should go to college. That we need trades people, we need the advanced manufacturing, we need a lot of skills that don't require a bachelor's degree. However, many of those degrees don't cost as much as a bachelor's degree, and so those students have either -- They have an apprenticeship where their degree was already paid for them or their certification, certificate was already paid for them, or they were able to utilize existing federal loans and graduate with not that much debt. And if I may also -- Senator Martin had brought up some concerns prior. And I just wanted to address some of them as to why the tax credit was at 2625, $2,625 dollars. We capped the amount of money that we'll give a credit on. It's 50 percent of $5,250 dollars a year for a maximum of five years. And the reason we chose that number was there is pending federal legislation that would allow companies to pay off $5,250 dollars of student debt tax-free. So currently, if a company pays off your student loan debt, you actually have to pay income tax on that amount, so we tried to dovetail. And that's part of the reason why we pushed out the implementation date was in hopes that the federal
government will pass that bipartisan legislation. And that is bipartisan legislation in both the Senate, U.S. Senate and U.S. House. So I thank you for your concerns. But I think that this bill is aimed at addressing a specific problem. The problem is the debt that our students are graduating with.

THE CHAIR:

Thank you, Senator Maroney. Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. Like my colleague, Senator Hwang, I too am troubled by the language of this bill. And while I can certainly relate to Senator Maroney's concern regarding the debt of college students, as I have a daughter in college now. I have a son in high school. And I remember when I first got elected, one of the purposes and reasons for getting elected back in 2010 was because I had kids. And I didn't like the trajectory, where our state was going from a jobs perspective. And I didn't want my kids to go off and find jobs in Chicago or Dallas or California. I wanted to keep them here in Connecticut, because to me, that's where I grew up. That's where my parents grew up. And that's where I want my kids. Because to me, that's where Thanksgiving dinner should be. Not somewhere else. Unfortunately, over the past eight years, I haven't seen good fiscal policies come out of this building that have made that environment more healthy, better for Connecticut's kids. Quite to the contrary. And now we're coming up with bills and ideas that are fashioned to try to work at this. But the fact remains, and if I go to the employers in my district that have jobs here in Connecticut
and somewhere else, they are always fighting with
the fact that the employee wants to live somewhere
else, whether it's because it's a cosmopolitan area
like New York or Boston or because the cost of
living in Florida or North Carolina is so much less
expensive than it is here in Connecticut. And it's
initiatives like this bill that put that burden on
people. Although the fiscal note has been reduced,
it's still a half-a-million-dollar buy. And it's
aimed at companies that can afford paying $5,000
dollars per employee to get a $2,500-dollar tax
credit against taxes that they're being assessed.
Most local mom-and-pop shops, small businesses, the
backbone of Connecticut's economy don't do that.
They can't afford that. So this is another example
of a half-a-million-dollar buy that's going to
larger corporations at the expense of Main Street,
of little middle-class-America Connecticut that
nobody under this dome seems to be fighting for. So
it's gonna be the big employers that are gonna get
the tax credits, the big employers that are gonna
get the incentives. And for the most part, who's
hiring? Who do the big employers hire? Who is the
Pratt & Whitney and Sikorsky Electric Boat hiring?
Are they hiring the kids out of southern
Connecticut? Are they hiring the kids out of Sacred
Heart? Or are they going for kids from UConn or
Yale or Wesleyan? Engineers from Leahy or
Lafayette? So middle-class Connecticut kids are
gonna find it hard to take benefit of this. Let
alone the carpenter or the tradesman. I think we're
missing the people that need our help. God knows,
when I went to college, you know, 4 or $5,000
dollars is all it took to live on campus and pay for
education. It was something I could do, you know,
between a college loan and working for Duchess. I
was able to pay my tuition and get through college.
Now you're looking at 50, 60, 70, $80,000 dollars a year. This bill isn't gonna stop that. Five thousand dollars on a $70,000-dollar tab is a drop in the bucket. So the problem persists. Big companies get a tax break. But our children are still on the hook for a $65,000-dollar bill. What are we doing to bridle the costs of education? I remember when we were dealing with a budget, and we asked the UConn professors to cough up an extra class, one class a week. Oh, my God! It was like they were gonna give up their firstborn child. They didn't want to have any part of that. And I think that's part of the problem, is that education itself is the biggest cost driver here that's saddling the future, our kids. I see this time and time again when we look at things like health insurance and the cost. We all heard about the Affordable Care Act and you hear how expensive it is. Obviously, the Affordable Care Act has not worked, because health care in Connecticut continues to increase, and premiums are skyrocketing. It's not because the efforts to try to get the insurance industry under control. It's because medical costs have not been brought under control. The actual cost driver is not being addressed, just like in this bill. The cost driver isn't being addressed. We pick at the edges, claim victory, tell our constituents we've done all this wonderful work to help them, when in fact, it's Fool's Gold. What do they get out of this? Is it really gonna be the difference if I had graduated from a college with a 50,000 -- Let's take 50,000, $50,000-dollar-a-year debt. That's $200,000 dollars, and my employer pays $5,000 dollars and gets a $2,500-dollar credit. I still have $195,000 to make. Am I gonna sit here and say, oh, well, you know, Connecticut's gonna get -- I'm only gonna be $195,000 dollars under water. But that job in
Chicago's gonna pay me twice as much with a lower standard, with a lower cost of living. And so that's more cosmopolitan. That's more attractive than Connecticut. I think at times, we have to step back and look at things from a commonsense perspective. And say, does this really address the issue? Is this really going to bring relief to children and our kids that have this debt problem because education costs so much? Not so sure this is the relief that's gonna save the day. Nor do I think it's gonna bring in and keep kids in Connecticut. A healthy and strong economy will do that. But we're not creating the environment to do that here in Connecticut with the bills that I've seen pass this session. You know, I represent the city of Shelton. And in the city of Shelton, they have been growing jobs on an annual basis for the past 20 years. And the reason they've been doing that in this mouth of decay known as the Connecticut economy is because of fiscal restraint, responsibility, and predictability. None of those adjectives fit the economic policies of this state under this dome. And that is why we have historic debt with historic taxes. We have a sluggish economy. We haven't regained our jobs that we lost as a result of the Great Recession. And why? Because we don't have fiscal restraint. We don't have fiscal responsibility. We have no predictability in our budgeting. Because we don't live within the means. When our taxpayers can't afford the government we have, we don't look at it and say, let's live within what the taxpayers can afford. So we have historic fiscal problems, what Secretary Barnes called the "permanent fiscal crisis." So you have Shelton that's creating jobs, doing what they should be doing. That's what we need to give our kids that opportunity, that leg up,
that ability to pay a debt. This bill doesn't get us there. And the other concern I have on it is that it helps larger companies over smaller companies. It's picking winners and losers, and to that end, I think we're missing it again. I think small business is the backbone of Connecticut. You want to create jobs? That's the place to go. And for those reasons, Madam President, I would urge that the circle reject this. Although well intentioned, and I can understand its foundation, I don't think it's the appropriate path forward to either give relief to Connecticut students, and I believe it gives a half-a-million-dollar benefit to larger corporations at the expense of smaller businesses that can't afford that $5,000-dollar contribution toward our children's education. Thank you.

