



## **JOURNAL OF THE SENATE**

**Tuesday, July 21, 2020**

The Senate was called to order in Special Session at 10:43 am., in accordance with a Proclamation from the Governor dated July 17, 2020, Senator Looney of the 11th District in the Chair

The prayer was offered by Acting Chaplain, Timothy Kehoe of East Hartford, Connecticut.

The following is the prayer:

Understanding is one of the greatest accomplishments of life, and with it comes wisdom.

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### **PLEDGE**

Senator Fasano of the 34th led the Senate in the Pledge of Allegiance.

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### **COMMUNICATIONS FROM HIS EXCELLENCY THE GOVERNOR**

The following communications were received from His Excellency, the Governor, read by the Clerk.

WHEREAS, on March 10, 2020, I issued a declaration of public health and civil preparedness emergencies, proclaiming a state of emergency throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and Connecticut; and

WHEREAS, COVID-19 is a respiratory disease that spreads easily from person to person and may result in serious illness or death; and

WHEREAS, the World Health Organization has declared the COVID-19 outbreak a pandemic; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention (CDC) and the Connecticut Department of Public Health (DPH) recommend implementation of community mitigation strategies to slow transmission of COVID-19, including cancellation of gatherings of ten people or more and social distancing in smaller gatherings; and

WHEREAS, the risk of severe illness and death from COVID-19 is higher for individuals who are 60 or older and for those who have chronic health conditions; and

WHEREAS, public health experts have determined that it is possible to transmit COVID-19 even before a person shows symptoms and through aerosol transmission; and

WHEREAS, a statewide primary election is scheduled for August 11, 2020, to select candidates for various state offices and for the 2020 federal presidential election; and

WHEREAS, a statewide general election is scheduled for November 3, 2020, to select candidates for various state and Congressional offices and for the office of the President of the United States; and

WHEREAS, a significant portion of poll workers and volunteers are 60 or older; and

WHEREAS, because elderly registered voters consistently demonstrate the highest rate of voter turnout, providing an alternative to in-person voting could be particularly helpful in reducing the risk of transmission during voting among this population; and

WHEREAS, there is no approved vaccine to prevent or mitigate the effects of COVID-19, and there is not expected to be such a vaccine approved or widely available by November 3, 2020; and

WHEREAS, public health experts have indicated that persons infected with COVID-19 may not show symptoms, and transmission or “shedding” of the coronavirus that causes COVID-19 may be most virulent before a person shows any symptoms; and

WHEREAS, the CDC has recommended that people with mild symptoms consistent with COVID-19 be assumed to be infected with the disease; and

WHEREAS, public health experts have recommended that, to prevent transmission of COVID-19, and in light of the risk of asymptomatic transmission and a significant rate of false negative tests, everyone should assume they can be carrying COVID-19 even when have received a negative test result or do not have symptoms; and

WHEREAS, absentee voting offers a proven method of secure voting that reduces the risk of transmission of COVID-19 by allowing individuals to vote by mail and by reducing the density of in-person voting at polling places; and

WHEREAS, on May 20, 2020, pursuant to my emergency powers under section 29-8(b) of the General Statutes, I issued Executive Order No. 7QQ, which modified state statutes to permit absentee voting for the August 11, 2020 primary by electors who are unable to appear at the polls because of the sickness of COVID-19 while there exists no federally approved and widely available vaccine; and

WHEREAS, the Constitution of the State of Connecticut and other state laws guarantee every person the equal protection of the law and the freedom to exercise and enjoy civil and political rights without discrimination on the basis of religion, race, color, ancestry, national origin, gender, sexual orientation, and gender identity; and

WHEREAS, Connecticut has long struggled to make that guarantee a reality, especially with respect to people of color, extending as far back as its colonial origins, through its years of legalized slavery after statehood, and continuing to the present time, during which a disproportionate number of law enforcement activities, including uses of force, are Black people and other people of color; and

WHEREAS, a Minneapolis police officer's killing of George Floyd has revealed once again the injustice and cruelty that Black people and other people of color suffer at the hands of law enforcement, and has thereby awoken the public's demand for reforms to our law enforcement agencies and progress toward a just and equitable society; and

WHEREAS, these recent events and the justifiable public anger over them once more confront us with what Dr. Martin Luther King, Jr. called 'the fierce urgency of now'; and

WHEREAS, the General Assembly passed, and in more recent instances I have signed, legislation promoting police accountability and transparency as well as broader reforms to our criminal justice system, such as Public Act 11-71, Public Act 12-74, Public Acts 15-2 and 15-4 of the June Special Session, Public Act 19-59, and Public Act 19-90, but much more work remains to be done; and

