

CHAIRPERSONS: Senator Bob Duff,
Representative Julio Concepcion

SENATORS: Fonfara, Formica, Kelly,
Kushner, Looney, Moore, Somers

REPRESENTATIVES: Godfrey, Kennedy, Perillo,
Quinn, Vargas, Yaccarino

SENATOR DUFF (25TH): Okay. Good morning, everybody. We'd like to call the public hearing of the Executive and Legislative Nominations Committee to order. First off, before we begin our formal business of the public hearing, I'd like to welcome our new House Chair, Representative Julio Concepcion, from the great City of Hartford. And Representative Concepcion just want to just introduce yourself real quick, again now that we're live on YouTube and just give a shout out, I guess, to your district, and anything else you think is pertinent.

REP. CONCEPCION (4TH): Thank you very much, Mr. Chairman. Again, Julio Concepcion I represent here, the 4th District in the City of Hartford which encompasses the majority of downtown Hartford and goes down into parts of the south end. Just wanted to, again, thank everyone for their warm welcome. I've received several emails and texts and phone calls over the last couple days from Committee members, and I really do appreciate it.

As I mentioned before I've taken the opportunity to look back at some of the Committee hearings this past year and again overwhelmed by the graciousness and respect that each of you have shown, again, not just each other, but every nominee that's come to the Committee, so looking forward to continuing that tradition and working with each and every one of you.

SENATOR DUFF (25TH): Right. Well, welcome, and we are glad you're here, we appreciate it, and look forward to working together to get the Committee's business done. So we have a great Committee of our community leadership here of Vice Chairs and our Ranking Members as well, and our membership, of course, the Committee and our staff all do a great job. So we welcome you to this Committee of folks who we all really learn a lot to on these many meetings and public hearings, and appreciate the work and the work that everybody does to make sure that everything went smoothly, so thank you, sir. We appreciate it.

We can begin now with item number one, which is a House Joint Resolution. So just as a reminder, after the public hearings are done at -- these are all Joint Resolutions Senate and House and that will need people to vote on all of these resolutions, when we get into our Committee meeting. So we now have a Resolution confirming Shannon R. Tracy Bergquist of Colchester to be a member of the State Elections Enforcement Commission. Hello, Shannon, nice to see you here. Welcome.

SHANNON BERGQUIST: Thank you.

SENATOR DUFF (25TH): Glad that you're here. Can you just raise your right hand, please? Thank you. Do you promise, swear, affirm tell us the truth, the whole truth, and nothing but the truth?

SHANNON BERGQUIST: I do.

SENATOR DUFF (25TH): Great. Thank you and you may begin with an opening statement, and then we'll follow up with some questions.

SHANNON BERGQUIST: Thank you. Good morning, Chairman Duff, Chairman Concepcion and distinguished Members of the Executive and Legislative nominations Committee. I'm Shannon Bergquist, and it's an honor

and privilege to be nominated as a Member of the Connecticut State Elections Enforcement Commission by Speaker of the House Matthew Ritter. I sincerely appreciate the opportunity to appear before you to tell you about myself, share my qualifications for the position and convey my desire to serve on the commission.

With respect to my education, I'm a graduate of Colby College, where I was a government major as well as Northeastern University School of Law. I've been a Member of the Connecticut Bar since 2003 and the United States District Court for the District of Connecticut since 2004. In law school -- in law school, I had the honor of serving as a judicial intern for the honorable Bruce Selya of the United States Court of Appeals for Circuit and upon graduating from law school, the privilege of serving as a law clerk for the honorable Thomas Bishop of the Connecticut Appellate Court.

I've also served as a Staff Attorney with the Law Enforcement Unit at the State Elections Enforcement Commission. I joined the Commission at a pivotal time, the outset of the Citizens Election Program and the implementation of Comprehensive Campaign Finance and Election Administration Reforms. During this time, I developed a thorough understanding of Connecticut's election and campaign finance laws and the challenges that can arise when implementing and enforcing them. Moreover, I developed a passion for election law and ensuring the integrity of the electoral process.

In the fall of 2011, I made the decision to leave SEEC to focus on my two young sons. However, I continued to have a strong desire to serve the public. With that in mind, I volunteered to serve a three-year term on my town's Ethics Commission and was selected to act as the Vice Chair. After my term ended, I had the opportunity to join the University of Connecticut's Registrar's Voter

Certification Program as an Instructor. This role has allowed me to continue to help safeguard the electoral process by making sure states key election administration officials have additional support and training.

In this role, I instruct four other programs eight sections. This experience has allowed me to continue to expand my understanding of federal and state election administration law, and to better understand the role of the registrar's and election administration officials and the challenges they experienced while administering the law.

Over the last four years, I've also served the Connecticut Secretary of the state. Most recently, I worked with the Secretary's Legislation and Elections Administration Division to provide daily election support services to town clerk's and registered voters to help them prepare for and conduct the 2020 primary and general election. Prior to the 2018 general election, I also provided additional support to lead staff, election officials and electors, helped coordinate the Secretary's Legal Assistance Program and worked on the Election Day Hotline Team. These experiences further refined my understanding of our election laws and deepened my commitment to safeguarding our electoral system.

Given my public service and election experiences over nearly two decades, it's become clear to me that now more than ever, the integrity of our state's electoral processes must be protected. We must ensure that voters continue to have confidence in our electoral processes, systems and results. I believe that the state elections enforcement commission is critical to successfully accomplishing that mission. I spent my career dedicated to that mission and have developed a thorough understanding of the issues faced by the Commission and the laws that it is required to administer and enforce. I believe that the sum of my experiences would make me

a strong asset to the Commission. It would be my honor and privilege to serve the commission once again. And I humbly ask for your support. Thank you again for your time and an opportunity to appear before you today.

SENATOR DUFF (25TH): Great, thank you, Shannon. We appreciate your willingness to serve and your great testimony that you provided. You certainly are well qualified to be a member of the State Elections Enforcement Commission. Can you just share a little bit about your history, I guess, as a staff person, and how you would pivot to that role as a Commissioner, and what you would like to see continue or, potentially, change with regard to, you know, maybe how we can do things a little bit better or differently, or, you know, kind of in the age of COVID, or post-COVID, I guess?

SHANNON BERGQUIST: Yeah. So I was a staff -- when I was a staff member, I left about 10 years ago. And that was my first experience with election law. I had come out of being a law clerk, I went into private practice for a year. And then I wanted to do work that I would -- felt was really meaningful and serve the public.

So as a staff attorney in the Law Enforcement Unit, I was completely green. And I was learning the system from the ground up. We had brand new election administration laws. We were beginning the Citizens Election Program. So when I joined SEEC, there were 12 -- I think we had 12 to 14 people on the staff, and it grew to 52 while I was there. I did everything from investigations, trainings, I spoke at rollback to do trainings there, campaign finance trainings, worked on handbooks. I got -- so I got to do everything as an attorney -- as a law enforcement attorney there.

Once I left though, I got to see the practical side of election administration law. Starting out with

working in the UConn registrar voter certification program. For the last five years, I've been teaching the registrars and helping them get certified. And that has really helped to round out my experience as a staff attorney at SEEC because I'm -- at SEEC, I was looking at the law and I was looking at these elements of a statute and then applying them to election officials or candidates.

But I wasn't really -- I didn't really have a thorough understanding of what the practical implications are and what people are really experiencing when trying to administer that law. So spending the last five years with the registrars and prior to COVID all our classes were in person, getting to talk to them on a regular basis and understand how they are administering the law and the challenges they face, I think really what helped me be a more effective Commissioner now.

Same thing goes for my experience with the Secretary of State's office. There, again, I was dealing with not only election officials, but with the Secretary staff and electors, whether it be an elector with a disability, or somebody that's registering to vote and they're having a problem with the system. I think it really has given me my experience since leaving SEEC has given me practical experience that I can bring to the Commission and use when we are trying to evaluate a complaint or even a grant application. So that's why I think, you know moving, from SEEC as a staff attorney to a commissioner, my experience would fill in those gaps and I think really make me an asset to the commission.

SENATOR DUFF (25TH): Great. Thank you very much. I appreciate that answer. And I agree with you that those experiences would make you an asset. Representative Concepcion, do you have any questions?

REP. CONCEPCION (4TH): Not at the moment. Thank you, Mr. Chairman.

SENATOR DUFF (25TH): Okay, thank you. Let's see. Let's see, Senator Looney, followed by Senator Sommers.

SENATOR LOONEY (11TH): Thank you, Mr. Chairman. Thank you, Mr. Chairman.

SHANNON BERGQUIST: Good morning, sir.

SENATOR LOONEY (11TH): Can you hear me?

SHANNON BERGQUIST: Yes.

SENATOR DUFF (25TH): [inaudible] put myself on mute fast. Go ahead. Okay?

SENATOR LOONEY (11TH): Yes, good morning, Attorney Berquist.

SHANNON BERGQUIST: Good morning, Sir.

SENATOR LOONEY (11TH): And congratulations on your nomination by the speaker. And I'm sure you'll do a terrific job given your experience and your interest and commitment in this area.

The one question that I would have for you is that after every election cycle, the Commission audits a certain number of campaigns. And they are -- supposedly are purportedly random. But there are some candidates who get selected two or three election cycles in a row. And I assume that means that there are some who don't get selected at all. And it seems to me that, that is not a perfect system for post-election review. So I was wondering if you would consider supporting some other system about if somebody has been selected in a previous cycle or two previous cycles that the randomness of it be guaranteed by having someone selected, at

least, once every few cycles, but not more than once? Because it seems to me that the current system, while purportedly random doesn't really represent the best way of reviewing campaigns post-election because it does mean that there are -- that there are some who are not reviewed at all, perhaps, and over several cycles, and some were selected every cycle. So while randomness appears to be fair on its surface, I think it actually means that some campaigns are over scrutinized, and some are under scrutinized. And I just wonder if you have any reaction to that?

SHANNON BERGQUIST: Yeah, I would certainly be open minded to evaluating the system of selecting campaigns to audit and seeing if there's a way, we can enhance it or improve it to make sure that the purpose of the audit is being effectuated. But that it's not burden -- overburdening candidates. But I would -- I would probably need to have time with Commission staff to really understand how that audit process is working, how the selection process is working, and why campaigns are being randomly selected multiple times. But, yeah, I'm certainly open minded to seeing how we can improve the systems there.

SENATOR LOONEY (11TH): Good. No, I appreciate that. And, again, congratulations on your nomination.

SHANNON BERGQUIST: Thank you.

SENATOR DUFF (25TH): Thank you, Senator Looney. Senator Somers, followed by Senator Formica.

SENATOR SOMERS (18TH): Yes, good morning, Attorney Bergquist. Thank you for being here. And thank you for sharing your experience. My question has to do with complaints.

First, I would like to say that I've always found the SEEC Commission to be fair and balanced. And any questions that candidates have, they're willing to help. And I've always appreciated that. My question has to do with complaints for the State's Election Commission. And there are complaints that are filed during an election period that seemed to take sometimes years for the Committee to adjudicate or to even take up.

And I was wondering if you could speak to that if you could see that there could be better improvement in that process, as far as looking at complaints and determine determining whether they rise to the level that they should be investigated. And or once an investigation has started, how quickly they can come to close. That seems to be a recurring complaint that I hear from many. Thank you.

SHANNON BERGQUIST: Yes. Well, since I've left SEEC, the law has changed. So now we have that one-year period where complaints that are filed have to be completed with one -- within the one year they can be dismissed. I definitely think that there is room, especially within the Statutory Authority of the Commission, to look at the system of documenting complaints and see -- and they may be doing this now, I'm not sure because I'm not there yet.

But something that I would like to look into if I get there is there a way to create a docketing system that prioritizes certain complaints. So if complaints are coming in -- the way I understand it the way they didn't when I was there, if a complaint comes in and it doesn't allege any allegations that would rise to the level even if you assume the facts are true, a level of violation of election law that would never get docketed. That's how it was when I was there. I believe that's still how it is.

However, if someone alleges facts that we assume is true, and it does rise to the level of violation of

Title 9 that would get docketed. From there, though I think there may be some room within the statutory authority to create a system where there's a pride - - where we prioritize the types of cases that are coming in, so that those cases can get expedited and those matters can get resolved within that one-year period, to give the complainant and the respondent a resolution. Does that answer your question?

SENATOR SOMERS (18TH): Yes, thank you for that. It appears that if you are a complaint, or the person who is has a complaint filed against you, it would be nice to get resolution as quickly as possible, especially I like your idea of prioritizing the complaints because some are very small in comparison to others, and having them closed out as quickly as possible and adjudicated either way would be very helpful. So I appreciate your answer. Thank you very much.

SHANNON BERGQUIST: Thank you.

SENATOR DUFF (25TH): Thanks, Senator Somers. Senator Formica, followed by Representative Kennedy.

SENATOR FORMICA (20TH): Good morning, Mr. Chair. Thank you so much.

SENATOR DUFF (25TH): Good morning.

SENATOR FORMICA (20TH): Good morning, everyone. Good morning, Shannon. How are you this morning?

SHANNON BERGQUIST: Good morning. I'm good.

SENATOR FORMICA (20TH): Thank you. I, too, have a process question that I've been wrestling with over the last few years. And it seems that when a campaign files its form to get approved, and they send in a check, the check, generally, has an overage because there are some contributions that are disqualified for one reason or another, the form

was filled out incorrectly or whatever. So, you know, we have to raise \$16,100 dollars, we send in \$18,000 dollars, as an example, and there were many disqualified. The problem that I see is that those disqualifications then are left in a limbo area. The organization, SEC, keeps that money.

SHANNON BERGQUIST: Yeah.

SENATOR FORMICA (20TH): Yet they weren't credited toward the campaign account. I've asked a number of times, why isn't -- aren't those disqualified contributions returned to the originator or to the contributor? If they're not going to be accepted, then they shouldn't be accepted. And either they can be returned through the campaign who then would be mandated to return the contribution or SEEC can just they have the address. If it's correct, they can just send the check back if they're not going to. I'm just wondering what -- if you had any thoughts about that, if you could share?

SHANNON BERGQUIST: I actually have thought about that. And while I would need to, again, learn more and want to talk to Commission staff about it, I think just the disqualified contributions are tricky, because I think -- and generally, it seems like it would be a simple idea, "Let's, hey, they're over there disqualified, let's just return them to the contributor." Where I think it could get tricky, though, is one sometimes, in my experience, those contributions that come in there, it -- they may not be a good faith overage.

So SEEC what -- I would imagine SEEC would want to have the opportunity to look into that investigate that, why is that? And if they found that there was some bad faith elements would so maybe it's a straw man type of situation or something. They wouldn't want that money to be going back to the contributor, potentially. I'm just thinking. I haven't -- the other -- the other issue I'd want to consider an ass

Commission staff is, does it add -- would it create a burden on treasurers, if we're sending -- we're sending this money back to them now and they're in the middle of a campaign and they're trying to manage their campaign and then also having this additional accounting responsibility coming in? I'm not sure that's just another something I'd like to consider.