THE CHAIR:

Thank you, Senator Kelly. Will you remark further? Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Madam President. I rise in support of the amended bill. I just wanted to make some observations. And it's very interesting to listen to my colleagues, because it's almost like nothing right could be done. When the bill is adjusted to reduce the fiscal cost, people are saying we won't support it because it's less expensive. And the another group says, well, it is not expensive enough. And then, and then I hear another aspect or argument that if you aren't helping every single student, it's not worth it. And if you're helping some, it's not worth it. And then I hear another
argument that if we do not fix the rest of all the problems of Connecticut, we shouldn't even touch this issue. By that argument, it -- This is a no-win situation. If somebody is trying to address an issue and a problem that we realize is the fastest growing segment of our cost for our young people is the cost of education. And we have to have strategies. They will not be perfect strategies, but they are better than where we right now. So if we move forward and pass this bill, we will be better than before we passed this bill. And I think that's what the argument needs to be is that, are we going to be moving in the right direction by doing this? The answer is absolutely. Are we going to fix all of the problems? No, we are not. Does this mean if we are not fixing the vocational education problem through this, then we should not do anything? If we started to manage everything in that manner, we will not be able to start fixing problems to begin with because we will want this magic pill that's gonna fix everything by this magic wand, and then only and only then we will pass the bill. The reality is, we have a responsibility. We have a focus. We have to try and address the issue. And this bill just does that. And I think I would urge my colleagues to support this. With that, Thank you, Madam President.

THE CHAIR:

Thank you, Senator Anwar. Will you remark further on the bill as amended? Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. I echo the sentiments of my colleague. Nobody ever professed that this
was a complete solution to our educational issues, to student debt for every student in Connecticut. This is not a complete solution. But it is a critical first step. And we have other issues that we need to address. Because I talked to recent high school graduates who said they were going to college. They had no idea how they were going to pay for it, but they didn't know that there was any other option other than going to college and saddling themselves with debt. We need to create a culture that validates other paths to success, other ways of being employed and leading fulfilled lives without necessarily going to a four-year college not knowing what you want to do, coming out on graduation saddled with debt, and still maybe not knowing what you want to do. So I think we need to start much earlier in the education pipeline giving students options to explore their own talents, their own interests and other vocations. So we definitely have a much bigger issue to address. And by no means does this bill address everything. However, if we really are committed to -- And I hope that we are. I hope that the, that the concerns that have been expressed tonight indicate that as a circle we really are committed to helping young people find their path to fulfillment and to leading lives where they can support themselves and support their families and live in Connecticut. That's really the goal is for them to live here. Then let's have a serious discussion about how we can broaden this to, to vocational schools, to trade schools, to academic institutions that offer higher degrees and not limit it just to students who have graduated within the last five years. Because I can tell you that my own experience as a graduate student at the age of 42, I was the oldest person in my class at Yale. And that was -- That was an interesting experience, but, you
know, it didn't make it easy. So let's make it easier for people at every stage of life to go back to school, to pursue their interests and their dreams and maybe change careers. That is exactly what we should do is open doors, create new paths so that people can fulfill their potential at any age, at any stage, with, wherever they come from, whatever interests may be. So I fully concede that this is not a complete solution. But it does send a signal. It sends a signal to the residents of Connecticut that we are serious. And we're starting a serious plan to recruit and retain young talent in Connecticut. And I hope that this is the beginning of a much broader policy that will reach all young people and actually all people of every age in Connecticut so that everyone has the opportunity to pursue their dreams, fulfill their potential, and lead rewarding lives where they can take care of themselves and their families and contribute to our economy. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Bergstein. Will you remark further? Senator Berthel.