WHEREAS, immediately adopting evidence-based strategies for producing quick and visible progress will promote public safety; and

WHEREAS, implementing and codifying more restrictive use of force policies, in combination with other measures, can reduce police use of deadly force and the likelihood that police officers will be injured or killed in the line of duty; and

WHEREAS, during the course of the COVID-19 pandemic, healthcare providers providing services to patients need flexibility in testing, diagnosis and treatment while supporting adequate social distancing measures, and the increased utilization of the delivery of health care or other health services through certain modes of telehealth service helps provide the needed flexibility; and

WHEREAS, insulin and other drugs, equipment and supplies are essential for many thousands of Connecticut residents who suffer from diabetes; and

WHEREAS, insulin and other drugs, equipment and supplies, though widely available and relatively inexpensive to manufacture, have become increasingly and unjustifiably expensive and therefore unavailable to many diabetes patients who rely upon them to avoid severe illness or death;

NOW THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by the authority vested in me under Article III of the Amendments to the Constitution of Connecticut and Section 2-7 of the Connecticut General Statutes, in order to preserve orderly and decent government, do hereby:

Convene the General Assembly in Special Session in Hartford no earlier than Tuesday, July 21, 2020 at 9:00 a.m. to:

(1) enact legislation to (a) temporarily expand absentee balloting for the August 2020 primary and November 2020 general election in response to the COVID-19 pandemic so that voters may lawfully cast absentee ballots because of the sickness of COVID-19; (b) temporarily alter statutes governing the administration of elections to ensure local officials may administer such absentee balloting in a secure and orderly manner; and (c) permit voters to register and vote on election day at more than one place per town and to do so as long as they are in line to register to vote before 8:00 p.m.; and

(2) enact legislation to promote greater transparency and accountability for law enforcement;

(3) enact legislation to (a) temporarily relax restrictions on who can provide certain telehealth services and the modes through which such services are delivered; (b) assist health care

practitioners in issuing and pharmacies in transferring prescriptions; (c) temporarily make such services more available to certain publicly and privately insured patients; and

(4) enact legislation to promote more affordable access to prescription drugs, equipment, and supplies used to treat diabetes by (a) limiting the coinsurance, copayments, deductibles and other out-of-pocket expenses certain insurance policies may impose on insureds for such drugs, equipment, and supplies; (b) authorizing licensed pharmacists to prescribe and dispense emergency quantities of such drugs, equipment, and supplies; (c) establishing a working group to design certain parameters of a program referring eligible individuals who have been diagnosed with diabetes to a federally-qualified health center, and authorizing the commissioner of social services to apply for a Medicaid waiver, pursuant to Section 1115 of the Social Security Act; and (d) more closely conforming various provisions of the general statutes concerning high deductible health plans to provisions of the Internal Revenue Code concerning health savings accounts and medical savings accounts.

Given under my hand and Seal of the State at the City of Hartford, this 17th Day of July in the year two thousand and twenty.

Ned Lamont  
Governor

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**INTRODUCTION OF  
SENATE RESOLUTION  
RESOLUTION ADOPTED**

The following resolution was introduced, read and adopted.

S.R. No. **25** RESOLUTION CONCERNING THE RULES OF THE SENATE FOR THE JULY SPECIAL SESSION, 2020.

Senator Duff of the 25th explained the resolution and moved adoption.

On a voice vote the resolution was adopted.

The following was the resolution:

Resolved by the Senate:

That the rules of the Senate at this Special Session shall be the same as the rules of the Senate in force at the 2020 regular session, except as said rules are amended, altered or repealed in this resolution.

Strike out Rules 7, 9, 13, 17 and 18 and insert in lieu thereof the following:

9. A bill or resolution certified in accordance with section 2-26 of the general statutes, if filed in the House, may be transmitted to and acted upon first by the Senate with the consent of the Speaker; and if filed in the Senate, may be transmitted to and acted upon first by the House with the consent of the President Pro Tempore.

Strike out Rule 19 and insert in lieu thereof the following:

19. The order of business shall be as follows:

1. Reception of communications from the Governor and the Secretary of the State.
2. Introduction of bills and resolutions.
3. Reception of business from the House.

Strike out Rule 29 and insert in lieu thereof the following:

29. When a question is under debate, no motion shall be received except:

1. To adjourn.
2. To recess.
3. For the previous question.
4. To close the debate at a specified time.
5. To pass temporarily.
6. To pass retain.
7. To postpone to a certain time.
8. To divide the question.
9. To amend.
10. To postpone indefinitely.

These several motions shall have precedence in the order listed in this rule, and no motion to continue to the next General Assembly or to postpone indefinitely, having been once decided, shall be again allowed at the same session and at the same state of the bill or subject matter.