And then finally, visit put any burden on the fiscal unit at sea -- at the -- at the SEEC, while they're trying to roll these grants out and take care of all these applications coming in. But I understand your perspective and where you're coming from, and would love to have the conversation with Commission staff about is there a way we can find a medium or a balance or what their perspective is on why they -- why they're not returning those contributions?

SENATOR FORMICA (20TH): Well, thank you very much for that answer. And I would agree if there are things that are unscrupulous that, you know, that's one issue.

SHANNON BERGQUIST: Yes.

SENATOR FORMICA (20TH): But 99% of the time, I believe, you know, it's just a, you know, a post office box or it says, "I'm working, yes", but doesn't say for whom or whatever the situation is. And some of those are sent back to be correctable. But there's a large portion that are not and they're kept as a budget enhancer, I think, for the -- for the organization.

So I would love to have that conversation. I think -- I think we should have that conversation. I appreciate the fact that you raised a couple of interesting conditions that I have not considered. But I also appreciate the fact that you're willing to have the conversation, which is more than I

received from anybody so far. So that's great. So thank you very much. Thank you, Mr. Chairman.

SENATOR DUFF (25TH): Thank you, Senator. Representative Kennedy.

REP. KENNEDY (119TH): Thank you, Chairman Duff, and welcome Attorney Bergquist, it's wonderful to have you here and kind of follow along the same lines of Senator Formica, which is wondering, and I know you're not in the position yet. If you found anything that came out of the 2020 election that needs to be addressed and moving forward. What would you do? I like the idea of your docking system that you mentioned. But can you tell us more other ideas going forward from that?

SHANNON BERGQUIST: Yeah. One of the things that I think and that's part of the reason why I would love to be a part of SEEC again, is I think that SEEC has the data that can speak to some of the issues that are coming up on the election administration side. I watched the Public Hearings on the House Resolutions of 5859, I believe, and I was craving SEEC data when I was watching that. Just some information, I wanted to know how many complaints are coming in from 2020, has anyone alleging voter fraud, what SEEC's history of complaints and findings on this issue?

So that's something that I really think that SEEC might be able to play a role in as far as education goes, and their website is wonderful. They put out a lot of great data and information. And that's something I'd love to have a conversation about how do we utilize SEEC's information and their findings and what they found over the years to inform voters so that they can trust the process? If these issues aren't happening, let's let the voters know so that they can trust the process and have faith in it again. So that's a big thing for me coming out of

the 2020 election, and something I'd love to bring to SEEC and have a conversation about.

REP. KENNEDY (119TH): Thank you, I appreciate your candidness and your willingness to serve. I've always found SEEC to be very, very pleasant and easy to deal with. So I thank you very much. Thank you, Mr. Chairman.

SHANNON BERGQUIST: Thank you.

SENATOR DUFF (25TH): Thank you so much, Mr. Chairman, Representative Concepcion.

REP. CONCEPCION (4TH): Thank you, Mr. Chair and Attorney Bergquist, congratulations on your nomination.

SHANNON BERGQUIST: Thank you.

REP. CONCEPCION (4TH): Glad just being here. Just a quick question you had mentioned the roles of treasurers and making sure we don't overwhelm them. On a personal note, I've run for office three different times. I had three different treasurers, because when I would call that last treasure, they didn't want to come back with all the everything that they had to --

SHANNON BERGQUIST: Yeah.

REP. CONCEPCION (4TH): Go through prior to that. So in particular to, obviously, the assistant election program, do you think the reporting requirements for treasures are overburdened? Do you think it's not enough? Do you think it's just right? So just a quick question, especially again, given the new CEP program.

SHANNON BERGQUIST: I don't. If we really want to have a clean elections program, I think that we have to have transparency. And I do appreciate the

burden on the treasurer's and how hard it is. I used to joke when I left seat that for one thing, I would not be as a treasurer, "No way, Jose. I'm not doing that." That in a registrar, I said, "Nope, and I'll help them. But I'm not doing that." So I think it's necessary, honestly, to have a clean elections program, to have transparency in our state. And our state has a system that I'm really proud of. I think you have to have those disclosure provisions and those reporting provisions.

The area where I actually don't think there should be less, the area where I think maybe you could enhance it a little bit is independent expenditures are always something that I've keeping my eye on and can we enhance or expand disclosure provisions just to make sure that voters know where the money's coming from since citizens united. So I while I think it's a tough job for a treasurer, I do think it's necessary to again, have people have faith in our system and know that they can -- they can go right on and look and see where the money is coming from.

REP. CONCEPCION (4TH): Thank you very much for that answer. I could not agree with you more. Thank you, Mr. Chairman.

SENATOR DUFF (25TH): Thank you so much. Representative Vargas.

REP. VARGAS (6TH): Can you hear me?

SENATOR DUFF (25TH): We can hear you.

REP. VARGAS (6TH): Well, first of all, I want to congratulate the Commissioner on for reappointment by Speaker of the House to the SEC. And I'm glad to hear that you're willing to serve. And I can agree with your assessment the treasurers have a very tough shot, considering that most of the statues

puts the blame on them squarely for anything that goes wrong --

SHANNON BERGQUIST: Yes.

REP. VARGAS (6TH): As with all the filings, etc., and pretty much leaves the candidate again escape the -- so it's a tough, tough job. The thing I wanted to -- excuse me a second, my phone is ringing here. I got to put it on mute. The --

SENATOR DUFF (25TH): The treasurers are calling.

REP. VARGAS (6TH): Yeah, the treasurers probably agreeing with me, asking for a raise. The issue that -- just a comment on the issue that that Senator Looney brought forth, which was the whole issue of the random audit, so campaigns. For years, this was an issue with me -- 2008, I was audited 2010, 2012, 2014, 2016.

So finally brought this up to the Government Administration Elections Committee. And they said, "Well, let's change it from random, to weighted random so that people who have already been omitted, that have a less likelihood of being audited, and those that haven't been audited have a greater likelihood of being audited."

They changed it. And for the first time in 2018, 2020, for the first two campaigns that I wasn't selected, were not. But the reason they wanted waited, rather than simply auditing or not auditing it was that they still wanted -- the possibility, even if it was a slimmer possibility of an audit, you know, just to keep everybody honest. The other -- there's a lot of other issues.

But one that I want to ask you is having served on the SEEC. One of the complaints I was always getting, and I become very, you know, active with the SEEC being there all the time, they were

actually one of the agencies that was in my SubCommittee, and appropriations when I was Chair of this SubCommittee was the issue of funding. And the fact that they felt that their funding had been cut continuously cycle after cycle, and that they had less staff, and more responsibilities. So do you have any thoughts on that?

SHANNON BERGQUIST: Yeah, I mean, I think it's important that SEEC has the appropriate funding in order to remain viable. They -- especially when we're talking about complaints and wanting them to get resolved quickly. When I was there, I think there were five of us working all the complaints we had over 200. And at the time, we had one investigator working with the Enforcement Unit. When you're carrying 30 complaints yourself, and you're trying to resolve them quickly and go out and do the investigations with your investigator, it gets really hard.

So if you don't have the appropriate funding, to be able to support your staff with it, or even make sure that you're fully staffed, I think it affects their core functions. So I do think it's important that they have the funding to keep -- one, the program, the CEP and the CEF, the Citizens Election Fund, fully viable, but also just to allow them to do their core functions so that they can meet their mission of ensuring the integrity of the electoral process.

REP. VARGAS (6TH): I think that's probably one of the reasons, Commissioner, that the staff at SEEC probably is happy with keeping the inappropriate contributions are the disqualified contributions in their coffers, because it probably is a -- one of the few fundraising mechanisms that they have and reduces the burden on the taxpayers. I would just guess that -- that's their reasoning behind it.

SHANNON BERGQUIST: Yeah. Yeah, I would understand that. And, again, that's something that I would love to have the conversation with the staff about that to understand that more.

REP. VARGAS (6TH): Well, thank you very much. And once again, congratulations on your reappointment. And thank you.

SHANNON BERGQUIST: Thank you. Thank you, Representative Vargas.

SENATOR DUFF (25TH): Thank you, sir. Representative Yaccarino.

REP. YACCARINO (87TH): Thank you, Mr. Chair. And congratulations, Commissioner Bergquist.

SHANNON BERGQUIST: Right.

REP. YACCARINO (87TH): I think your agency, the CEP and the CEF are amazing. I think it's great to have clean elections. I just want to know if you had any feedback from our registrars throughout the state in this past election 2020? I think they do a great job, bipartisan in every community. And if you took any feedback from this past election, that we could use going forward in current, you know, going forward, because it was much difficult -- more difficult for them.

SHANNON BERGQUIST: Yes.

REP. YACCARINO (87TH): And they did a great job, I think, overall. I know they did on North haven -- I think overall in the state, they did a great job of touring the country. But there had to be some sort of -- was there any feedback from them like the difficulties or more staffing, potentially, more funding for them?

SHANNON BERGQUIST: Yes, yes. And it wasn't just -- I spoke every day. In my role as an election support officer, I had team one. So I had a whole congressional district that I was working with every day. And I wasn't just talking to registrars, I was talking to town clerks, too.

REP. YACCARINO (87TH): Right, right.

SHANNON BERGQUIST: And they really did an amazing job under really difficult circumstances. Who could have expected COVID, who could expect a power outage prior to the primary?

REP. YACCARINO (87TH): Right.

SHANNON BERGQUIST: So they were adjusting really quickly to changes. And they did a wonderful job with it. I do think they felt overwhelmed. And I think that if we're -- if going forward, changes like this become permanent, I do think they need more support, whether it be funding, staffing, I think that they -- there needs to be some more manpower sometimes to help them execute these jobs. And I think that will help make sure that we don't see mistakes in the process.

The one thing I've learned with town clerks and registers and doing this now for so long is that sometimes mistakes happen because people are busy, and they're overwhelmed. And if they're fully supported, trained, supported, have the funding, have the staffing, you're going to minimize that., And, again, that's going to create faith in our system, and people are going to believe that the system works.

So that's kind of the feedback I -- they were just -
- overall, they put their heads down and just did their job. You know, they wanted -- and just legal advice or advice on, "How do we do X, Y, and Z or what's -- what are we supposed to do with this?"

But that's the feeling I got was they just -- they could use more support moving forward, if changes are going to be permanent, or if they're going to be any changes in the future even now.

REP. YACCARINO (87TH): Right. I made sure -- I want to thank the three -- the two registrar and the clerks because they were these -- they did a thankless job and so much pressure from both sides.

SHANNON BERGQUIST: Yeah.

REP. YACCARINO (87TH): One thing I did suggest on the floor of the House last summer when we had emergency preparation for the absentee balloting, which was fine, that they did get more support and more help financially the town's and I think they did get a little bit goes a small amount, but rather.

SHANNON BERGQUIST: Yeah.

REP. YACCARINO (87TH): Going forward, we're going to have a build with no excuse absentee and hopefully that, you know, we will work it out. It's beneficial for everybody. They're going to need I -- think they're going to need a little more help. And hopefully your agency can maybe help them either training or staffing -- funding for staffing.

SHANNON BERGQUIST: Yeah, I think -- I don't know how much of a role SEEC plays in that. I definitely think the Secretary's Office --

REP. YACCARINO (87TH): The Secretary, yeah.

SHANNON BERGQUIST: Yeah, plays a huge role in that. And I think it's important to have the Town Clerk's Association and the Registrar's Association involved in those conversations. Their feedback is critical to --

REP. YACCARINO (87TH): Right.

SHANNON BERGQUIST: To making sure the process works. So. But -- I'm not sure how much of a role SEEC would play in it. I think, again, their data might be useful, and seeing if there are any complaints coming forward. And do any of them involve town clerks or registrars? or What happened? And where could maybe they get more support so that those things can't happen again.

REP. YACCARINO (87TH): Thank you. Thank you for your willingness to serve. And thank you, Mr. Chair.

SENATOR DUFF (25TH): Thank you, Representative. I don't see any other hands up virtually or for -- or not virtually. Any other questions by Members of the Committee? All right, Shannon, so thank you for your testimony and for answering all the questions, we appreciate it. And before we go, there's one question we ask a very nominee. Is there anything in your past that you believe might prove embarrassing to this Committee, to the Governor, or the State of Connecticut?

SHANNON BERGQUIST: No.

SENATOR DUFF (25TH): Okay, great. Thank you so much. We appreciate your time.

SHANNON BERGQUIST: Thank you very much.

SENATOR DUFF (25TH): Have a great day.

SHANNON BERGQUIST: You too.

SENATOR DUFF (25TH): Thank you. Okay. Next will be the resolution confirming Sarah Healy Eagan of West Hartford to be the Child Advocate. Hey, Sara, how are you?

SARAH HEALY EAGAN: I'm well, thank you, Senator.

SENATOR DUFF (25TH): Nice to see you. Would you raise your right hand, please? Thank you. You promise, swear, affirm to tell the truth, the whole truth and nothing but the truth?

SARAH HEALY EAGAN: I do.

SENATOR DUFF (25TH): Great. Thank you. Feel free to go to your opening statement, we'll have some questions for you.

SARAH HEALY EAGAN: Great, thank you. Good morning, Senator Duff, Representative Concepcion, Senator Kelly, Representative Kennedy, and all of the members of the Executive and Legislative Nominations Committee. It is an honor and a privilege to be nominated for another term as the State's Child Advocate by Governor Dannel Malloy. I appreciate this opportunity to introduce or reintroduce myself and to discuss my record as the Head of the State Office of the Child Advocate for the past seven years, and my vision for continued service.

The Office of the Child Advocate is an independent state agency charged by state law with responding to citizen concerns, investigating systems that serve children and providing the public with critical information and recommendations, as to how publicly funded services can be improved for vulnerable children. During my tenure leading the state office, the office published more than two dozen investigative reports, public health alerts and issue briefs covering a range of topics from child fatality prevention, system reform for children with disabilities, restraint and seclusion of students with specialized needs and conditions of confinement for incarcerated children. A full list of published reports is appended to this testimony.

In the last seven years, the office has helped write over a dozen new laws aimed at improving children's safety, strengthening educational and child welfare responses to children with disabilities, banning dangerous facedown restraints of children and schools, and increasing transparency and accountability across child serving systems. Most recently, OCA has been working to help implement new statutory requirements that require DCF to publish critical safety and quality measures for all of its licensed facilities and we are working with legislators now to increase supports for children's mental health during and post COVID-19.

I love leading the Office of the Child Advocate. I have a passion for and a commitment to making the world a safer, more just, more compassionate, and more accountable place for all people. I have been asked many times about the role of the OCA and whether I think we are making progress as a state and how we serve children. And I always answer yes, unequivocally. It wasn't that long ago that Connecticut like other states, warehoused people with intellectual and other developmental disabilities and institutions are the children who didn't have safety in their homes wound up in orphanages for years on end, for children with disabilities, if they went to school at all, are relegated to segregated classrooms exclusively, sometimes in the basements of our schools.