SENATOR BERTHEL (32ND):

Good evening, Madam President. So I rise tonight in opposition to the bill. After listening to the debate that's been going on now I think for over an hour. And, you know, I fully -- Being the ranking member on the, on the Banks Committee, I fully understand the intent, where I was part of the discussion, obviously, with Senator Bergstein and the other leadership on the committee. But I remained concerned because I don't know that this
legislation really even begins to set a path for going forward. And I question that because, you know, when we look at bills and we have public hearings on bills, and you know, we can have a discussion about, you know, minimum wage and get 4,000 pieces of testimony that can come in. We can have a debate on changing gun laws in Connecticut and have 4,000 pieces of legislation, of testimony that come in. The original bill, which did have a public hearing, it had two pieces of testimony; one from the Connecticut realtors and one from my esteemed colleague Senator Maroney. So I would ask that if this was such a great idea and we know that the people that work in our state, the people that follow what we do here in this circle and follow what goes on in the great hall of the House downstairs, they pay attention to the bills that we propose here. And if this was such a great idea, where was all the testimony in support of it? Where were the corporations that we think are going to take advantage of this opportunity to pay a $5,000-dollar payment and get a $2,500-dollar credit, whatever the exact numbers are? Okay. Where are they? The realtors spoke to lowering student debt in their testimonies so that a person who is looking to buy their first home might have a better opportunity to actually get a mortgage for their first home, to buy their home. And then I would add to that, if this was such a great idea, we know we have a highly involved young population in Connecticut that monitors much of what we do here in the legislature. Where were the students testifying in favor of this legislation? There were none. There was one business. There was one member of this circle. And that was it in terms of written testimony. So I guess I remain confused or uncertain as to whether or not this legislation
would encourage a single student to stay in Connecticut, whether or not a $5,000-dollar payment, as Senator Kelly spoke to, if you have a quarter of a million dollars' worth of debt, $100,000 dollars' worth of debt coming out of college, whether a $5,000-dollar payment is going to be enough for you to overcome what has become a very toxic economy in Connecticut and a very toxic place for a young person to begin to establish their roots and to settle down. And when you put that up against what we've already done in this chamber already, some of the legislation that we have passed already, which have agreed to disagree as a good legislative body would do, then in my eyes, I don't see that this creates a really great opportunity for a young person who wants to stay in Connecticut to stay here. We need to be focusing on creating better opportunities for our employers to create more jobs. We need to be focusing on lowering the cost of living in Connecticut. And we need to be reducing taxes. We need to be reducing spending. And again, while I understand the intent here, if we were in a different place and time and in a different economy, then I think we might be able to look at this with a different, through a different lens. But as it stands right now, I can't support this legislation. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Berthel. Will you remark further? Senator Haskell.

SENATOR HASKELL (26TH):

Thank you very much, Madam President. And I want to thank my colleagues for all of their comments. I've
really enjoyed the debate on this, on this bill tonight. And I believe it, I truly believe this is one of the most important bills that this chamber will debate in the upcoming session. First and foremost, I want to thank my colleagues, Senators Maroney and Bergstein. In full transparency, Madam President, there was a very similar bill out the Higher Education and Employment Advancement Committee, and Senator Bergstein was gracious enough to allow us to combine the bills and work together on this bill out of the Banking Committee. So I'm grateful for her partnership, her creative thinking on this bill, as well as the deep and detailed policy analysis of Senator Maroney, who time and time again has answered the tricky, wonky questions that often come up when trying to craft a bill that will draw young people back to Connecticut and simultaneously make this state a more business-friendly, create a more business-friendly tax code for the state of Connecticut. I want to respond briefly to the comments, the questions, the concerns raised by my colleague from Southbury. I would encourage him to look at the testimony from SB 435, which is an essentially identical bill that came out of the Higher Education and Employment Advancement Committee. There were many people who came out and testified, admittedly, many in the business community. In fact, the CBIA, an organization that I confess I don’t often agree with, Madam President, came out and fervently argued in support of student loan relief in the form of a tax credit to employers who helped to pay off their employees' debt. In addition, of course, they were jointed by many students, many advocates for students, who came, who actually some of whom skipped their lectures, skipped their courses to come and testify before the General Assembly about the crisis that we're facing.
The testimony that -- It didn't just appear that one day, Madam President. It's been accumulating for years and years and years. We can look back to the strategic master plan for higher education in Connecticut. A commission, or a plan that was commissioned by Section 10-A-11b of the Connecticut General Statutes only a few years ago, before I was here. But Madam President, I enjoyed reading it once I got here. And it said that projections indicate that by 2025, Connecticut's economy will require a workforce in which 70 percent will have some education beyond high school. Hitting that 70-percent target will require the production of 30,000 more graduates than the current rate of production will yield. The problem, Madam President, is that the cost of higher education in Connecticut and across the country continues to rise. We saw that in testimony from a young man named Timothy from Stratford. He came and told our committee that the cost of one year of public college in Connecticut is roughly, $25,000 dollars per year. To earn a four-year degree, a student may have to take on $100,000 dollars in debt. Compare that, Madam President, to 1971, where a student could get a four-year degree for around $40,000 dollars, adjusted for inflation. The testimonies accumulated, Madam President, from the realtors who tell us that student debt delays first-time homebuyers on average around seven years before they buy their first home. Certainly, that's not good for the economy. Certainly, that's not good for Fairfield County where our housing market has faced trial and tribulation over the last few years. We hear it, Madam President, from the Connecticut Association for Human Services which cited before our committee a specific need for bachelor's degrees. And this gets to the comments and concerns...
raised by my colleague from Fairfield. Since the 2008 recession, Madam President, they testified that Connecticut has reduced its per-student higher education appropriations by 90 percent. The problem, Madam President, is that Connecticut -- In their testimony, they make very clear that Connecticut is desperately in need of industries in which a bachelor's degree is required. So while I am fully sympathetic to the debt that many students graduate from after vocational school, as well I am fully in support of students who decide that college isn't the right path for them. And they might take advantage of the apprenticeship program that our chamber voted on earlier. There is a growing need in the state of Connecticut for young people who have a bachelor's degree to meet the high skills requirements of the industries that are growing here. And finally, Madam President, I think -- I can't help but think about Shaun [phonetic], a young man who skipped his anatomy lecture to come and testify before our committee. He told us, and I'm quoting directly, "I'm currently $32,000 dollars in debt as a result of my student loans, and I'm only 19 years old." When students are graduating with this much debt hanging over our head, they can't start their small business, they can't go into the career of their choosing, the career for which they trained, they can't buy their first home, they can't start a family in Connecticut. This past Memorial Day weekend, Madam President, in addition to marching in parades, I got to spend some time with friends. It was wonderful to see friends of mine from high school who came back to Connecticut for the weekend. The reason I say they came back is they went to New York. They went to Boston. They went to Massachusetts after college graduation. I can't think of very many friends who stayed in
Connecticut. Our vision for this bill, the vision of myself and Senator Bergstein and Senator Maroney is that a young person who graduates from UConn or Yale or Conn College or Wesleyan or Sacred Heart for that matter or any institution across the United States is gonna get a variety of job offers after graduation. There gonna see some in metropolitan areas that might be more appealing than Connecticut. But they'll notice that every job offer they get in Connecticut comes with a certain perk, and that's that it's gonna help them pay off their student loans. We hear all the time, Madam President, that the greatest contributor to student loan debt, it's not just the underlying cost of education, it's also the rising interest rates that come from private lenders. That was made clear on the 2016 campaign trail by Secretary Clinton. It was also brought up by President Trump at a debate in that campaign. Secretary -- I'm sorry. Senator Warren has been eloquently about rising interest rates and how students are finding themselves shortchanged. I emphatically urge my colleagues to support this amendment. I think that this is a remarkable opportunity to simultaneously support the business community by reducing corporate tax liabilities, making Connecticut a more affordable place to do business, and also making this state more affordable for the next generation of workers drawing young people back here after they went to college out of state, keeping those students who decide to move into Connecticut to pursue their two-year or four-year degree in this state after graduation so that we can have a skilled, talented, diverse workforce. The sort of workforce that businesses tell us time and time again they desperately need. So thank you again to my colleagues and I urge support of this bill.
THE CHAIR:

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

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, through you to Senator Bergstein. If a student had a $30,000-dollar tuition debt, it's my understanding through this bill the most that a company could pay is 50 percent of that balance. Is that accurate? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam Chair. No, the most that a company could pay is $5,450 dollars on a refinanced CHESLA loan. And they would get a 50-percent tax credit on that, which ends up being 2,625.

SENATOR FASANO (34TH):

So I -- Sorry.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):
Thank you, Madam President. So the max that they could pay is roughly about the five grand and they would get a credit of $2,625 dollars. Is that accurate? Through you, Madam President.

THE CHAIR:

Senator Bergstein.

SENATOR BERGSTEIN (36TH):

Thank you, Madam President. Yes, that is accurate.

SENATOR FASANO (34TH):

Thank you.

THE CHAIR:

Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. So if I was in a company and the max credit I could get would be the 2,625 if I pay off about $5,000 dollars, I'd rather -- If I'm gonna invest in a student, I probably would give the student that bonus check and write that off as a wage and get a bigger credit on my taxes as a deduction as opposed to a limited credit. That's probably what I would be doing if I want to invest in that student, because the $5,000 dollars is not much towards a tuition debt. It's really not gonna help out the student. I think it's well intended. Now, you could argue, is a little bit of something better than nothing? Well, yeah,
Sure. Probably so. But let's talk about the biggest issue here.

In Connecticut, UConn tuition has gone up considerably in the last eight years. It's gone up 3 percent, 2 percent. We had students protesting the raise in tuition rates. We had students -- We had legislators writing letters saying, why is UConn going up and up in tuition? And the answer's simple. Because they can't afford the fringe benefits. UConn was in front of appropriations this year saying, give us relief. We can't afford the fringe. You're killin' us. We don't even want to be part of SEBAC, because the fringe that you're putting on is destroying our ability to give education. In fact, UConn said in the meeting, we have an obligation to show how much we're investing in education. We have to deduct from that investment the fringe benefits when we're trying to get federal aid. We can't even include fringe in our calculation to determine to the federal government what investment we are making in education. First, I never heard that. But I believe it. That's what's killing our kids who are going to UConn. Some are not even going to UConn because they could go to a state school in a different state for less than they could pay for the tuition as an in-state person at UConn. That should scare the begeezus out of people in this room. That our kids are going out of state to get an education. Because we have out-priced their ability for a UConn education, because of fringe. The very same five contracts we approved last week or two weeks ago that are gonna come up in the next two weeks. Those contracts are just indicative of the direction our payroll is going in this state.
So let's talk about helping our kids. Not with 5,000 against a $50,000, $60,000-dollar tuition. Let's talk about reducing those costs. Let's talk about something else. Let's talk about opportunity for education. I've said in this circle and I've shared this experience, and I'll share it again now.