Strike out Rule 30 and insert in lieu thereof the following:

30. Amendments shall be filed with the clerk of the Senate.

Any member who offers an amendment, originating in the Senate which, if adopted, would reduce state revenues or increase state expenditures by a specified amount or which would involve a significant fiscal impact, shall make available to the president, president pro tempore, the majority leader of the Senate and the minority leader of the Senate at the time the amendment is offered, in addition to a fiscal note, a signed and typewritten explanation, of the decrease in expenditures or the source of the increased revenues required to balance the state budget.

Whenever a bill is substantively amended, it may be referred to the legislative commissioners to be re-examined for the purposes set forth in Rule 13 of the Joint Rules for the 2020 regular session and to be reprinted as amended. The Legislative Commissioners' Office shall complete its examination of any such bill within three calendar days of its receipt. The bill shall then be transmitted to the clerk.

Strike out Rule 34.

Add a new Rule 37 as follows:

37. Only those bills and substantive resolutions specified in paragraph 1 of Rule 7 of the Joint Rules for this Special Session, certified as provided in Rule 9 of said Joint Rules, and, except as provided in Rule 33 of said Joint Rules, only those resolutions pertaining to the rules of this Special Session, the printing of the journals of the Senate and the House of Representatives, and the expenses of this Special Session, shall be received.

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**INTRODUCTION OF  
SENATE JOINT RESOLUTIONS  
RESOLUTIONS ADOPTED**

The following resolutions were introduced, read and adopted.

S.J. No. **50** RESOLUTION CONCERNING THE PRINTING OF THE JOURNALS OF THE SENATE AND HOUSE OF REPRESENTATIVES FOR THE JULY SPECIAL SESSION, 2020.

Senator Duff of the 25th explained the resolution and moved adoption.

On a voice vote the resolution was adopted.

The following was the resolution:

Resolved by this Assembly:

That the journals of the proceedings of the Senate and House of Representatives at this Special Session shall be printed as provided in section 2-49 of the general statutes.

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S.J. No. **51** RESOLUTION CONCERNING THE EXPENSES OF THE JULY SPECIAL SESSION, 2020.

Senator Duff of the 25th explained the resolution and moved adoption.

On a voice vote the resolution was adopted.

The following was the resolution:

Resolved by this Assembly:

That the Joint Committee on Legislative Management is authorized to pay the necessary expenses of this Special Session of the General Assembly.

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S.J. No. **52** RESOLUTION CONCERNING THE JOINT RULES FOR THE JULY SPECIAL SESSION, 2020.

Senator Duff of the 25th explained the resolution and moved adoption.

On a voice vote the resolution was adopted.

The following was the resolution:

Resolved by this Assembly:

That the joint rules of this Special Session shall be the same as the joint rules in force at the 2020 regular session, except as said rules are amended, altered or repealed in this resolution.

Strike out Rules 3, 4, 5 and 6.

Strike out Rule 7 and insert in lieu thereof the following:

**BILLS AND RESOLUTIONS GENERALLY**

7. Only bills and substantive resolutions specified in the Proclamation by the Governor, dated July 17, 2020, convening the General Assembly in Special Session no earlier than July 21, 2020, at 9:00 a.m., shall be received.

The Legislative Commissioners' Office shall prepare all bills and resolutions. When a bill or resolution has been prepared by the Legislative Commissioners' Office and signed by the Speaker and President Pro Tempore, the bill or resolution shall immediately be given to the clerk of the Senate or the House as designated. Before or at the time the bill or resolution is given to the clerk, the Legislative Commissioners' Office shall provide to the Office of Fiscal Analysis copies of each bill or resolution to prepare a fiscal note if required by Rule 15 of the joint rules.

Each bill and resolution shall be printed, without interlineation or erasure. The duplicate copies of each bill or resolution shall be made on yellow-colored and blue-colored paper, respectively, of the same size and format as the original.

Each bill amending any statute or special act shall set forth in full the section or subsection of the statute or the special act to be amended. Matter to be omitted or repealed shall be surrounded by brackets or overstricken so that the omitted or repealed matter remains readable, and new matter shall be indicated by capitalization or underscoring of all words in the original bill and by capitalization, underscoring or italics in its printed form. In the case of a section or subsection not amending an existing section of the general statutes but intended to be part of the general statutes, the section or subsection may be in upper and lower case letters preceded by the word (NEW).

Each bill and resolution shall be transmitted, in triplicate, by the Legislative Commissioners' Office to the clerks of the House or Senate.

The clerks shall number each bill and resolution.

The clerks shall certify and keep on file a duplicate copy of each bill and resolution. The certified duplicate copy shall remain at all times in the clerk's office. If the original cannot be located, a copy of such certified duplicate copy shall be made by the clerk and used in lieu of the original.