But appreciating that so much progress has been made, we must also proclaim that we have more work to do. During my time as a state child advocate the following are some of the concerns I have worked on -- the practice of lack of children with disabilities and seclusion rooms without access to appropriate services and supports, suicidal youth in custody or handcuffed or pepper sprayed with chemical agent, children with developmental disabilities whose inability to voice fear about abuse and neglect to authorities when they were at

risk of not being heard and held, and DCF need to continue to improve safety planning for abused and neglected infants and toddlers.

With all of these matters and others, the OCA investigates and reports bringing concerns to the attention of state and local officials for review and problem solving, and ultimately bringing the information recommendations for reform to the attention of this Legislature and the public. Over the past year, our communities and our families have been challenged in unprecedented ways due to the continuing crisis of COVID-19. And OCA has been working daily with families, community agencies, advocacy partners and state agencies to help children access the services and help that they need with the urgent concerns and unmet needs remain. We have an opportunity now to look clearly at the needs of our children and most vulnerable citizens and ensure we are rebuilding in ways that leave no child behind and that creates a foundation of health, housing and hope for all families, regardless of race, ethnicity, gender or disability.

Like many people here, I have not come to this work by accident. My path to becoming a child advocate started when I was just a kid, sometimes scared and alone. Like many children, I have advocated for over the years. My personal journey was fraught with some painful experiences. Because I grew up with loved ones who were challenged by acute mental illness. I saw with young eyes what institutions look like. And I have many images frozen in my mind forever, cinderblock rooms for families to visit in, an elderly woman slumped in the hallway of psychiatric hospital, a family member lying on a mat on the floor and by witnessing a young woman in distress, pushed and locked into an isolation room while she screamed and cried for help.

As a younger person, I left these encounters feeling powerless. I wished I was someone who had the

ability and the knowledge to help to say or do something. I grew up to profound admiration for my mother and my aunt, both fierce and loving, who I knew to be compassionate and tireless advocates for civil rights. My mother testified here in the Public Health Committee, only a short while before she died, advocating for the rights of institutionalized people at Connecticut Valley Hospital during the waiting forensic hearings.

Today I am blessed to be of service. Thanks to Governor Malloy and now Governor Lamont and this Legislature I can work for change. Today I am a lawyer, states child advocate, a wife, and a mother to three beautiful young children, one of whom is developmentally disabled, and dependent on the various systems I know where to improve. As I watched my family growing up firsthand the progress we have made for vulnerable children and the mile still left to go before I can sleep, I go to bed at night grateful for all the blessings in my home in my work, but still with a shadow of anxiety telling me how much work remains. The OCA and I as a child advocate or role players and march towards a world that truly values the inherent worth and dignity of all people.

I am so grateful to work with dedicated and compassionate staff members, as well as colleagues and advocates throughout the state. Leaving the Office of the Child Advocate, it's been a privilege of my adult working life. I'm deeply humbled by the opportunity to continue this important work and I respectfully ask for your consideration of my reappointment. Thank you.

SENATOR DUFF (25TH): Thank you, Sara, we appreciate it. And thank you for the work that you do over the -- since your last -- your first appointment as child advocate, it is very much appreciated. I saw a couple quick questions for you, though I'm sure your role as child advocate, we could spend hours

talking to you about what we all see as needs for children in our state.

Based on what you've seen over the last year with COVID, and the cracks in the system and how they've been exposed, can you talk a little bit about kind of how that may have either changed a little bit of the Office of Child Advocate or is -- what do you -- you know, how's that kind of moving -- how's that redirecting, maybe resources or what you're seeing or maybe new goals that you have? I mean, it's a big change for everybody and for your office is probably front and center?

SARAH HEALY EAGAN: And thank you, Senator. That's a great question. It has really changed a lot of the work that we do. The essential functions of the office are laid out in statute, so we have to meet those that is child fatality review and prevention and reporting, investigating conditions of confinement for incarcerated children and responding to complaints. Those are the essential functions of the office.

During COVID, we have had to -- while maintaining those essential functions -- redirect as much as we possibly can, to helping families we're calling the office whose children weren't in school or couldn't access essential services. And we worked a lot more -- pivoted a lot more to working with as many partners across the state, or helping families and children in need to see, you know, just to roll up our sleeves and see how we can make sure that children are able to access the most essential services during this pandemic.

It was really -- it has been at times really scary. I mean, you know, overnight, our -- you know, the state child welfare system was unable to visit with many, many children that, you know, that folks are calling about, you know, overnight schools were shut down. And so, we had deep concern about the impact

of these shutdowns which were necessitated by public health on our most vulnerable children, which are really our very youngest children, infants and toddlers, students with children with disabilities and people who are vulnerable for other reasons who we sort of count on their visibility in the community, to doctors, to daycare, to schools, to other relatives, to tell us how they're doing and when they need more safety and support.

So it was a big shift immediately to try to say, "How are we going to do this work -- critical work as a state, when all of a sudden everything looks different?" So that was one challenge, we continue to work on that. The other is, I think we are focusing even more than we ever have on the foundational inequities in our system -- you know we fund and support children's access to health care, to education, and to housing, the real basics, and that the lack thereof contributes to so many harms and challenges that our children have, wherever they are.

And I -- and I, and I'm really proud to work with folks around the state, looking at those issues. Because until we can offer children the access that they need to have meet their basic needs met, we -- you know that -- that's the foundation that all children have to have, regardless of their zip code, regardless of their gender, their race, their disability status. And you know what? We're not there yet. I mean, we're really not there yet on some of these aspects. So looking at some of those foundational inequities, in addition to fulfilling these central functions in the office has become I think, a high very high priority. Thank you for that question.

SENATOR DUFF (25TH): Right. We're not even close on some of them. And I appreciate that -- your comments. I was thinking that we'd hope -- you know, a year ago, everything got moved so quickly.

And at a public health concern, and everybody's I know, doing their best that they can, it'll be interesting to see in a generation, how the children now have responded to this pandemic, and what experiences they've come out from this, and how that affects or influences their lives when -- you can't even ask question about it because, you know, children run the -- you know, there's so ranges of whether it's disabilities or whether it's whether they're living now or their income bracket or, you know, race, a number of different issues. So, you know, I think that's one of the things probably the Office of Child Advocate would be looking at over the long term, as to how this is all impacting our children today, and what -- how that impacts them going forward, and how that's going to impact our society, I guess.

The -- another question I have for you is, you alluded to DCF. They speaking a lot about their -- virtual meetings that they're having. They've talked a number of us about that. And there has been some success there from being able to get people online, I guess, in a -- in a way that maybe an in-person meetings may not have happened, and trying their best to function as an agency, which is a critical agency for us here in the state during difficult time. What are your thoughts on DCF and their work, their role, how they've been able to pivot during this difficult time?

SARAH HEALY EAGAN: Thank you, Senator. I think that in many, many ways, DCF has done an exceptional job in maintain -- in maintaining the essential functions of the agency overnight, with literally almost overnight changes, I think they have been very transparent. I think they have been continuously reflective in -- from a data perspective. And I think they have been very nimble in making changes as they needed to. And they have very -- this administration of DCF is extremely communicative, with its state partners, and with our

office where there exists a natural institutional tension because we're an oversight agency.

That being said, the challenges are what they are, right? And, you know, DCF -- I'll give you an example of what I mean, you know, DCF you know, can leave a huge footprint in the community. So they had to immediately start triaging when they went and knocked on doors, using a risk -- a risk assessment tool, right? So people call the care line or the concern, they have to triage that. "Do we have to get out there today? Do we have to get out there tomorrow? Do we have to get out there in person? Can we do it virtually?"

So that's -- so they use that risk rubric, the best that they can to identify the calls that pertain to the most vulnerable at risk children. But that system is not -- you know, it's not foolproof. I mean, going out to people's homes isn't foolproof either, right? So it necessitates I think, a continuous really rigorous quality assurance framework for them throughout this pandemic to know, you know, are those risk triage is working? Are they getting out to the right homes quick enough? Are they responding to the children that need them the most? You know, the role of the OCA, we meet with DCF, I mean, multiple times a month, review their data about intake. You know, it's an -- it's a -- it's a moving target now. I think DCF was out in the community a bit more in the summer. And then with the resurgence of COVID, you know, retracted that footprint again in the late fall.

We also meet monthly should know, the Office of the Child Advocate with some partners facilitated a monthly meeting with DCF, Office of Early Childhood, child abuse pediatricians at CCMC and at Yale, and other partners around the state to talk specifically about the impact of COVID-19 shutdowns on our most at risk children from a child welfare perspective. That's infants and toddlers. And so in every

meeting, we talk about data, what's happening, what's going out there? What else can we do to keep our safety net as strong as it needs to be with all of the challenges that exist?

There's no perfect response. I give a lot of credit to DCF, for the work that they've been doing. But that does not mean that there aren't things that continue to need very close attention, and course corrections as needed. And that's part of the role that we play in our continuing conversations with them.

SENATOR DUFF (25TH): Great, appreciate it. And then where do you -- where do you feel the one lawsuit is heading with the metrics? And how is your office playing a role on that?

SARAH HEALY EAGAN: So the one lawsuit is -- I'm just smiling, because these are just the questions, I think about all the time, you're just hitting all of them. So one philosophy is gonna end, right? It may be the most seismic transformational event to hit Child Welfare in the State of Connecticut in 30 -- in 25 years, and it will end in this biennium. I feel all -- as certain as I can be without actually being the federal court judge.

SENATOR DUFF (25TH): You knew. So, you know, people ought to be watching this hearing, because, you know, you've just made front page news here.

SARAH HEALY EAGAN: Well, it is a -- it's gonna be a big deal. I mean, DCF, and the state has made enormous progress on what is now an almost 30-year old federal consent decree. It has it -- it has -- it has -- it has had a seismic effect on child welfare practice in the state. And it will likely end successfully for the state sometime in the next 24 months. And I would bet sooner rather than later. And I think that's a great credit to the

work that many people have done around the state, but it does bring new opportunity and challenges.

Meaning, for example, you know, the state has relied, in part, on the work of the federal court monitors office, and this set of outcome measures and the process for reviewing those measures, and the public reporting rubric that has existed for so long now. And that's going to go away. And, you know, so as the money that supports the work of the federal court monitor, which I think is somewhere around \$1 million dollars a year, that is paid for the state dollars. So there's an opportunity to anticipate that closure and the end of the case and redirect some of those dollars into rigorous outward-facing quality assurance by the state agency, right, because we've definitely -- I mean DCF has done a lot, a lot of good work in recent years and we definitely no one wants to see any slippage on those outcome measures. So what are the things that we need to do to ensure we don't have slippage?

I think a couple of things. One is maintaining the current -- the workload that DCF currently has -- the social worker workloads can be really, really important to pay attention to. Two is making sure we have a really strong quality assurance rubric. And three, making sure that information is public and transparent and able to be monitored.

The last thing I would say to that, Senator Duff, is I think there's an opportunity for the state to think about what -- the outcome measures are sort of rule DCF performance for so long. And I think without that there's an opportunity to say, "What is it that we want out of our child welfare system? You know, what does success look like for the Child Welfare Agency? What are the outcome measures that we, as policymakers, and the public think are the most important? And how do we hold ourselves

collectively responsible to get achieving those outcomes?"

We have some of that framework that exists on the Medicaid side, but the Mahopac, we have several bodies on criminal justice don't really have that type of a rubric for our child welfare system. And there may be an opportunity to create one going forward. I do think we'd probably will want that and need that, so that -- so that there's certain standing items that, from administration to administration, that we want, expect and are supporting our Child Welfare Agency to achieve.

SENATOR DUFF (25TH): Great, thank you very much. And how many -- how many staff you have, Sarah?

SARAH HEALY EAGAN: Seven full-time staff, including myself.

SENATOR DUFF (25TH): Okay, thank you. Thank you very much. Let's see. Representative Concepcion, do you have any questions yet? Are you all set?

REP. CONCEPCION (4TH): Just quickly. And thank you, Mr. Chair. And Miss Eagan, thank you for being here. Congratulations on your nomination. Thank you for all the work that you and your office do, especially after this year. And thank you for both your written and oral testimony, it's one of the most impactful testimonies that I've read in the last couple years that I've been here. So thank you very much for that.

My questions centered around COVID-related mental health, especially for obviously, for children. I have CCMC here in my district, and I've had extensive conversations with both the administration and physicians on how impactful this year has been for children. You touched on it a little bit, but just curious. What's your -- what's the office's relationship with institutions like, like CCMC?

And, you know, how do you work together to ensure that the health and safety of our children?

SARAH HEALY EAGAN: Well, thank you for that, Representative. So this is -- this is the topic of the day. I mean, there probably isn't any topic I'm talking about more and working on more than what you just raised, which is the crisis in children's mental health that COVID-19 has created. I mean, it is really -- it is alarming and it is astonishing. And it's an -- we really need all hands on deck.

And I -- just going back and forth with CCMC and their folks last night, asking for them for their most recent emergency room data, some of which I can share with you, which is that, you know, we're meeting -- OCA is meeting with state agency partners, advocacy partners, providers. We are certainly hear from families. We certainly hear from families. Not a week goes by that we're not hearing from a family whose child has been in E.D. and not gotten help that they needed. Not -- and not it -- not because of the E.D., the E.D. is not a treatment facility. But because they're getting discharged without access to the treatment that they need.

So that our numbers in the state right now are high. I have some of the Medicaid data just in the last couple of weeks, which is not included all the children that are covered by commercial insurance or other plans. But the Medicaid data alone from about -- it's maybe a week or so old -- tells us that on any given day, end of March -- February, beginning of March, that we achieved 30 and 45 children stuck in Connecticut emergency rooms, waiting care and treatment.

We have 29 children that were on the waitlist what's called hospital sub-acute level of care with no available beds. We have children waiting for inpatient, adolescent and psychiatric beds that

can't access them in a timely manner. And from our colleagues at CCMC, and I'm sure Representative you've heard this as well, they move to Universal suicide screening about -- I'm going to get the date wrong but somewhere late 2018, early 2019.

And for -- so any child aged 10 and up who comes into their emergency department -- any reason, you know, suspicion of appendicitis or sad, gets a suicide screen. And there, the percentage of children that have screen positive on those screens. have --

MAURA: Hi, Senator.

SENATOR SOMERS (18TH): Hi, Maura. How you doing?

MAURA: I'm hanging in there, how are you?

SENATOR SOMERS (18TH): I'm okay -- it's --

SENATOR DUFF (25TH): Senator Somers --

SENATOR SOMERS (18TH): I'm calling to see if you have any thoughts on this. So I have a constituent -- I have lined --

REP. VARGAS (6TH): Senator Somers, stop, we can --

SENATOR SOMERS (18TH): I did reach out to the Commissioner on this specific one. But --

SARAH HEALY EAGAN: There, okay. Sorry about that.

SENATOR DUFF (25TH): I'm sorry.

SARAH HEALY EAGAN: The percentages of kids testing positive --

SENATOR SOMERS (18TH): Trying to --

SARAH HEALY EAGAN: Screen.

SENATOR SOMERS (18TH): Secure the vaccine.