When Governor Scott from Florida came up here, now it's gotta be five or six years ago, and he came up to poach, if you would, my words, the high-tech companies out of Connecticut to have them go to Florida, I went to that meeting not dressed as a senator I didn't think, but dressed in casual clothing. And I just mingled and I listened to his pitch. And it was a very interesting pitch. His first pitch was, it's cold in New England. But he was kidding. Talking, but it was February when he was talking about it. Finally, one of the high-tech guys said, forget all that salesmanship. What are you gonna do for me if I go to Florida? This is what he said. So number one, you're gonna tell me where you wanna be in Florida, whatever part, and I'm gonna get a GIS map and we'll find a piece of property that fits your needs in terms of size and location. And then what I'm gonna do is you are gonna give me the curriculum that you want for your employees. What do they need to do the job in your place? Administrative, technical, whatever it is, mathematic. You're gonna tell me exactly what the curriculum you want so you can have a conveyor belt of employees out of our high school, out of our community college, starting at a wage of 50 plus. That lit up the eyes of these guys, 'cause they're saying, you're telling me you're gonna give me a conveyor belt of employees that are gonna match the description that I want for a curriculum. Simple
idea. Simple idea. We talk to the manufacturers and do it. Now, I want to give a plug for this guy, Sal Menzo.

He's the superintendent of Wallingford. He started a very similar program about eight years ago. We have in Wallingford, because we create our own electricity, we have one of the cheapest electrical rates in Connecticut by far, just by far, just by far. He went to the school about eight years ago and he quickly asked them, what do you want for people to work here? What is the requirements, the technical requirements? And at the two high schools, he taught those requirements. He has kids who are getting out of high school who don't want to go to college, not because they're not smart enough. It's just not their thing. And they're getting jobs at $40, $50, $60,000 dollars right away in manufacturing high tech. Look, this ain't manufacturing of my generation. You talk about overalls and grease. You say manufacturing to this generation, it's 3D modeling and computers. Your cellphone breaks. With all due respect to Senator Haskell, you find the first kid under the age of 22 and you hand him the phone, most of us here, right, and say, fix it, it's jammed. And they just go, bink, and they got this thing working for you. They have an affinity for high-tech.

Why are we not changing the same education that we've been teaching in the '60s to match 2019 and 2020? I cannot think of a better place to bring this program than our urban centers. About four years ago, I went to some seminar out on the west coast and this woman who talked to us was a woman whose job it was at that, some time before that for Ford to find -- There's an older generation driving
cars. What do we need to put in our cars to fit the older generation? And she came up with a rearview camera through Ford. And the reason why the rearview camera's there is because older people -- I am not included in this -- can't turn their neck this far back to look behind them. So they put the rearview camera so that they could look down and not have to make that turn. This woman and this other guy were tasked with trying to find out what is changing in education for our kids. And they said, with all due respect, Shakespeare's great, for those of us who took it.

Learning about theology is terrific. But the Bachelor of Arts is a degree that is gonna lose its luster and become part of past history. It's robotics. It is computers. It is computer language. That's what we need to teach our kids. That's the direction education has to turn to. Amazon is opening in North Haven a distribution center that's gonna distribute goods to New York, New Jersey, and I guess Connecticut. It's huge. It's absolutely huge. I think there's gonna be 2,500 workers. But the main plant is gonna be all computerized, all robotics. I went out to one out on the west coast when I was at that meeting and they had these robots and it just, it picks up things and drops it off in these dark warehouses and then comes back and reparks itself to -- And there's people who program these things. That's the future of education. That's what this chamber should be talking about and the one downstairs. It should be talking about changing the way we do education and bringing down the cost of education in Connecticut. What is gonna drive people and keep people here? And the answer is jobs. The economy is gonna go to
jobs. People are moving to jobs. Why can't we create jobs in Connecticut?

I will tell you my thoughts. Because of the bills that we've been passing that are anti-business. And you could say, well, it's just this, it's just that, it's just that. Cumulatively, it's all these things that drive business out. I don't know about you folks, but when I go campaigning, I hear about my kids can't live here. I hear about people saying my adult son, daughter had to move out of this state because it's too expensive to buy a house. It's too expensive to live in Connecticut. And they move out. And we don't have a true city that people are attracted to like they have in Boston, like they have in New York, like they have in Washington. There's just not that attraction. And we have failed on that in this legislature. We have failed on the responsibility that we're given to keep our kids here and entertained. And we can do better than that. To argue that this bill, which I know it's well-intentioned, and I'm not coming after it on that regard.

If some even small panacea to the future of education is to disregard the big issue that faces us in Connecticut. The ability to run a business, the ability to create jobs, and the ability of our education to transform to the realities that are facing this state. Those are huge hurdles. They're huge hurdles. They're not insurmountable, but they're huge hurdles. And we talk about it in this circle all the time in some sort of circular fashion and end up by saying, and that's why this bill's a good bill. I challenge that notion. I associate myself with the comments of Kevin Kelly, 'cause I can't say it any more succinctly than he did. We
have UConn Health, which is draining our budget. Anybody on a Probst knows exactly what I'm talking about, how much money UConn Health is asking for because of fringe to stay alive.

We have UConn College, which is saying they need more money to keep it alive. The UConn fringe benefits are projected to be $44 million dollars more than the fringe benefit costs in 2019, $44 million dollars more than the year before. Anybody think that's not a problem? Anybody think that does not directly affect our college education? Anybody think that's the reason why our kids can't go to UConn? Who can't afford it unless they're gonna take huge debt? UConn is gonna end Fiscal '20 with a $16.4-million-dollar deficit mostly associated with fringe, mostly associated with fringe. And we're gonna ignore the fact that fringe benefit costs are skyrocketing? We all got this in our files. We all know what this is. That's those skyrocketing fringe benefit costs of UConn.