The clerk shall make a notation on the certified duplicate copy of all action taken on the original.

Any member of the General Assembly may co-sponsor a bill or resolution by making a request in writing after it has been filed, to the clerk of the chamber in which the bill or resolution has been filed to add his or her name as a co-sponsor of the bill or resolution, but not later than the date of the signing of the bill, or the deadline for the signing of the bill, by the Governor, whichever is earlier, or the adoption of the resolution.

After introduction no bill or resolution shall be altered except by the legislative commissioners.

Strike out Rule 8.

Strike out Rule 9 and insert in lieu thereof the following:

#### EMERGENCY CERTIFIED BILLS AND RESOLUTIONS

9. Only bills and substantive resolutions certified by the Speaker and President Pro Tempore in accordance with section 2-26 of the general statutes may be introduced. Bills and resolutions so certified by the Speaker and the President Pro Tempore shall be identified as "bills" or "resolutions".

Strike out Rules 10, 11 and 13.

Strike out Rule 14 and insert in lieu thereof the following:

#### TRANSMITTAL BETWEEN HOUSES

14. Upon passage in the first house, the bill or resolution shall be transmitted immediately to the second house, except that, during a declaration of a public health or civil preparedness emergency by the Governor, the bill or resolution may be transmitted at a later time on request of the second house.

Strike out Rule 15 and insert in lieu thereof the following:

15. Any bill or substantive resolution which if passed or adopted, would affect state or municipal revenue, or would require the expenditure of state or municipal funds, shall have a fiscal note attached. Any fiscal note printed with or prepared for a bill or resolution shall be solely for the purpose of information, summarization and explanation for members of the General Assembly and shall not be construed to represent the intent of the General Assembly or either chamber thereof for any purpose. Each such fiscal note shall bear the following disclaimer: "The following Fiscal Impact Statement is prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose." When an amendment is offered to a bill or resolution in the House or the Senate, which, if adopted, would require the expenditure of state or municipal funds or affect state or municipal revenue, a fiscal note shall be available at the time the amendment is offered. Any fiscal note prepared for such an amendment shall be construed in accordance with the provisions of this rule and shall bear the disclaimer required under this rule.

Strike out Rule 16 and insert in lieu thereof the following:

#### BILLS AND RESOLUTIONS - READINGS

16. First reading of a bill or resolution shall be by title and number. Second reading shall be passage or rejection of the bill or resolution.

Strike out Rule 17 and insert in lieu thereof the following:

17. Each bill or substantive resolution may be acted upon immediately. No bill or substantive resolution may be acted upon unless it is accompanied by a fiscal note.

Each bill and substantive resolution shall be voted upon by a roll call vote. A bill or resolution, certified in accordance with section 2-26 of the general statutes, if filed in the House, may be transmitted to and acted upon first by the Senate with the consent of the Speaker; and if

filed in the Senate, may be transmitted to and acted upon first by the House with the consent of the President Pro Tempore.

Strike out Rules 18, 19 and 20

Strike out Rule 28 and insert in lieu thereof the following:

28. (a) If there is any disturbance, disorderly conduct or other activity in or about the State Capitol or the Legislative Office Building or the grounds thereof which, in the opinion of the President Pro Tempore and the Speaker, may impede the orderly transaction of the business of the General Assembly or any of its committees, they may take whatever action they deem necessary to preserve and restore order.

(b) During a declaration of a public health or civil preparedness emergency by the Governor, which, in the opinion of the President Pro Tempore and the Speaker, may impede the orderly transaction of the business of the General Assembly or any of its committees, they may take whatever action they deem necessary to preserve public health and maintain order. Such action may include prohibiting access to the Hall of the House, the Senate, or the State Capitol or Legislative Office Building, except for the members, the Governor, Lieutenant Governor, Secretary of the State, authorized staff of the legislative, executive and judicial departments, authorized telecommunications personnel and authorized or credentialed members of the media.

Strike out Rule 30 and insert in lieu thereof the following:

30. (a) *Smoking*. No person shall smoke in the State Capitol or Legislative Office Building.

(b) *Nonpartisan Offices*. Lobbyists shall be prohibited from the Legislative Commissioners' Office, the Office of Fiscal Analysis and the Office of Legislative Research.

Strike out Rules 31, 32 and 34.

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#### IMMEDIATE TRANSMITTAL TO THE HOUSE

Senator Duff of the 25th moved immediate transmittal to the House of all resolutions needing further action by the House.

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#### ADJOURNMENT

On motion of Senator Duff of the 25th, the Senate at 11.03 a.m. adjourned subject to the call of the chair.