SENATOR KUSHNER (24TH): Senator --

SARAH HEALY EAGAN: Has continued to climb. It reaching a peak in November of 2020 of 24%. And 24% of children aged 10 and above entering the E.D. at CCMC were screening positive on the suicide screens. And that was at ASQ and then subsequently the Columbia for any kid that test positive. I mean, which is just an astonishing number, right?

And so, I think there are -- and there lots of implications for what we could and should be doing. Part of what I've been doing in my -- in my role as child advocate is working as fast as I can with partners like CCMC and others to develop a series of sort of urgent recommendations about what we can do to address this surge of mental health crisis, which a lot of experts think is actually going to get worse before it gets better. And we are bringing those recommendations, you know, to state partners at the -- at the DSS, DCF, the GOVERNOR'S OFFICE legislators on the Appropriations Committee, while working on sort of some of the state agency budgets, et cetera. Because I do think that there are things we're going to have to do to increase access to acute mental health care for these children.

REP. CONCEPCION (4TH): Thank you very much, and appreciate all the work your office is doing. Thank you, Mr. Chair.

SARAH HEALY EAGAN: Thank you.

SENATOR DUFF (25TH): Thank you, Representative. Mr. Chairman, Senator Looney.

SENATOR LOONEY (11TH): Thank you, Mr. Chairman. Good morning, Sarah.

SARAH HEALY EAGAN: Good morning.

SENATOR LOONEY (11TH): How are you?

SARAH HEALY EAGAN: I'm well. Thank you, Senator.

SENATOR LOONEY (11TH): Good, good. I want to congratulate you on the great work that you've been doing for years in this capacity. A couple of questions, I want to follow up a little bit on some of the issues raised by our Chairman, Senator Duff regarding DCF.

First of all, the challenge of maintaining management of their caseload during the pandemic, and I know I've talked to the commissioner about this, and you've talked about the efforts they've been making. My -- the concern that plagues me though, is how do you know what it is you don't know when you are in this situation, where the normal pattern of home visits and other ways of keeping attached can't necessarily be maintained?

Obviously, they've made a good faith effort to find other substitutes. But with so many kids now living in isolation, they're not in school, or they're in school on a sort of interrupted basis. Maybe they're in a school district that's been entirely virtual or hybrid. And I asked this the Commissioner recently. And what was the normal pattern of who were the primary recorders of abuse or suspected abuse? And she said, it would usually come from teachers, or guidance counselors, or school nurses.

And I said, where does it come from now? And she said, now, it comes from emergency departments and the police. So that's a very different universe of reporting. And it also points out the -- just the dangers of not having kids in school on a regular basis and being viewed by teachers, guidance counselors, and the -- and school nurses.

So just, you know, any thoughts -- any additional thoughts you might have on that process about how we can try to best compensate for the gaps that have inevitably occurred through, not as a criticism of DCF, but just the fact that the effectiveness of their operation depends upon regular contact with their caseload. And that just hasn't been possible in the last year the way it had been before.

In addition to that, the additional stressors that families and the -- and the children are experiencing during that time combined at the same time. So I just like to have you, if you would, give a little more expansive discussion about what DCF could be doing or what we, as the Legislature, should be doing to look at DCF and try to make sure that children aren't falling through the cracks in this time of crisis?

SARAH HEALY EAGAN: Yes. No, thank you, Senator Looney. A few -- a few thoughts. One is I -- in normal times, schools account for about 30% of the calls to the DCF care line school-aged children. So it's going to be public preschool through, you know, 17 years old. And that number plummeted, obviously that percentage plummeted during COVID.

One of the things I'm sure DCF would also say is that while schools make up a huge pool of calls to DCF, the number of those calls that, ultimately, lead to investigation, and then a substantiated finding of maltreatment is actually fairly low. Right? Because schools are calling because they have a concern, and they're right to meet that call, they have a concern. But it doesn't always mean the root cause of the concern is child abuse or neglect, right?

And part of the role DCF, ultimately, plays in responding those concerns in normal times is identifying what the problems are and trying to

connect with family wherever possible, to the community-based supports that can ameliorate those concerns. So the opportunity for that type of notification and prevention has been dramatically curtailed during COVID because as you point out, children are less visible. And I do think that that's extremely important, but I would just put that in sort of one bucket.

The second bucket is, you know, part of what I was saying in response to Senator Duff, which is, who are the children who are most -- I mean, in fact, the triage -- my concerns. Number one is going to be who are the children who are most at risk for as -- for the worst outcomes? And that's almost always children under the age of four, who are not school age, right? So that's gonna be infants, infants and toddlers.

From a critical injury perspective and a fatality perspective, those are almost pre-COVID, during COVID, post COVID, those are the children who are most at risk for the worst outcomes, always. So you know, 85% of maltreatment fatalities are children under the age of four. Almost 100% of per -- or actually rephrase it. The largest cohort of children that die for preventable reasons in the State of Connecticut are typically children under 12 months of age, often children under six months of age.

So that's part of why when COVID began, we created this ad hoc working group with DCF, Office of Early Childhood, child abuse experts and the child abuse pediatricians at Yale and CCMC because that was the population, we're most worried about. And in addition to the closure of schools, the closures of daycare, largely, the -- everything went virtual for infants and toddlers, right? Even primary care to a large extent.

So I think, you know, in answer to your question, I think there's sort of multiple components we can be thinking about to increase and sort of re-strengthen that safety net for those children. You know, one is making sure that DCF's, you know, risk assessment and -- risk and safety assessment triage process right now is placing enough weight on age so that they are getting out to -- if they have -- if they're -- if they're determining where they're going to -- what homes are going to go out to, we would recommend that they are placing the most weight on moderate and higher risk cases where there's children under the age of three in the hall, so that's one of the themes, you know, we talked about with DCF. How are they and the partners that they work with, you know, managing risk for our youngest children? And so, you know, so that's a wonderful area.

You know, two is constantly talking with DCF and others about the critical incident data, who's coming to their attention? How will we both prevent and respond to the needs of infants?

Three is -- and this is where I think it's not just DCF, right? It's how do we get back to more engagement and in-person service delivery for these very young children, right?

And so, a couple of things that I think have happened lately that are really important is prioritizing vaccinations for child care providers has happened. So that's one thing that I think opens up more childcare opportunities and increases the visibility of infants and toddlers.

Two, is reconnecting families with in-person home visiting is going to be really important. That's a key prevention service for new parents. Re-engaging infants and toddlers with primary care, it -- is going to be extremely important.

So I mean, I know I'm a little -- I'm a little bit all over play -- all over the place in response to your question, which is extremely important. But other than sort of getting children to be more visible and making sure that DCF is continuously rigorously evaluating its risk tools to ensure that they're getting to as many infants as they can, there's no sort of panacea for the challenges that you've identified.

SENATOR LOONEY (11TH): Right. And that -- do you have to know whether or not there was any DCF involvement in this with the family that terrible case of recently of the mother who allegedly strangled her four-year-old son? You know, if there's any -- was any private -- DCF contact there?

SARAH HEALY EAGAN: So that is a case that -- that is a tragedy, of course. It just happened. And so, our office --

SENATOR LOONEY (11TH): Yes.

SARAH HEALY EAGAN: Has just begun a review there. And we will be looking very closely at any state agency involvement that has occurred. I can say that the family had not had -- had not had a recent open case with DCF that I can share with you.

SENATOR LOONEY (11TH): Okay. And just that -- one other question, you mentioned the 1F oversight and that your confidence that it might end in this biennium. Would like to ask you about why you're confident that that's likely to happen because there were a couple of times in the past where that we appear to be close. There was the incident a few years ago where the priority C.F. Commissioner had negotiated a -- an agreement, but it sort of fell apart. If you recall at the time when then Attorney General Jefferson said that he -- his office really couldn't vouch for the particulars of it because they had not been involved in the negotiation of it

had been done through DCF directly and their own counseling by the Commissioner. But without A.G.'s imprimatur and then once the Legislature heard that, they weren't going to receive anything that was not endorsed by the attorney general, so that sort of fell apart. So can you tell me why you think now we're actually getting close to the finish line on resolving this?

SARAH HEALY EAGAN: Yes. Thank you, Senator. I hope I wasn't overconfident or speaking out of turn, but I thought was a fair question. I want to give you my best answer.

So the answer to that is that we meet regularly with all the -- with players involved in that -- you know, we meet -- I -- my office -- I meet regularly with Ray Mancuso, the Federal Court Monitor, and others and talk about the progress towards the outcome measures just from a data perspective. They're very close.

And so, the feedback has been that -- the feedback from the players close to the lawsuit has been that they think the state will achieve compliance soon. And, you know, and I under -- I deeply appreciate the complications that your question references, you know, from a few years back --

SENATOR LOONEY (11TH): Yeah.

SARAH HEALY EAGAN: Where the deal had to do a sort of budget protection in -- for DCF. And that got tricky from, you know, a governmental perspective. But that's not my understanding now, that that kind of complicating factor would be in the works. And it's really just about the monitor's review of outcome measures and the significant progress the state has made towards near achievement.

SENATOR LOONEY (11TH): Right. I think you're right. That was the one -- the key elements of that

was that the agreement was going to bind the Legislature to a certain level of funding for DCF, regardless of what the state's overall fiscal picture was, and to give that priority over every other thing in the budget, which was just -- was not seen by the Legislature as a reasonable resolution, in order to achieve a settlement at that time. But if you're saying now that the oversight might end, by actual sign off on degree of compliance, rather than on a special budget deal, that does make it a lot more promising.

SARAH HEALY EAGAN: I think so. I mean, this is what folks are sharing with me. And so, I'm happy to share that information with you all.

SENATOR LOONEY (11TH): Good, good.

SARAH HEALY EAGAN: Because I think it's important to know. And as I said, it has significant and important policy implications going forward.

SENATOR LOONEY (11TH): Right. Very good. Well, thank you very much. And that is, potentially, very good news.

SARAH HEALY EAGAN: Thank you.

SENATOR DUFF (25TH): Thank you, Senator Looney. Let's Representative Yaccarino, followed by Representative Vargas.

SENATOR LOONEY (11TH): Thank you, Mr. Chair. And thank you for your willingness to step up and serve your child advocate. You mentioned DCF, and I think they have a critical role right now over the last year for children and families. I -- and you mentioned about them going into homes. I spoke to many DCF workers over the last two months -- two and a half months, that are in homecare workers that are going to hospitals, but they've yet to get their vaccination.

I've reached out to the Governor's office; I've reached out to the Union. The Governor's office that respond to me, but they were in line. But the Union has never responded to me. And I think it's tragic that these men and women that go to homes every day or go to hospitals have not received a vaccine. And I wasn't going to mention it until you mentioned, you know, their critical work and not having their vaccine yet. So I don't know if you have any response to that, but I --

SARAH HEALY EAGAN: No.

SENATOR LOONEY (11TH): They still are not in line for the vaccine.

SARAH HEALY EAGAN: I appreciate the comment, Representative, because they are doing very essential crisis work.

SENATOR LOONEY (11TH): Yeah.

SARAH HEALY EAGAN: And, of course, you know, any work -- any workforce cohort doing that has anxiety and concern about their own health or children's health. And so, I can appreciate the concerns that you're raising and any anxiety that folks in the DCF workforce may feel. I have had many conversations with DCF leadership and other agencies about, you know, vaccination schedules for their workforce. I appreciate -- I -- one role I do not play as public health expert on epidemiology. And so, I don't have the answers for --

SENATOR LOONEY (11TH): No, I know I just -- and I appreciate that. I really truly appreciate. You have such a critical role. I feel so sorry for children, or anybody right now, especially the last year, which is tragic. But I'm just shocked that these men and women that serve every day, it -- they're essential workers, they go into homes, they

go into hospitals, they're taking care of our most vulnerable.

And I can't get a straight answer. I've not gotten a straight answer since I think early January, late December. And they -- the Union reps never called me back. I just wanted to know what's going on. And I -- and they want to know. Yeah. And I -- and I just -- I'm just -- I was shocked to be honest with you. I was sort of surprised because, you know, hospital workers they should get their vaccinations. People are working in then swabs should get the vaccinations. But DCF workers are essential workers. If they're in-home workers, they should have got their vaccination. And I'm just -- I appreciate what you said and what you do. And I thank God for people like you, but --

SARAH HEALY EAGAN: Appreciate the concerns you've raised, Representative. And they -- I absolutely agree that the -- that those frontline folks from DCF have a -- have a challenging job without a global pandemic.

SENATOR LOONEY (11TH): They really do.

SARAH HEALY EAGAN: And they are essential workers, there's no question about it.

SENATOR LOONEY (11TH): Thank you for your indulgence and for you do. And thank you, Mr. Chair.

SARAH HEALY EAGAN: Thank you.

SENATOR DUFF (25TH): Thank you, Representative Yaccarino. Appreciate it. Representative Vargas.

REP. VARGAS (6TH): Thank you, Mr. Chair. First, I want to congratulate the Child Advocate on her reappointment. I think that she's been doing a great job. My concerns are a little different. For

the first time, in my lifetime, we're seeing a massive infusion of federal funds into our communities. President Biden's \$1.9 trillion dollars is unprecedented as far as I can remember. And it will have an impact on every state municipality, agency, nonprofit.

And if you pardon that analogy, when a big wave is coming, good surfers are always out there with their surfboard waxing it and getting ready so that they can make the most and ride that wave is coming. One of the fears many of us have is that this money will come in and it will catch people unprepared, and a lot of it will go to waste, and won't have the impact it can have.

Now President Biden estimates that half of the children living in poverty will no longer live in poverty. This is going to be a massive amount of money helping our Medicare progress -- Medicaid programs. Do you feel that DCF and the child welfare agencies are doing the best they can to prepare for this -- for this -- to make sure they maximize the revenues that maybe companies -- so as far as I know, that's what we hear out for about two years and who knows when we'll see something like this again? Any comments?

SARAH HEALY EAGAN: Yes, Representative Vargas, thank you. This is exactly what I was thinking about this morning with -- and reading about with my morning coffee, right, is this. And I was looking up, you know, just reading all the state articles about the money and thinking about the exact same things that you're raising, which is tremendous opportunity, complicated to figure out how to use the dollars the best way. I was actually thinking about a lot in the context of our schools this morning, and also about the money to sort of reduce child poverty, right?

And the money is -- the money is an amazing opportunity. I don't know, without a sustainability to some of it. I don't know that it's transformational, right? Because I'm just raising exactly what I was thinking about this morning. And, lately, because some of the benefits, as you talked about are time limited.

And so, what happened, so you're looking at these huge infusions of dollars to, I think, 300 and like -- hundreds of millions of dollars to some of our school systems, but it has to be used, right, right away. And so, you know, it's so -- they're huge implications for workforce development, the kinds of supports. And I think, you know, a great opportunity to do short and medium-term improvements to help children's mental health, to help with engagement during and sort of immediately following the global pandemic. So lots of very concrete things that I think can and should be done with the money.