Forget about the interest costs, for crying out loud. The interest costs the kids are paying on tuition is pale compared to the fringe benefit costs that are going through the roof here in U -- here in Connecticut. We can stop this. But we can't stop it if we're not gonna talk about it. We can't stop it if that boo word, in this chamber, in this building, at this capitol is SEBAC. If that is a taboo word in this capitol and we can't talk about it because the top will blow off this gold dome, then what are we doing? What are we doing? What difference does it make on giving them a $2,500-dollar credit? What are we doing? We're talking $44 million dollars more in fringe, and the contracts that we all just approved -- Not we all
just approved. We approved basically mostly on party lines, and we've got another I don't know four or five coming. -- are over $100 million dollars for two years. It's a merry-go-round. We gotta stop it. It's a tough call. I get it. And there are a lot of people who are gonna find that difficult. But you're gonna wake up to the reality that we cannot keep pace with a 3.5 percent COLA increase that's not a COLA, it's just a salary increase every year with fringe. When a payroll's 96 to 97 percent fringe cost, there isn't a business in the country -- I would argue, probably will -- who can pay an employee and pay 96, 97 percent. That's the root of the problem. That is the root of our education cost. That's the root of our business costs. That's the root of employment. That's the root of our kids leaving. That's the problem that we're facing. So if we're gonna talk about the issue, I think that this bill is appropriate, but that's barely talking about, no pun intended, the fringe of the problem.

We've gotta talk about the real issues that face this state, the real costs that are driving things out, the real reason we have to look at this relief. And I looked at the testimony that was in the Higher Ed matter. Now, I don't have the verbal testimony, but I have the written. CBIA and every college. Of course, the colleges are gonna say, yeah, I have to justify raising my college rates. So please have a bill that allows some deduction so when they complain about the college rate, they can say, well, you know what, I spoke in favor of the bill that if a business pays, they get a $2,500-dollar credit. I'm doing you a favor. The problem is real. And the thing is, we control that key to the future. And either we're gonna continue to live in a bubble
that ignores the reality of economic pressures in this state, continue to live in a bubble that's gonna ignore the fringe costs in this state, continue to live in a bubble that ignores that the kids are moving out of this state, continue to live in a bubble that housing is becoming impossible for middle income on down and kids to live in this state, continue to ignore the rent increases that are happening, and go after more money out of people's pockets.

Today, I heard about the public option with a mandate that says, you gotta pay if you don't have insurance $695 dollars or 2.5 percent of your annual income if you don't have insurance. And by the way, we're just using that money to help us stay afloat. And everybody except group insurance are gonna pay another $10 dollars on your insurance. So, obviously, nobody in this chamber is gonna be affected. And once again, that word we don't like talking about, SEBAC issue, they're not gonna be affected. But every business who is paying for their employee are gonna pay an extra $10 dollar per person on their insurance. Family of four, $40 bucks. Or the employee's gonna pay for it, if they're paying, or some combination thereof. But we're not gonna include SEBAC. Can't do that. So we gave a minimum wage and we took out of -- We put some money in this pocket, and we took paid family leave out of that one, and now we're taking more money out of that other pocket. That's called a net loss. So much for giving minimum wage so people can survive in this state. 'Cause we gave them $1.20, but we took out $700 dollars plus. So where are we going? What are we doing? What's the game here? Do we just put more money in people's pockets so we can take more money out of it? These are the
problems we gotta talk about. Feel-good legislation's gotta stop. We gotta start looking at things and moving the state forward. So I appreciate the well intention of this bill. But my concern is, we're missing the bigger picture. Either by accident or on purpose, I can't tell you. But we're missing the biggest, the bigger picture. And until we get serious with it, until we honestly look at it and put all the outside pressures aside -- And that's tough to do in this building. But push it all away. And look at the true issues that are happening to us. Then, and only then, can we solve the problems facing this state and our kids. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Fasano. Will you remark further on the bill before us? Will you remark further on the bill that is before us? If not, Mr. Clerk, if you would kindly call the roll, and the machine will be open.

CLERK:

Immediate roll call vote has been ordered in the Senate for Senate Bill 72 as amended by Senate A and B. Immediate roll call vote has been ordered in the Senate on Senate Bill 72 as amended by Senate A and B. Immediate roll call vote in the Senate on Senate Bill 72 as amended by Senate A and B. Immediate roll call vote in the Senate.

THE CHAIR:
Have all the senators voted? Have all the senators voted? The machine will be closed. And Mr. Clerk, if you would please announce the tally?

CLERK:

Senate Bill 72 as amended by Senate A and Senate B.

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THE CHAIR:

Mr. Clerk

CLERK:

Page 65, Calendar No. 317, substitute for Senate Bill No. 393, AN ACT CONCERNING THE DEPARTMENT OF DEVELOPMENTAL SERVICES LEVEL OF NEED ASSESSMENT. There is an amendment.

THE CHAIR:

Thank you, Mr. Clerk. And just to be clear, if there was any doubt, the legislation that was just voted upon has passed. And so, with that, we have a bill before us --

SENATOR DUFF (25TH):

Madam President.

THE CHAIR:
Senator Duff.

SENATOR DUFF (25TH):

I thank you. We'd like to PT that bill and please go on to the next bill, please.

THE CHAIR:

Thank you. Mr. Clerk.

CLERK:

Page 63, Calendar No. 193, Senate Bill No. 320, AN ACT CONCERNING REAL ESTATE CLOSINGS AND ATTORNEYS AND LAW FIRMS PREFERRED BY MORTGAGE LENDERs. There are amendments.

THE CHAIR:

Good evening, Senator Lesser.