I think the big -- so there's two big question marks in my view is one is, how quickly can our -- can our local and state agencies be prepared to use the money as efficiently and effectively as possible? And then the second big question is, what happens next? You know what happens in 2023 and 2024?

And if paraprofessionals and social workers are hired in our school system with some of that money, how do we sustain that? And then we say, "Wow, this is working great. This is great." You know, kids have people to talk to children, teachers have crisis support, then they're what? Right? So I don't have the answer to all of those questions.

I can give you one example of something we're working on, which is we've been recommending to lots of folks that, you know, some of the federal education stimulus dollars be specifically earmarked for -- or to help local school districts strengthen,

if they already have them, or create partnerships with their community-based agencies that can help with engagement, case management, care coordination for higher need children and their families.

New Haven is an example of a community that, I think, has very strong partnerships between the school system and Clifford Beers. Hartford public schools has good partnerships with The Village for Children and Families and some others. Some districts don't have any partnerships with their community-based partners and may not even know who some of those community partners are.

So I think over the next year, that -- there's a big opportunity to change that and help districts, you know, identify those partners, make those connections and support those partnerships, while the state -- STE, I would hope in partnership and in consultation with DSS, DCF, and the community provider agencies, giving blueprints to school districts about sustainability, i.e. how to use Medicaid and other health care dollars, and maybe state grant dollars over time to sustain partnerships that are cost-effective beneficial to children. That's sort of one example of where I think we can use the infusion of federal dollars to do some of the work that we know has been effective and pockets in Connecticut, scale it up while simultaneously creating a sustainability plan for when the federal money goes away.

REP. VARGAS (6TH): One of the interpretations about this time limited -- this time limited funds -- and I'm hoping that that is the interpretation that the Federal Government ultimately settles on -- is that as long as contracts are entered into -- and committed to, even if they are -- exceeded the two-year period, even if they're a five, six, seven period, that once those contracts turn to kind of money is committed, that it will be considered as an expenditure within the guidelines of the program.

I'm hoping that, that is the ultimate interpretation that prevails, so that that money can be spread over a longer period of time.

SARAH HEALY EAGAN: Yeah, I hear that and I agree with that. And -- but I agree with you that there remains some question marks. And I think on the -- on the most urgent level, we have to be -- we have to be ready to use the money right now, right, in the most effective ways. I don't -- I have some ideas. I don't have all the ideas.

REP. VARGAS (6TH): Well, that's exactly what I was thinking of that. We all need to put our thinking caps for that rating is part of it, because it -- they were caught flat footed, it could be massive boondoggle of money. misspent. But, anyway, appreciate your response --

SARAH HEALY EAGAN: Yeah.

REP. VARGAS (6TH): And the fact that you've been giving these some serious consideration. And I want to congratulate you, again, and thank you for your response. And thank you, Mr. Chair.

SARAH HEALY EAGAN: Thank you. If I can make one more comment, in response to Representative Vargas, and something we've been talking to legislators about as well, it -- and, again, thinking about that zero to five population. You know Connecticut typically averages about 36,000 births a year, which is a lot of babies born during a global pandemic now that we're a year in. And a significant percentage of those children are -- live in families that are lower income or Medicaid-dependent, right?

And so, you know, I am a big believer. And if we have a strong infant, early childhood support system, you will change the world for children and families. And so, I'd also would suggest that there are opportunities here to look at some of the

programs, the DCF, DSS and the Office of Early Childhood fund for pregnant women and caregivers with very young children, and scale up those kinds of supports.

For example, I would look to see if federal dollars could be used to immediately scale up home visiting, so that all babies born in the State of Connecticut can receive home visits. And looking at that zero to five continuum from a Medicaid DCF and often early childhood perspective, and guide state dollars into those types of interventions. I would -- I would absolutely recommend that as well. Because those are lower cost, highly effective with even if -- home visiting is a time-limited service anyway. But it has been shown to have lasting developmental benefits for children and families.

REP. VARGAS (6TH): Well, thank you for putting your thinking cap on. And, you know, I wish you a lot of luck on that. And we'll be doing our part at the Legislature to make sure that we're in touch with our federal delegation, and we let them know what we think should be done with those federal dollars. And -- because I truly believe they should be extended out beyond on the two-year. And that'll be the message I'll be giving my Congressman John Larson here in the greater Hartford area and for our two U.S. senators, Blumenthal and Murphy. Because now that we have a Democrat in the White House, they should be able to have the presidency on these issues. But thank you very much once again. And thank you, Mr. Chair.

SARAH HEALY EAGAN: Thank you.

SENATOR DUFF (25TH): Thank you, Representative. I don't see any other hands up. Are there any other questions by Members of the Committee? Any other questions by Members of the Committee? Okay, if not, Sarah, there -- the one question. Is there anything in your past that you believe might prove

embarrassing to this Committee to the Governor or the State of Connecticut?

SARAH HEALY EAGAN: No, sir.

SENATOR DUFF (25TH): All right. Thank you very much. Have a great day.

SARAH HEALY EAGAN: Thank you. very much. Thank you.

SENATOR DUFF (25TH): Thank you for your time. Okay, next, we have Senate resolution joint resolution confirming Andrea B. Dennis-Lavigne of Simsbury to be a member of the Board of Directors for the University of Connecticut. Did I pronounce your name correctly?

ANDREA DENNIS-LAVIGNE: I'm very impressed. Lavigne is the last name. Thank you, and hyphenated on top of that. Good morning.

SENATOR DUFF (25TH): Thank you. Good morning so much. Thanks for your patience and waiting while we get through the other nominations. Would you raise your right hand please? You promise, swear, affirm to tell us the truth, the whole truth and nothing but the truth?

ANDREA DENNIS-LAVIGNE: I do.

SENATOR DUFF (25TH): Great. Thank you so much. Feel free to have your opening now. We'll have some questions.

ANDREA DENNIS-LAVIGNE: Thank you. I am at work. So you may hear a dog barking or two, but we're going to try to keep it as quiet as possible. But good morning Senator Duff and Representative Concepcion, congratulations to you, Senator Looney, Representative Quinn, Senator Kelly, and Representative Kennedy and, of course, the

Distinguished Members of the Executive and Legislative Nominations Committee. If I may, I'd like to start with my opening statement. As was just mentioned, and my name is Andrea Dennis-Lavigne. And it's truly an honor and a privilege to stand before you as a trustee of the University of Connecticut. And I'm honored to be re-nominated by Governor Lamont for this role.

I am a Hartford native practicing veterinary medicine in the town of Bloomfield. My husband, Randy Lavigne and I are proud alumni of the University of Connecticut. Randy is a former all-American and Captain of both the basketball and baseball teams. We have one child His name is Justin, and he received a Digital Media and Design Degree from the University in 2019.

I actually received my doctorate from Tuskegee University, a well-known historical black college in Alabama. My residency took place in the University of California at Davis. And my time in academia actually continued as an associate professor in large animal Medicine and surgery at Ross University, which is on the island of St. Kitts. And then I returned back to our beloved state and started career in private practice.

Professionally, I am Founder and Owner of the Bloomfield Animal Hospital. I also host a radio talk show on WTIC 1080 is called Pep Talk. And for almost two decades, it's given me an opportunity to reach out to the public, some that cannot necessarily afford veterinary care but try to do the best for their pets. And I've done that for, mainly, on Saturdays but like tomorrow I'll be on -- I'll be on a show again, just trying to provide the best information that we can. And during this time of COVID, as you know, pets have become much more important to people's lives than ever before. WFSB, Better Connecticut is my television home, where I

also continue to demonstrate the proper care of one's pets.

Now as a concerned veterinarian, I have been a long standing member of the Government Relations Committee for the Connecticut Veterinary Medical Association. I've also served as their past President. And many of you on this Committee I have met with or spoken with or testified about important veterinary issues.

My community outreach has been an important part of my life. And that includes volunteering for Connecticut Habitat for Humanity. And I really think it's been important to counsel and mentor young students, you know, from middle school, junior high, especially students from underrepresented groups. And I also have hired and trained several UConn students that have gone on to earn post-graduate degrees. And as a family, we have made significant donations to the university, in support of students' scholarships, and of course, their athletics program as well.

I actually began my volunteer work at UConn back in the early 90s at a time when I was still paying off my student loans. And my mother always told me it was important to give back. And as you know, when you're paying your student loans, you can't give back financially, but I felt it was important to give back with my time. And I served for several years on that Board, was President for '97 to '99.

And then that progressed to running for the alumni trustee. So I served as the Alumni Trustee, which is an elected position from 2003 to 2011. And eight years ago, this Committee approved my nomination to serve on the Board of Trustees. Some of you remember we were here last year, but COVID kind of shut us down a little bit, so we're back up for the renomination.

My written testimony in front of you list the different Committees that I worked on over the years. But there's a couple of things I'd like to highlight. First, 20 years ago, I started a Committee on the -- on the University Campus for Diversity and Opportunity. And just last year, our Trustee Board members, we actually started and established a standing Committee on diversity, equity inclusion, which I'm very proud to chair. I also feel that it's important, again, now that I can financially give back, there's an adult scholarship in my name for advancing diversity, and helping several HUSKY's matriculate. Currently I am the Chair of the Board's Institutional Advancement Committee. And what means the most to me right now is that my fellow board members have elected me to be Secretary of the Board. And I also serve as Vice Chair, in the absence of the chairperson.

I believe my long proud association with UConn, as well as my experience in the business community and my volunteer work have a pair -- prepare me to accept this honor and to continue to serve on the Board. I'm willing to commit the time. Anyone that knows me is that knows that I work very hard in what I believe in. And my reason for giving back in this manner is that it reflects my gratitude to the state and to the university that has given me a quality of life I'll never take for granted. I am one of the lucky individuals that enjoys going to work every day. I and -- my career has meant a great deal to me. And, again, if it wasn't for the college education -- the affordable college education I was able to receive at UConn, this would not happen. It would be an honor continue to serve. And I sincerely thank you for your time and consideration. Thank you very much.

SENATOR DUFF (25TH): And thank you, Dr. Dennis-Lavigne. We appreciate and we love enthusiastic UConn alumna, and those who are willing to give back to our flagship university, so thank you for that.

I appreciate it very much. I'm sure Members of the Committee do as well. I just like to ask you, and you really are doing a wonderful job being involved. And as you indicated in your testimony, you have immersed yourself for sure in the Board in lots of different ways, and that is appreciated.

You just talk a little bit about the branches of UConn and how that's supported through the kind of -- through the organization. You know, we think of stores quite a bit because that's where the main campuses and though, I believe, Stanford is probably the fastest growing piece of UConn right now, but there's other components to UConn as well. And just kind of explain how that's all fitting together to kind of create a -- an institution that is so well-known around the country.

ANDREA DENNIS-LAVIGNE: Well, as we -- the Board of Trustees ever since I've been a part of this Board, it -- the -- our brand branches -- our other campuses around the state, that continue to be very important. I think, I've seen some of you when we opened up the groundbreaking for the Hartford campus. And actually even I'm talking about right now, I just -- I get chills. This -- what we are doing in Hartford has just been incredible when [inaudible] prior to COVID, if you just walked in to that campus, you could just see how the interaction between the students, the fact that students can -- go to college by taking public transportation to get to school.

And talking to many of those students, it has -- it is just as important as our store's campus. And we have talked -- this -- and I mentioned I did serve as Chair of Academic Affairs. And we always made sure that when we were talking about stores, and some of the changes and some of the additions to the store's campus, what will we also doing on the Hartford campus, Avery Point campus, et cetera.

Now I was in a situation to where we -- and I remember going to visit the Campus of Tointon. And as many of you know, that was a very painful decision when we had to, actually, close that campus. Every student was taken care of at the Waterbury branch or -- cutting a couple of -- most went to Stanford. But it was something that we needed to make sure -- it was just too draining. Even though it was an important area, it was just too draining financially.

So we make sure that it is all one family, everyone is treated equally. And what's also nice -- and my son went to the West Hartford Campus, prior to going into stores. And it was ideal for him, wasn't one of these individuals that wasn't quite ready to be on campus in stores. But yet, it was just a nice feeder system. And he excelled tremendously at the -- on -- in the digital department. Does that answer what I'm -- what you're asking?

SENATOR DUFF (25TH): No, absolutely. I appreciate it. And, you know, the -- I think each branch has their own strengths that are --

ANDREA DENNIS-LAVIGNE: Oh, yeah.

SENATOR DUFF (25TH): Elusive to themselves. And I look at Stanford and how that has just grown so much. And with the now residence halls that they have, and they probably need more than Hartford opened up a few years ago in their great fanfare in that, you know, was really just so excellent. I know, where my wife and I are at that age now, where we know lots of our friends' kids who were UConn up in stores right now and doing very, very well. So that's been great for them.

And, you know, so I just think there's, you know, UConn has that ability. And it really is -- it's changed so much over the years. And we all -- we all joke now that if we had to apply, we know.

ANDREA DENNIS-LAVIGNE: Right. I'm one of those too.

SENATOR DUFF (25TH): Much harder now to get in. But, anyway, thank you. That's all the questions I had. Representative Concepcion, do you have any questions at all?

REP. CONCEPCION (4TH): No questions, because my question was really centered around yours about the campuses in and around the state. But I did have a couple comments. Miss Lavigne, good -- congratulations. Great to see you.

ANDREA DENNIS-LAVIGNE: Thank you.

REP. CONCEPCION (4TH): You and I briefly met, I think, it was in 2019.

ANDREA DENNIS-LAVIGNE: Yes, pre-COVID and had a great conversation about the university. So thank you for all you do. As a -- as a fellow HUSKY, I tend to follow the administration and the leaders of the university. And I've talked to several individuals about specifically about you and they have the just the nicest things to say about you and your hard work for the university, including our Esteemed Speaker of the House who just raves about you. So thank you for what you do.

And the only other comment I would make is just emphasize what you spoke about the Hartford campus. The campus sits in my district, and it has been absolutely transformative in that particular area.

REP. CONCEPCION (4TH): Yeah. So, I want to thank you personally and the Yukon trustees for seeing that vision on what an urban campus can potentially look like and the relationship you guys have with the Hartford Public Library, the Wadsworth, and all the assets we have in downtown is something that

should be mirrored throughout the country. So thank you for all you do. And congratulations on your nomination.

ANDREA DENNIS-LAVIGNE: Thank you very much. And I think we're so proud of the leadership that we have on that Hartford campus, all our campuses, but that Harvard campus again, it was something so unique. And then those of us that grew up in Hartford, to see that Harvard times building come alive again. That's just incredible.

So, again, I thank you for all the support to make sure that happened. And we will continue to make sure that every student that wants to and is qualified to attend the University of Connecticut may do so, whether it's on the store's campus, or at one of our other campuses.

REP. CONCEPCION (4TH): Thank you. Thank you very much. Thank you, Mr. Speaker, or Mr. Chair.

SENATOR DUFF (25TH): Thank you, Senator Looney.

SENATOR LOONEY (11TH): Thank you, Miss. Can you hear me? My --

SENATOR DUFF (25TH): We can hear you.

ANDREA DENNIS-LAVIGNE: We got you, Senator Looney. We got you.