SENATOR LESSER (9TH):

Good evening, Madam President. Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR LESSER (9TH):

Yes, Madam President. Madam President, this bill requires the use of attorneys in certain real estate
closings. Madam President, at this time, I'd like to yield the floor to Senator Bizzarro.

THE CHAIR:

Senator Bizzarro, do you accept the yield, sir.

SENATOR BIZZARRO (6TH):

Thank you, Madam President. Yes, I do. Madam President, what this bill would do is prohibit anyone who's not a duly admitted real estate -- or duly admitted attorney in Connecticut to conduct a real estate closing. As a real estate practitioner, Madam President, I can attest to the fact that this has been and continues to be a significant issue in the real estate world. The way this problem manifests itself typically is you'd have an out-of-state lender usually that's coordinating a real estate closing in Connecticut and advises the borrower that they don't need an attorney to conduct the closing on their behalf because they will have a closing agent go to the borrower's home or office and have the documents executed. And it creates a real problem on multiple levels.

In my own experience, I've done hundreds of closings where I have seen in searching the chain of title for closings many, not just one but multiple, unreleased mortgages. And that might happen in a situation for instance, Madam President, where a lender is refinancing an existing loan that that lender holds on a property and that lender is satisfied that the existing mortgage will be paid off in conjunction with the closing. And -- Or had, is satisfied that a previously held mortgage by that lender has been paid off, because for instance,
maybe the lender has access to the borrower’s credit report. And then what happens is the lender will just have a notary sit down with the borrowers and have the documents executed, and then nobody bothers to file an appropriate release of the previous mortgage or mortgages on the land records. Now, that may be acceptable to the lender because the lender is satisfied that there's what's called insurable title, and the lender's not particularly concerned with marketable title. But then if you fast-forward several years later when that borrower, that homeowner tries to sell the property, a prospective purchaser might discover in the course of a routine title search several unreleased mortgages in the chain of title. And then those encumbrances might prevent that borrower from selling the property. That's a very real example of what happens when notaries are called upon to conduct real estate closings in Connecticut.

There's also scenarios where when you have a purchase and sale arrangement and you have a notary just getting documents executed on behalf of a lender, no one is checking to do, checking with the municipality to do what's called a municipal search on the property. And that municipal search will reveal whether there are permits that have been taken out. So open permits, but permits that have not since been closed. Those also become encumbrances on these properties and become a hindrance when the homeowner goes to sell the property. In refinance transactions in my own experience, I've seen many cases where a lender might, might influence a borrower to quick claim somebody on to the title, a co-borrower going on title just for the purpose of qualifying the borrower for the transaction. And nobody explains
to the borrower the ramifications, the legal ramifications of doing that. So for instance, there could be gift tax implications. There might be a situation where that homeowner or the person being quick-claimed on to the property loses what's called the stepped-up basis that they might otherwise be entitled to. And then you have situations where notaries may not explain documents to borrowers, because they might fear that they'd be accused of practicing law illegally. Or they may not be very well versed in the, in the information contained in those documents in the first instance. So these are very real problems that this bill seeks to address.

Madam President, the Clerk is in possession of LCO No. 9634. I ask that that amendment be called.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 9634, Senate Schedule A.

SENATOR BIZZARRO (6TH):

Thank you, Madam President. I move adoption of the amendment. I waive the reading and seek leave to summarize.

THE CHAIR:

Please proceed to summarize Senator Bizzarro.

SENATOR BIZZARRO (6TH):
Thank you, Madam President. What this amendment seeks to do is just clarify in discussing this proposed legislation with representatives from the banking industry. Some of the concerns that they had were that it is routine practice for banks, institutional lenders in Connecticut, to have their customers come in to local branches and sign home equity lines of credit documents and other similar types of home equity loan documents where the concerns that I just articulated might not be as prevalent.

So the purpose of this amendment is to make clear that those types of transactions would be excluded from this prohibition. It also makes clear that the intent is to have conveyance documents cover only when those documents are effectuating a change in ownership where a consideration is paid. So what that means, Madam President, in layman's terms is, we're trying to capture the standard purchase and sale transaction, not a transaction where somebody is just simply, you know, releasing an interest in the property or, or possibly just transferring the property with no consi -- for no consideration to one of their relatives. And that's the purpose of this amendment. So having said all that, Madam President, I do move adoption of the amendment.

THE CHAIR:

Thank you, Senator Bizzarro. Will you remark further on the amendment that is before the chamber? Will you remark further on the amendment that is before the chamber? If not, let me try your minds. All in favor of adoption of the amendment, please signify by saying, "Aye."
SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further on the bill as amended? Will you --

SENATOR BIZZARRO (6TH):

Thank you.

THE CHAIR:

Will you remark further on the bill as amended? Senator Bizzarro.

SENATOR BIZZARRO (6TH):

Thank you, Madam President. Madam President, just one last thing. For purposes of legislative intent, if I may just pose a question to the chairman of the Insurance Committee?

THE CHAIR:

Senator Lesser. Senator Bizzarro.

SENATOR BIZZARRO (6TH):

Thank you, Madam President. Madam President, it is accepted practice in Connecticut and in most states for that matter for many lenders to permit notaries who are employed by an attorney, so for instance a paralegal, to actually notarize documents provided that the attorney is actually overseeing the
transaction and has a role in conducting the transaction. I don't see anything in this bill that would change that custom, but through you, Madam President, if I may just inquire of the chairman of the Insurance Committee if in fact that is his understanding as well.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Thank you, Madam President. If you don't mind, the chamber could stand at ease for one moment.

THE CHAIR:

The chamber will stand at ease. Senator Lesser.