SENATOR LOONEY (11TH): Good, okay. Good, thank you. Thank you. Dr. Dennis-Lavigne, congratulations to you on -- and thank you for all of your lengthy service to the state and to the university and all that you've done as an advocate for word of promoter and supporter of UConn throughout the years in so many, so many ways. It's people like you that have helped make it the great university, that it's become, I think, over the last

25 years, in particular, since we started with the UConn 2000 renovation program --

ANDREA DENNIS-LAVIGNE: Okay.

SENATOR LOONEY (11TH): The infrastructure program that started there in the late -- the late 90s. And I want to thank you for all of your work during that time. So my first question for you is just how great is Paige Becker's?

ANDREA DENNIS-LAVIGNE: I can't believe it. Her body control is incredible even, you know, my husband played a little ball and he can't we just so thoroughly enjoy her. She's special

SENATOR LOONEY (11TH): I know she really is phenomenal.

ANDREA DENNIS-LAVIGNE: Yep.

SENATOR LOONEY (11TH): The end of -- the second question that deals with athletics, although it we -- it seems that from year to year, the UConn athletic deficit is one of the largest in the -- in Division One sports and that continues to be a problem. Is there -- is the Board developing a plan to deal with that? obviously, it's tied into to the football situation and the --

ANDREA DENNIS-LAVIGNE: It is.

REP. CONCEPCION (4TH): The inability to get into a -- you know that when the conference realignment happened that the musical chairs that we're playing sort of left UConn at some at some disadvantage and an out trying to play as an independent. And I think we all got a bit of a rude awakening at that time about the economics of big time college sports when we as prominent basketball programs and found out that it was really football that drove --

ANDREA DENNIS-LAVIGNE: Right.

REP. CONCEPCION (4TH): The mix of major sports at that time. And then if you weren't major in football, economically, it didn't matter really all that much how good your basketball program was, and your other sports is that football drove everything else and the major successful football programs we see subsidize all of the other athletic programs at the universities where football is king. So how is UConn going to continue to deal with that because it is -- it is a severe problem to have that large of an athletic deficit every single year?

ANDREA DENNIS-LAVIGNE: It is in this past year, or, I guess, going back into 2020, this last couple of years of kind of blending in. We had to make some significant cuts and significant sports programs that had to be -- that were eliminated. And that was quite painful. That's part of the -- part of the solution. Kevin O'Connor was also going to be his up -- I believe right after myself. He actually represents the Athletics Advisory Group from the Board of Trustees. So you might be able to answer this a little bit more specifically.

But I know I've had several conversations with our Athletic Director, David Benedict, and, again, do -- trying to do what's the best for the University of Connecticut and what's best financially. There is no doubt on my -- in my opinion that moving us to the biggies was something that we had to do and what -- was the right thing to do. Again, evaluating our football program, it -- he's done an incredible job and we had several teams lined up this year to help financially because of going to the other big college schools, in terms of playing with them, that those financial dollars coming in.

So that if we're going to get -- I can't believe it's -- remember if it's \$1.4 million dollars, \$1.7 million dollars by going to play at Michigan going

to play at Ohio State. These are ways that we're trying to -- that adds up to millions of dollars. But those are ways of --

SENATOR LOONEY (11TH): Yeah.

ANDREA DENNIS-LAVIGNE: Trying to help supplement that the athletic program. But there are ongoing discussions. We don't have a conclusion at this point. But we understand -- we understand what that position is and we need to continue to look at this.

SENATOR LOONEY (11TH): Great, good. Well, thank you very much. And then just one other question. I know that the UConn's undergraduate programs have certainly gained international recognition over the last 20 something years, as we've said in the -- in the annual rankings have put UConn among the upper ranks of public major universities. What's your percent --?

ANDREA DENNIS-LAVIGNE: I'm sorry, you -- you've -- question, how are the UConn in the same -- in the same time period? Mayor, I -- part of your sentence blocked out. I -- we're still in the top 25. Is that what you're asking?

SENATOR LOONEY (11TH): Yes, yes.

ANDREA DENNIS-LAVIGNE: Yeah, we still are.

SENATOR LOONEY (11TH): Yeah. Ask you -- I ask you about the -- how do you -- how do you power the UConn graduate school and professional school programs doing currently?

ANDREA DENNIS-LAVIGNE: They're doing very well. And, again, with some another area that we're very proud of. The other thing that -- you know we've talked about entrepreneurship, and we have the with Werth Institute entrepreneurship.

SENATOR LOONEY (11TH): Yes, yes.

ANDREA DENNIS-LAVIGNE: And it's just -- I know Peter worked very well. And I know how much he believes in his donation has been instrumental. But that's an area that is throwing an entrepreneurial aspect of things. And it's just ideal that we go ahead and continue with this Werth Institute.

We have gone to -- I think we use -- when we spread the Princeton rating, I think we're at 46. And this is for a brand news -- new program. So all of these programs, we are very proud and we're doing quite well.

SENATOR LOONEY (11TH): Good. Well, thank you very much. And again, thank you so much for your service and your willingness to continue.

ANDREA DENNIS-LAVIGNE: Thank you.

SENATOR DUFF (25TH): Thanks, Senator Looney, Any other questions for Members of the Committee? Any other questions? Okay. My only -- I have two questions, one of which is, you know, it'd be It'd be great if you could send us all little Husky truck ice cream.

ANDREA DENNIS-LAVIGNE: I went up -- you can still do curbside pickup. I will tell you that. I did that on Saturday, I believe.

SENATOR DUFF (25TH): And then, just the last question that we have, that we ask everybody. Is there anything in your past you believe might prove embarrassing to this community, the Governor, or the State of Connecticut?

ANDREA DENNIS-LAVIGNE: No, no, not at all. Senator. All right. Thank you go Huskies. We appreciate that. Go Husky.

SENATOR DUFF (25TH): Thank you so much.

ANDREA DENNIS-LAVIGNE: Thank you very much.

SENATOR DUFF (25TH): Okay, next is a resolution confirming Kevin O'Connor of Greenwich to be a Member of the Board of Directors for the University of Connecticut. Is Kevin on?

KEVIN O'CONNOR: I am here. Yes, thank you.

SENATOR DUFF (25TH): Good. Hi, how are you? Okay, would you please raise your right hand?

KEVIN O'CONNOR: Right.

SENATOR DUFF (25TH): Do you promise swear, affirm the tell the truth, the whole truth and nothing but the truth?

KEVIN O'CONNOR: I do.

SENATOR DUFF (25TH): Great. Thank you. Feel free to make your opening statement? Then we'll ask some questions.

KEVIN O'CONNOR: Great. Good morning, Senator Duff, Representative Concepcion, Senator Kelly, Representative Kennedy, Senator Looney, Senator Somers, and I know many other Distinguished Members of the Executive Legislative Nomination Committee. I'll be brief because you've been at this for a while. But it is a pleasure to appear before you today. Like Andrea I was -- I appeared last year but because of the COVID situation we did not proceed through the full process but nevertheless, it's good to be back here again. I was originally appointed to UConn board by Governor Malloy back in 2018 and have been reappointed, I guess, twice by Governor Lamont because of the confirmation process referred to.

Like Andrea, I'm a lifelong Connecticut resident, proud graduate of the School of Law, not the undergraduate, where I earned my J.D. in 1992. I've been a lawyer my entire professional career, having gone to UConn Law School right after graduation from college, and have held various roles in both the public and private sector, including most recently as Chief Legal Officer of Carrier Corporation, a role I assumed last year. Prior to that, I had been the Chief Legal officer at Point72, an Asset Management Firm based in Stamford. And prior to that, I had been at United Technologies, as well as at a Connecticut law firm for many years.

In my legal roles in the private sector, I worked at both the U.S. Securities and Exchange Commission in Washington D.C., and then had the pleasure to serve for over six years as United States Attorney for Connecticut, as well as in a few roles that what we then called and still call Maine Justice in Washington D.C. But I am a lifelong resident of Connecticut, born and raised in West Hartford.

I've maintained very close ties with UConn Law School since my graduation, having taught classes there and appeared numerous times on panels and other legal discussions. I've also gone to great lengths to hire UConn law grads and many of the various roles that I've held in my career either as summer interns, full time lawyers, paralegals, whatever the needs for the various organizations with when -- within in which I worked.

Most recently, my wife and I endowed a scholarship at UConn Law School that will allow UConn students who have an interest in serving in the United States Attorney's office where I once served to do so with a stipend because the U.S. government, no surprise to all of you, a few does it typically compensate lawyers who choose to spend their summer working as interns in the U.S. Attorney's Office, as opposed to interning in a corporation or a private law firm.

I do, as Andrea said, currently serve on the Board's Committee on athletics, which I chair although full disclosure told me about Committee, it's really more of a liaison role. It's not a formal Committee with members. I was asked by then Chairman Ritter and again by Chairman Toscano to serve as, essentially, the Board's liaison to the athletic department. I also serve on the Financial Affairs Committee.

As I said, in my beginning, it's been a great pleasure to serve on the UConn board. Like Andrea, I view UConn is a great asset to the State of Connecticut for so many reasons. And I view my role as a trustee is a great way for me to repay UConn, as well as the state of Connecticut for the great education I was fortunate to receive many years ago. And like, like my fellow trustees, I welcome the opportunity to do whatever I can to contribute to the impact UConn makes in Connecticut and outside of Connecticut in the years again. So again, thank you for your time and consideration, and I'm happy to answer any questions you may have.

SENATOR DUFF (25TH): Thank you, Kevin. Appreciate it. I guess -- sorry. You have to go through this twice. It's circumstances we're all find ourselves and I guess at this point. So, yes, I guess just from a standpoint, this is your second tour for the UConn Board, you said?

KEVIN O'CONNOR: Yeah, actually, I think it it's -- I was appointed by Governor Malloy to fill I believe Larry McHugh's term when it expired. And then I had to be renominated by Governor Lamont, and it was that renomination that got postponed because of COVID. So I don't believe I've actually been confirmed yet, even though I've been on the Board as an interim appointee for almost three years.

SENATOR DUFF (25TH): Okay. Can you just talk a little bit about your -- you know, well, I think are

aware of when the communities where your public service in your sector experience in the public sector? Can you talk a bit about your private sector experience and how that's helped kind of shape your role and how you bring that to the Board?

KEVIN O'CONNOR: Sure. Yeah. I mean, I think what you sort of understand is the importance of -- number one, most of my career has been in Connecticut, with the exception of times in Washington, D.C., and the important role that you UConn plays not just for hiring lawyers and supplying lawyers, but in all levels of our -- of the companies I've worked at.

And I've always taken pride in trying to maintain whether I was at United Technologies or Danbury and Howard, a strong relationship with UConn because I view it as really the best local source of talent for lawyers, certainly. I think there are so many great schools, state universities in the light that provide great talent, but when it comes to legal talent, there are three law schools in Connecticut -- Quinnipiac, UConn and Yale.

And what you'll find is UConn graduates tend to pick UConn because of a desire to stay in Connecticut. Whereas when folks pick Yale Law School, I don't think many of them do that because of a desire to stay in Connecticut. I think they do that because they've viewed also an international school. And so I have always seen UConn as a great source of talent for whatever businesses we were trying to grow and build.

And at the same time, I've seen it as the way for those companies to pay back was to support UConn. So we -- at Point72, for example, we were sponsoring events for Senator Lieberman and others at the Stanford campus and we would host events there just to get more foot traffic in that branch because when I was there from 2015 to 2020, that was still a bit

on the developmental side before the dorm had been built.

So I view when -- you're in a corporation, if you're in a position within that Corporation, you can build effective public private partnerships with UConn in particular in Connecticut.

SENATOR DUFF (25TH): Okay, that's great. And then, you know, that's a -- that's the question I have at the moment. Representative Concepcion?

REP. CONCEPCION (4TH): Thank you, Mr. Chair and Mr. O'Connor, thank you for all you've done not just for the university but the State of Connecticut and congratulations on your nomination.

Just one quick question kind of wearing your chairmanship hat on the ad hoc Committee on athletics. Here in downtown obviously, we have -- we're hitting a little bit of a boiling point when it comes to the X.L. Center. Here, obviously, UConn being a major player in the future of that arena. So my question, I guess, is, you know, where do you see that relationship going over the next decade or so as, as a state and the city kind of rambles around or wrinkles around what the future of that arena should be?

KEVIN O'CONNOR: Yeah, look, I've always been myself speaking, a huge proponent of UConn playing games there -- men's, women's, basketball hockey, because I think UConn is a state school and you want to make it as easy as possible for people in Connecticut to experience UConn, whether it's athletics or the branches.

And so, for me, there is an economic impact obviously, right, with UConn playing games in stores and gets parking revenues, concession revenues. When they play games at the X.L. Center. There's a financial impact to doing that. But I think you

have to weigh that against the benefit taxpayers of Connecticut who want to see UConn. It is more difficult wildly put whether you live where I live in Fairfield County, but even in Hartford to get to stores, particularly in the winter, when many of the games are played on week nights, and you might have an office in Farmington or in Hartford.

So I think for the sake of UConn, and its ability to impact as many people in Connecticut, having that footprint in Hartford is tremendously important. There are economic challenges that have to be addressed. But I don't think I would want to see a world where UConn was not playing games at the X.L. Center.

REP. CONCEPCION (4TH): Sir, O'Connor, those are -- those are great comments. Because it's great to hear. So thank you for that. All set, Mr. Chair.

SENATOR DUFF (25TH): Okay, thank you. Senator Looney.

SENATOR LOONEY (11TH): Thank you, Mr. Chairman.

SENATOR DUFF (25TH): Followed by Representative Kennedy.

SENATOR LOONEY (11TH): Thank you, Mr. Chairman. Good afternoon, Attorney O'Connor.

KEVIN O'CONNOR: Good afternoon, Senator.

SENATOR LOONEY (11TH): And congratulations on your service and all of your public service over your career. Like you, I'm a graduate of UConn Law School but didn't go there was an undergrad but have both a Master's Degree and my law degree from UConn. And just wanted to ask you about your comments about advocating for you UConn Law School graduates. I know that at least some members of our state supreme and Appellate Courts like to try to seek out in

favor UConn law school graduates of -- distinguished graduates for their clerkship positions. You know, is that -- is that any uniform practice on the Supreme and Appellate Court? I know that that Justice McDonald does so. He's also -- he's a graduate of UConn Law School although not undergrad but is a graduate law school he usually takes pains to seek out -- to ask if any UConn Law School graduates for his clerkships. You know whether that's a policy on the court with that many members pursue?

KEVIN O'CONNOR: Yeah, I don't think it's a policy. I think the members are free to hire whatever law grads they want. I do believe representationally ones, UConn is probably filling a larger percentage of seats on the Appellate and State Supreme Court, notwithstanding the fact there's no requirement that the justices do. But one of the discussions I had recently with the new dean, Dean Eboni Nelson, was the importance of the Dean of UConn Law School, as you know, Senator, in developing relationships with those judges because I had the pleasure of clerking when I graduated from UConn Law School on the second circuit for a judge who, at that time, had never hired at UConn Law School.