SENATOR LESSER (9TH):

Yes, thank you. There is nothing in the bill that speaks to that so, through you, Madam President, I think that may very well convey the legislative intent.

THE CHAIR:

Thank you. Senator Bizzarro.

SENATOR BIZZARRO (6TH):

Thank you, Madam President. And that answers my question. I just wanted to make sure that the record was clear that we did not, that we do not, I do not in fact read this as proposing any sort of
change to that common practice. So that, that was also a concern that had been articulated to me in my discussions with the banking industry and with other members, members of the Real Estate Bar. So I wanted to clarify for the record that we are not making a change to that practice. Thank you very much, Madam President. I urge adoption of this bill.

THE CHAIR:

Thank you, Senator Bizzarro. Will you remark further on the bill as amended? Will you remark further on the bill as amended? If not, Mr. Clerk, if you would kindly call the roll 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 320 as amended by Senate A. Immediate roll call vote has been ordered in the Senate on Senate Bill 320 as amended by Senate A. Immediate roll call vote has been ordered in the Senate, Senate Bill 320 as amended by Senate A. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Bill 320 as amended by Senate A. Immediate roll call vote has been ordered in the Senate, Senate Bill 320 as amended by Senate A.

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?
Senate Bill 320 as amended by Senate A.

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THE CHAIR:

[Gavel] Measure is adopted. Mr. Clerk.

THE CHAIR:

Good evening, Senator Hartley.

SENATOR HARTLEY (15TH):

Good evening, Madam President. I move acceptance of the Joint Committee's favorable report, Madam, and passage of bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR HARTLEY (15TH):
Thank you, Madam President. The Clerk is in possession of LCO 9888, and I ask that the Clerk please call.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 9888, Senate Schedule A.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

Madam President, I move adoption and request a voice vote, Madam.

THE CHAIR:

Thank you. And would you like to summarize on the amendment?

SENATOR HARTLEY (15TH):

Thank you, Madam President. This is a consensus amendment which is affecting virtually every part of the state of Connecticut to work under the new 2017 Federal Opportunity Zones legislation and so as to mirror our state programs to further incentivize the growth and development of opportunity zones. Thank you, Madam President.
Thank you, Senator Hartley. Will you remark further on the amendment that is before the chamber? Will you remark further on the amendment that's before the chamber? If not, let me try your minds. All in favor of the amendment, please signify by saying, "Aye."

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Will you remark further? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, the bill has been amended and I would move that we refer this to the Finance Committee, please.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):
Thank you, Madam President. Madam President, our first item was put on the Consent Calendar, Calendar Page 37, Calendar 453, Senate Bill 761. I'd like to remove that from the Consent Calendar and have a vote on that bill, please.

THE CHAIR:

Mr. Clerk, if you will call the roll 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, Senate Bill No. 761, as amended by Senate A. Immediate roll call vote has been ordered in the Senate, Senate Bill No. 761, as amended by Senate A. Immediate roll call vote has been ordered in the Senate, Senate Bill No. 761, as amended by Senate A. Immediate roll call vote.

THE CHAIR:

Have all the senators voted? Have all the senators voted? The machine has been locked. Mr. Clerk, if you would please announce the tally.

CLERK:

Page -- Senate Bill 761 as amended by Senate A.

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THE CHAIR:


SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, is the Clerk in possession of Senate Agendas No. 2 and 3?

THE CHAIR:

Mr. Clerk.

CLERK:

The Clerk is in possession of Senate Agenda No. 2 and No. 3, both dated Tuesday, May 28, 2019.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move all items on Senate Agendas No. 2 and 3 dated Tuesday, May 28, 2019, be acted upon as indicated and that the agendas be incorporated by reference into the Senate Journal and Senate transcript, and I'd like to yield to Senator Flexer.

THE CHAIR:

So ordered and so noted. Senator Flexer, do you accept the yield?

SENATOR FLEXER (29TH):

Thank you, Madam President. Yes, reluctantly, I do.
THE CHAIR:

Please proceed.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I rise for purpose of an announcement.

THE CHAIR:

Please proceed.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, the Government Administration and Elections Committee will have a committee meeting tomorrow morning at 10:00 a.m. in Room 2B of the Legislative Office Building.

THE CHAIR:

Thank you, Senator Flexer. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I'd like to now yield to any members for any points of personal privilege or announcements.

THE CHAIR:

Senator Maroney.

SENATOR MARONEY (14TH):
Thank you, Madam President. For the point of a personal privilege.

THE CHAIR:

Please proceed.

SENATOR MARONEY (14TH):

I would like to just remind the chamber that this Thursday, May 30th, we are holding the Save-A-Suit fundraiser for veterans. It is a great time to do your spring cleaning, so I would ask you to please clean out and bring any usable suits or professional dress for either men or women that will be donated to the Save-A-Suit Foundation outside the front of the capitol between 9:00 and 5:00. And the Max Cares Foundation will also be here. They have made a very generous donation for dry cleaning all the suits. Thank you. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Maroney. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I don't think there are any other announcements or points of personal privilege. And just wanted to announce that tomorrow, the Senate is, we plan to meet at noon tomorrow with a Senate Democratic caucus at 11:00 a.m., and I'd like to yield to my colleague, Senator Witkos.

THE CHAIR:
Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. The Senate Republicans will join in caucus tomorrow at 11:00 a.m.

THE CHAIR:

Thank you. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, with that, I move that we adjourn subject to the call of the Chair.

THE CHAIR:

[Gavel] We are adjourned. Go forth, sleep, and govern.

On motion of Senator Duff of the 25th, the Senate at 12:00 a.m. adjourned subject to the call of the Chair.