And I made sure that I did what I thought was a good job, I hope was a good job so that he would be incentivized to continue to hire UConn students. But I think the answer is yes, most of the justices are inclined to hire UConn grads. But I think the law school has to never lose sight of the fact that they need to continue to advocate because there's a lot of competition out there. And not all of those justices or judges are UConn grads like you and I. So they may have a loyalty to their own alma mater, understandably so.

SENATOR LOONEY (11TH): Right, right. And thank you. I just like to ask the same question that I did with Dr. Dennis-Lavigne on the athletic side,

especially interested in hearing your take on it as the liaison from the Board to the Athletic Department, there's a question about the ongoing athletic deficit. And the -- just the problem caused by that, the cost of -- the cost of football, the difficulty of a placement, having to pursue an independent schedule, and all of those things. Just -- is there a plan to manage that cost or diminish it over time? And because, obviously, it's a chronic problem, if it continues, you know, \$40 million dollars or so from year to year when, when most other division one schools, you know, have significantly smaller deficits than that if they have deficits at all. So I just like to hear your take on that.

KEVIN O'CONNOR: Yeah, it's -- I can tell you, in my many conversations with David Benedict, that is at the top of all of our minds. I believe the deficit is now -- has trended downward senator, it's still too high, it might be \$28 million dollars now. It had been \$40 million dollars.

SENATOR LOONEY (11TH): Yes.

KEVIN O'CONNOR: It's obviously like we all know there's a revenues piece to it and an expense piece too. On the revenue side downside, and the challenge has been COVID. Right? There's nobody going to games. So ticket sales have been impacted.

SENATOR LOONEY (11TH): Right.

KEVIN O'CONNOR: That affects concessions, licensing agreements with IMG and others. And then on the -- but the upside on the expenses is something you alluded to, which is being an independent allows us to schedule marquee games that come with bigger parents' fees. And Andrea touched on some of those games that have been scheduled. I think it's actually very good for the program from a recruiting perspective as well, because they can offer the

opportunity for the student athletes to play at Alabama or play at Tennessee, things that weren't possible when they were tied down to the American Athletic Conference.

SENATOR LOONEY (11TH): Okay.

KEVIN O'CONNOR: But I do think there's an upside on the revenue side to the ability to schedule in that manner. I think David's done a very good job over the next three to four years picking games. On the expenses side, what I would say is what Andrea said, we went through a really difficult process of eliminating for sports this year. And it's -- you would think it would be easier, not just emotionally, of course, it's hard emotionally because you're impacting student athletes. But you have to weigh all the Title 9 implications of which sports you choose. And that proved to be a very complicated process.

We ultimately selected for sports. That's going to have a meaningful impact on the school's ability to take down its deficit. But I must tell you, it was hard and telling those student athletes that they had come to UConn to compete, and they would no longer be able to do so. But those are the kind of tough decisions that I'm seeing that David and the administration had been willing to make.

SENATOR LOONEY (11TH): I think the -- being able to schedule those marquee games that bring in revenue, and then also national exposure, they're usually televised games, because they're playing major conference teams at that point, that's certainly good. The only -- the only downside is if you lose 70 to nothing, it doesn't look so good [laughter]. But getting the game is a good thing in and of itself. But, again, want to thank you so much for your continued commitment to the university, to the law school and for your work on the Board of Trustees.

KEVIN O'CONNOR: Thank you, Senator.

SENATOR DUFF (25TH): Thank you, Senator Looney.
Senator -- Representative Kennedy.

REP. KENNEDY (119TH): Thank you, Chairman Duff, and
welcome Attorney -- sorry. Thank you, Chairman
Duff, and welcome Attorney O'Connor and for spending
the entire morning with us. I'll just be brief on
thank you for all the information you share with us
regarding the athletic department.

As a former season ticket holder for the women's
basketball, you know, I've spent many times up at
stores watching their games. So that brings me to
my question would really be about compensation for
athletes for endorsements. I know it's legislation
that California passed not too long ago. I just
kind of want to get your take on that. And
your thoughts on that.

KEVIN O'CONNOR: Yeah, I mean, so I'm a former
student athlete, myself and without athletes --
athletics, I wouldn't have been able to attend the
University of Notre Dame. So I tend to have never
lost perspective the student athlete. And I can't
speak as you can appreciate for UConn. This is a
big issue affecting so I don't want anything I say
to indicate that the UConn position.

From my perspective as a Board Member, I think they
need to do something at the end of the day, to
reward these student athletes whose images are being
used to profit -- for profitable purposes for the
university, whether it's their jerseys. I -- that's
my personal view, it's not UConn's view. I feel
there is a level of exploitation of student athletes
if they're selling their jerseys in the bookstore
and things like that.

And I think they have to come up with a solution. I'd like to see the NCAA do it rather than have 50 different states come up with different solutions. Because if Connecticut Legislature adopts something, but Texas doesn't, are we putting our athletes at a competitive disadvantage? I don't know. But what I would say is, I think something more than the status quo should be done. But straight out paying student athletes makes me nervous as well, because then they become employees of the university. And they're not student athletes. And I think you lose something -- most importantly, the benefit of a free education or subsidized education. And just the general developmental aspects of student athletes. If athletes are viewed as employees, they're not part of the student body community. Education is not a priority.

So my personal view is, I don't want us to go as far as making student athletes employees under full compensation packages. At the same time, I don't think the current posture of not compensated them at all is necessarily acceptable as well.

REP. KENNEDY (119TH): Thank you, sir, for sharing your thoughts on that. And I greatly appreciate that. And I do have to agree with you. I think it's something that should be a determination on not state by state, but by the NCAA. I think the playing field, if you will, will be a little bit more even and will be across the Board. So I do appreciate that. And thank you again on your reappointment and congratulate you in your reappointment and thank you. Thank you, Chairman Duff.

SENATOR DUFF (25TH): Thank you, Representative Kennedy. Any other questions from Members of the Committee? I don't see any hands up at all virtual or otherwise. Okay. Mr. O'Connor, thank you for your time and for hanging out with us all day. I'm sure will be -- when you always remember.

KEVIN O'CONNOR: Well, thank you all very much for your time. I've actually been through two U.S. Senate confirmations. And I can tell you, you are a true pleasure to work with all of you [laughter].

SENATOR DUFF (25TH): All right. Well, as we said to our last person, Dr. Dennis-Lavigne next time, don't hesitate to bring us some ice cream from UConn, we always -- thank you very much.

Next, we have resolution confirming. Next, we have resolution confirming Robert Namnoun of Canton Education Arbitration Board.

REP. VARGAS (6TH): You forgot the question.

SENATOR DUFF (25TH): Oh, I'm sorry. Mr. O'Connor. Are you there? Are you still there? I'll ask him afterwards. How's that, Representative Vargas. I'll task you with that. I think he's gone. Okay, well, hello, Mr. Namnoun. Did I say that correctly?

ROBERT NAMNOUM: You came close, it's Namnoun, but thank you.

SENATOR DUFF (25TH): Okay. Is that end with an M or an N, okay, 'cause --

ROBERT NAMNOUM: An M.

SENATOR DUFF (25TH): It says N on our -- on our agenda here. So I apologize for that. Okay, would you please raise your right hand? Do you promise, swear, affirm to tell us the truth, the whole truth and nothing but the truth?

ROBERT NAMNOUM: I do.

SENATOR DUFF (25TH): Okay. Thank you and feel free to make a statement and then we'll ask some questions.

ROBERT NAMNOUM: Okay, good morning, Senator Duff and Representative Concepcion and Members of the Executive and Legislative Committee. I'm Bob Namnoun, and it's an honor and privilege to be reappointed by Governor Lamont to the Education Arbitration Board as a representative to the interests of exclusive representative of the certified employees. Thank you for your invitation to appear before you to address my desire to continue to serve as an advocate on the Education Arbitration panel.

Recently, I completed my second year as an advocate arbitrator. To date, I've only served on one panel in Bridgeport and not in 2019. That arbitration lasted for three hearing dates and allowed me to gain experience and the necessary preparation to advocate for the teachers of Bridgeport in this challenging environment. My familiarity with the statute governing the arbitration process is based on my 25 years of experience as a field representative with the Connecticut Education Association.

My tenure with CEA as a field rep, I advocated for teachers in reference to contract negotiations, employment hearings and other employment related matters. I've had the opportunity to represent teacher groups as large as 900, and as small as 11. Furthermore, I have the experience of advocating for teachers throughout the state from Danbury to Scotland. This varied experience is providing me with insight into the background of individual and regional educational groups. My professional training has provided the foundational expertise and experience in contract negotiations, specifically interest arbitration, as defined in Connecticut General Statute 10-153. I have prepared presented in brief more than a dozen interest arbitration cases before an arbitration panel.

Additionally, I've mentored colleagues, and served the second chair in numerous cases throughout the state, granting the experience of the workings of arbitration from a more objective viewpoint. As a lobbyist for CEA, I frequently appeared before the Legislative Insurance Committee to address insurance Bills that would impact negotiations for teacher groups, thus gaining further insight into the impact of legislation on the Teacher Negotiation Act.

As a member of the Moore Special Education Working Group, I gained insight to the escalating costs of special education to work with members of the group to study effective special education programs in state. We heard various speakers adjust efficiencies in providing these programs to local boards of education. As you see my experience and background provide me with an abundance of knowledge to advocate for teacher groups appearing before the arbitration panel. Thank you for your attention.

SENATOR DUFF (25TH): Thanks. Thank you so much, sir, for your -- for your opening statement. Congratulations on your nomination. Is -- how big is the board right now if you -- if you know?

ROBERT NAMNOUM: The panel -- well, I only know for the advocates.

SENATOR DUFF (25TH): Right.

ROBERT NAMNOUM: So I think -- I think the advocate panel is seven or eight people at this point.

SENATOR DUFF (25TH): How often do you have to meet?

ROBERT NAMNOUM: Well, depends on how many arbitrations there are. For example, the year that just concluded teacher negotiations, there were no arbitrations. So you don't meet unless you're chosen to be on a specific arbitration panel.

SENATOR DUFF (25TH): Okay. One of the questions I have is the Teacher Negotiation Act requires arbitrators to give priority to the public interest, and the school district's financial capability in deciding issues. Do you think these factors ever conflict? And can you give priority to both sides I guess?

ROBERT NAMNOUM: You know, that's a very interesting question. I'll begin this answer by saying in 1971, when I was first employed in state as a teacher, I started teaching without a contract. And that was before the Teacher Negotiation Act in the late 70s. And it was an interesting thing for a young person out of college to go through to, to become employed, without having contract offered to you, understanding what the parameters are of what the salary would be, what the benefits would be. And so over time, I've watched the Act evolve.

You know, there was a time in the Act early on, when the super factor for the negotiations was the town's ability to pay. And that kind of made sense. But over time, it has evolved to what you just determined that it would be. And so what happens is we develop a sense of during negotiation of the quid pro quo. "Can you give this to me? Can you afford to give it to me, and we're all we ended up in the middle of that?"

I think that arbitration occurs, for many reasons. Some of them are political. Some of them are historical, there are some towns in the state that almost never settle their contract during the negotiation process prior to arbitration.

So those factors always come into play. And, of course, having served before many panels, I am acutely informed of the -- in the advocate for the Boards of Education, for the neutrals that are appointed by the state so they get a sense of the

fair play that the panel offers to both sides during the process.

SENATOR DUFF (25TH): Okay. I thank you. I appreciate that answer. Represent Concepcion.

REP. CONCEPCION (4TH): Thank you, Mr. Chair. No question. Just a quick comment of congratulations on your nomination and thank you very much for all your work on, you know, advocating for teachers. As a son of two educators, I know how important that advocacy is, not just for the teachers themselves, but the students that they obviously oversee. So thank you for all your work. And, again, congratulations.

ROBERT NAMNOUN: Thank you.

SENATOR DUFF (25TH): Thanks, co-chair. Representative Vargas, followed by Senator Looney.

REP. VARGAS (6TH): Thank you, Mr. Chairman. I just want to thank Namnoun for his service on the teacher arbitration panel as a teacher advocate. As a teacher advocate for many years in a different area, the American Federation of Teachers, for many, many years, I had the opportunity to go before the arbitration panel and a couple of occasions and I know the hard work that you do, and sometimes these arbitration panels go into two or three o'clock in the morning. And it's not easy work to try to balance the public interest with the teachers' interest with the kids thought I know how hard that is.

On the labor Board side, a different arbitration panel just lost a friend, Ray Shay, who just passed away. He's a firefighter, very involved as an arbitrator, always trying to support Bills that would increase compensation for arbitrators, whichever has hasn't been increased from here. But anyway, I want to thank you for your service. And I

know how difficult that is and just keep up the good work. Thank you, Mr. Chairman.

ROBERT NAMNOUM: Thank you. As you mentioned, right. He was a model for me as I worked through this process over these last 25 years. He was a person I thought that brought a lot of common sense to the table and dealing with negotiations and he understood that you don't just get everything that you need. And he learned or actually taught me how to disagree without being disagreeable. And he will be missed.

SENATOR DUFF (25TH): Thank you, Representative. Senator Looney, but you're on mute.

SENATOR LOONEY (11TH): Hear me now?

SENATOR DUFF (25TH): Yep.

SENATOR LOONEY (11TH): Okay, good. Good. Good afternoon, Mr. Namnoun, and congratulations on your nomination. Thank you for your service.

ROBERT NAMNOUM: Thank you.

SENATOR LOONEY (11TH): And just one question. How do you -- do you think the last best offer binding arbitration process works out in practice where the arbitrator has to choose between the last best offers of one side or the other rather being able to frame a remedy of his or her own that might reflect a compromise between the two positions? Just how do you think that works as a matter of practice, and of that -- getting your fair resolutions?

ROBERT NAMNOUM: Well, I don't think I'm telling tales of school. But in all the arbitration processes that I've been involved in over time, the neutral arbitrator usually gives signals to both sides on which way he or she might be thinking, trying to get the groups to come to an agreement.

So he or she doesn't have to make that determination. I think they work very hard not to insert themselves into the arbitration process, and make the termination that you're suggesting that they get to make that choice.

I think that in crafting your last best offer, it serves to educate the members of your bargaining unit. This is as far as we go. And you have to craft this language specifically. So it dovetails accurately into the language of the contract. There, there have been instances where arbitrators over time, made what they thought, was a really great decision that comes to mind that there was a local in the 90s, when they were going to block scheduling that the arbitration panel determined that it made sense to pay the teachers at the high school, extra money based on the compensation found in the contract for teaching an extra class.

What it did was it made a divisive element in that local teachers' association, because they were all working the same amount of time. But because you're at the high school, you're getting more money. And so very quickly, the Board of Education, the teachers group had to get together and resolve that one issue. And then it worked out there was a meeting of the minds that made sense for everybody.

So when you -- when you ask, because it seems logical that after hearing all the evidence presented, that the neutral arbitrator would be well informed enough to make a determination that would be accurate and fair. My history and working on arbitrations is, while it's a great idea, and it's well-intentioned, I doubt that they'd be able to come to that fair and just resolution.

SENATOR LOONEY (11TH): I see. Well, I guess the one of the benefits, always, at least in theory of the last best offer system is that it motivates both sides to be very reasonable in their last best

offer, because if your side makes an offer that is seen as being an outlier, you're giving the neutral arbitrator the incentive to pick the other side's offer. So it brings both sides closer to the middle, rather than taking the risk of being seen as being unreasonable, and thereby tipping the scale to the other side. So I guess that's probably the benefit of it.

I think the panel -- the panel's highly aware that since the law was enacted in 1979, the last teacher strike in the State of Connecticut was 1980. And what it's done was it's affected a positive, continuous -- continuum for students. And while teacher unions get a bad rap, quite frankly, their teachers and their teachers and they care about kids, and that seems to get lost to the public. But quite frankly, even when you're dealing with arbitration, your teacher groups will frequently have conversations during their caucus about unintended consequences of certain language issues and its impact on students. That topic comes up more frequently than the general public knows. And because I have that teaching experience, combined with my history, working for the union, I bring that conversation to the panel.

ROBERT NAMNOUM: Good. Thank you again, sir. Thank you for your continued service.

SENATOR LOONEY (11TH): Thank you.

SENATOR DUFF (25TH): Thank you, Senator Looney. Any other questions from Members of the Committee? Any other questions from Members of the Committee? If not, Representative Vargas I might forget this time, no further questions remarks, I just want to congratulate you again. And one question we asked everyone. Is there anything in your past that you believe might be embarrassing to the Committee to the Governor of the State of Connecticut?

ROBERT NAMNOUM: While a few of my years of service as a lobbyist for the union, I don't think I've done anything to embarrass the Governor.

SENATOR DUFF (25TH): Okay. Thank you very much, sir. We appreciate it.

ROBERT NAMNOUM: You're welcome. Thank you.

SENATOR DUFF (25TH): Okay, next step on the list is resolution confirming Robert T. Simmelkjaer practice -- and I totally got that wrong -- at Westport to be a Member Chairperson of the Board of Directors of the Connecticut State Lottery Corporation. And --

ROBERT SIMMELKJAER: Thank you, Chairman Duff.

SENATOR DUFF (25TH): No problem. Would you please raise your right hand? All right. Do you promise swear affirm to tell the truth, the whole truth and nothing but the truth?

ROBERT SIMMELKJAER: I do.

SENATOR DUFF (25TH): Okay. Thank you and feel free to make an opening statement, then. I'm sure there'll be questions.

ROBERT SIMMELKJAER: Thank you very much. Appreciate it. Thank you, Chairman Duff, Chairman Concepcion, Ranking Member Kelly, Ranking Member Kennedy and all the Distinguished Members of the Executive and Legislative Nominations Committee. My name is Rob Simmelkjaer, and it's my honor to stand before you today to be confirmed as the Chairman of the Board of Directors of the Connecticut Lottery Corporation.

First and foremost, I'd like to thank Governor Ned Lamont and Lieutenant Governor Susan Bysiewicks for the opportunity to serve our state in this very important role. I come to this nomination with a

background in both law and in business. After graduating from Dartmouth College and Harvard Law School and then practicing law for a few years, I began a career in sports media with two great Connecticut companies, ESPN and Bristow and NBC Sports Group in Stanford.

In my most recent role at NBC Sports, I served as the Head of a Division called NBC Sports Ventures, in which my job was to launch, to grow and to invest in many new businesses in the sports industry and the areas including eSports, youth sports, and sports betting. In that role, I learned how to be an entrepreneur, learn how to start new businesses and I took those learnings to launch a digital media startup called Persona, which is based here in Norwalk, Connecticut. I hope to bring my experience as an entrepreneur to help grow the business of the Connecticut lottery, which provides a vital stream of income to our state during these very challenging times.

The Connecticut Lottery has been a key source of state revenue for nearly 50 years, generating more than \$10 billion dollars since its founding in 1972. The Connecticut Lottery is completely self-funded, and it deposits all of its profits into the general fund to help finance state services like education, health and human services, state employee benefits and more. In fiscal 2020 alone, the Lottery returned \$348 million dollars to the state's general fund. Already, the numbers for the current fiscal year are outpacing 2020, which is incredible, given the fact that we've been in the midst of a pandemic.

Mid-February, the lottery had already deposited more than \$270 million dollars into the general fund. That's nearly \$40 million dollars ahead of last year's pace. The Connecticut Lottery continually refreshes its product lines, offering consumers new games and also updating existing games. Last summer, we launched a new game called Fast Play,

which is a rotating suite of instant games that print directly from lottery terminals like a draw game, and that has been popular in other states. Connecticut players are already enjoying this game. The game is currently averaging more than \$750,000 dollars in sales per week.

One of the reasons that I was so excited to be nominated to this role by the Governor last May, was the opportunity before us to expand responsible gaming in our state, and thus increase Connecticut lotteries contributions to the general fund. The two most significant opportunities, of course, are online sales of some lottery games known as iLottery, and the legalization of sports betting. iLottery is a crucial step toward protecting and growing the Connecticut lotteries revenue from existing games in an increasingly online world.

And as I've said at two recent hearings before the Public Safety Committee, now is the time to legalize sports betting in our state and no entity can deliver more to the state's taxpayers in this activity than the Connecticut Lottery. We were very pleased to be included as a prospective online and retail operator and the agreement that was announced last week between the administration and the Mohegan Tribal nation. And we look forward to participating as this process continues to play out towards legalizing sports betting in our state.

Connecticut Lottery's two most important responsibilities to the state, however, our first acting with the utmost integrity and the manner in which we operate, and second, ensuring that Connecticut residents play our games responsibly. I'm aware of some of the issues that the lottery has faced in the past. And I'm encouraged by the leadership of our current board, and our President and CEO Greg Smith. It's my intention to ensure that the CLC maintains the highest standards of ethics and professionalism. I speak weekly with Mr.

Smith. And in those conversations, I always stress the importance of integrity in everything that Connecticut lottery does. I can commit to you today that while no organization made up of people can necessarily be perfect. The board that I chair will play an active oversight role to ensure the highest levels of transparency and ethics at the Connecticut Lottery.

Ensuring that Connecticut residents play our games in a responsible manner is also vital to the mission of the Connecticut lottery. Through regular staff and retailer training, public service announcements and messaging on all of our tickets and terminals, responsible gaming is a priority that is woven through everything that Connecticut lottery does from product to advertising and customer service. In addition, the lottery gives \$2.3 million dollars annually as mandated by the Legislature to the state's problem gaming initiatives, and partners directly with the Connecticut Department on Mental Health and Addiction Services and the Connecticut Council on Problem Gaming on best business practices.

I've been an active conversations with these organizations to determine what next steps we can take to combat problem gambling, especially if gaming is expanded in our state. And we plan to implement one suggestion from the CCPG to more thoroughly integrate their helpline phone number into all of our responsible gaming messaging. So in closing, I'm confident that the Connecticut lottery like the State of Connecticut has a bright future ahead. I now look forward to taking all of your questions, and also hearing any ideas and suggestions that you have. Thank you.

SENATOR DUFF (25TH): Thank you very much, and congratulations on your nomination. Appreciate your detailed testimony with regard to the lotto -- lottery and you know how you see things moving

forward. Can you talk a little bit about maybe you did a little bit in your testimony, but really the iterations of lottery and how you see the sports betting and iLotteries, it's kind of the next iteration of what you believe to be a part of the overall lottery system?

ROBERT SIMMELKJAER: Absolutely. Thank you. Sure. Connecticut Lottery's going to celebrate its 50th birthday next year. So this is an entity that's been around since the early 70s. And it has evolved over that time. But when you really look at what lottery is today, it is still very much what it was for most of those 50 years. It's a cash business that is carried out by retailers around the state, and is offering a set of games that include scratch-off tickets, which is a significant portion of our revenue, draw games, both daily and less frequently drawn in games, and others. And so, lottery has grown while also being quite close to its original model of cash-based business.

I think when you look at the world we're living in today and the fact that pretty much any business if you want to call yourself a business that's positioned for future growth, you have to be online. It's just part of what businesses do today. In fact, I speak about this in my own consumer behavior, because nine days out of 10, if you find me on the street, and asked me if I'm carrying any cash, the answer will probably be no, I'm often carrying my phone with a little pocket on the back that has my driver's license, credit cards, debit cards, things like that, and don't have cash. So being online is simply part of what any business has to do right now. And this is especially true when you look at what's happened in the last year. We've gone through a pandemic, where people are not going out as much. We've had weather events and things like that, that have just made it harder for people to get out to buy lottery tickets. And so, it's

just a fundamental part of what the lottery in any business needs to do.

As far as sports betting goes, Chairman Duff I have been involved in studying this market since the Supreme Court overruled PASPA a couple of years ago and I've seen now close to 20 states roll out legal sports betting. In just over half of the states that have legalized sports betting, the lottery is playing some role. In some of those states, the lottery is acting as an operator and a retailer and online operators sports betting. And some of those states the lottery is actually the only entity that is operating sports betting. A couple of our neighboring states here in New England, New Hampshire, Rhode Island, essentially turned to lottery to run sports betting. And then you've got some other states that are using lottery as are their lottery commission, essentially, as the regulator that's managing sports betting.

So from the very beginning, I felt that Connecticut had an opportunity to legalize this activity. And that lottery should be a part of that, recognizing the fact that we have existing partners in gaming, particularly the two Tribal Nations in Connecticut, that also felt that they should play a role as well. And so, I've been following, have been indirectly involved in those talks that have been going on between the administration and the Tribal Nations to get that done. And it seems to me and I think I was pleased to see the announcement that was made last week, in which these three entities that combined contribute over 95% of the gaming revenue that the State of Connecticut currently receives the two Tribal Nations and lottery that it makes sense for those entities to be the entities in the state that carry out sports betting if and when it is legalized.

So I was pleased to see that announcement. I know there's still work to be done. Obviously, the

Mashantucket Pequot tribe still needs to reach agreement with the administration. And so, I'm looking forward to that happening. But I think it's a natural next step, Chairman Duff, to answer your question for lottery to be involved, both online and at retail, where lottery has some really specific abilities to reach out to people and to develop a market when it comes to sports betting.

SENATOR DUFF (25TH): Okay, thank you very much. And my last question is, do you see yourself as in competition with tribes or sports tech or any other kind of entity that does gaming? Or do you see yourself as a partner with those organizations in relation to lottery, sports, gaming, et cetera?

ROBERT SIMMELKJAER: Thank you. It's a great question. Chairman Duff. I think, to answer that question, and honestly, the answer is probably a little bit of both right? I think that we certainly are partners, when it comes to making sure that gaming in Connecticut is brought about in a responsible way, in a way that really makes sure it's safe and that does not contribute to problem gambling in our state. I think we all have to partner on making sure that gaming is done safely, that we follow the regulations that are laid out, and that we do it the right way.

That said, of course, you know, in any business, you're competing against others who are competing for the same dollars. So is there some degree to which even today before sports betting is legalized, do we, in some ways, indirectly, I'd say compete for the game -- the gaming dollar, if anyone who's thinking about participating in gaming? Is there -- are there some people who are thinking any given day about, "Should I buy a lottery ticket? Or should I go to Mohegan or Foxwoods and play the slots or do something else?" Yes, I think there's some degree of competition that already exists there. I think that if we are all operating as sports betting

operators in the state that the two Tribal Nations and lottery then, yes, we will have competing products when it comes to offers and trying to develop the marketplace for the state. And I think that's a good thing. I think if you want to develop the sports betting market in the state competition is a good thing. That's part of why the Governor and the administration have wanted to have, you know, multiple operators in the state. And I think that's a -- that's a competition of sorts that we're ready for.

SENATOR DUFF (25TH): Okay, thank you very much. I appreciate that. Representative Concepcion, do you have any questions at all?

REP. CONCEPCION (4TH): Thank you, Mr. Chair. No questions. Rob, good to see you. Again. Rob and I had the opportunity to catch up yesterday and had a good conversation with him. I guess, you know, come back. And just one general question just because new to the Committee, and I know there's a lot there's some individuals watching and this is one of the questions I obviously had was what are the roles just generally the roles and responsibilities of the Board of the lottery? I know a lot of individuals don't even realize that there's a -- there's a board that oversees the lottery corporation. So just curious if you can just expand on that a little bit.

ROBERT SIMMELKJAER: Thank you very much. That's a very good question. So the Connecticut Lottery Corporation for those who are not aware is a quasi-public Corporation that was established for the purpose of running the lottery and generating revenue to the state from the operation of the lottery statewide. And so as a -- as a quasi-public entity, it has a Board of Directors that operates similarly to the way that a Board would operate in the private sector.

We oversee the operations and the major strategic decisions that lottery makes. We run through a structure of Committees. We have an Audit Committee, a Finance Committee, a Personnel Committee, and a Legislative and Gaming Committee. And those Committees all serve a function of working with the staff of lottery, the CEO and President who's the day to day manager and paid professional, Greg Smith, who runs lottery day to day in his senior staff. And so we work with the senior staff to approve major agreements and contracts that Lottery enters into. We go through a budget approval process and audit process as well, and also weigh in on major personnel decisions. So it operates the way that a Board might operate in the private sector and it's part of the governance structure of lottery. And at the end of the day is it's the job of the board of which I've been sharing since last May to provide oversight to the Lottery Corporation.

REP. CONCEPCION (4TH): Thanks. Appreciate that, Mr. Rob. Thank you, Mr. Chair.

SENATOR DUFF (25TH): Thank you so Looney, followed by Senator Formica, and then Representative Perillo and then Somers.

SENATOR LOONEY (11TH): Thank you, Mr. Chairman. Congratulations on your nomination, sir. And a couple of questions that I have. One is in terms of deciding on where to grant lottery franchises because obviously, the convenience store that or a gas station that sells lottery tickets is going to have a tremendous advantage over one that might be located across the street, or down the block that does not -- is not licensed to sell lottery tickets. How is the -- that's a significantly a -- a significant opportunity for patronage to be directed in one direction, as opposed to another. How is the -- what's the process that the Lottery Corporation use to make sure that that's done fairly? Because

it could be a question of survival or not survival for someone who does or does not get to be a lottery vendor?

ROBERT SIMMELKJAER: Thank you for that question. I've been serving in this role since last May. And so, I've learned a fair amount about the day-to-day operations of lotteries since then, but there's still a number of things I'm learning.

Yeah, I know as of today, we have about 2900 retailers around the state, and they vary from convenience stores to some restaurants, especially those that run Keno, we have a process of working with them, training them and providing oversight over those retailers.

I have not yet, Senator Looney, actually dived into that particular process of exactly how the process of an application and approval of a new retailer works. And that's not something I've learned about yet in my role. So I don't know the specifics of how that is done. But I do know that there's a robust oversight of retailers that that continues to happen, that their operations are regularly audited, and that we make sure that they're operating in a way that's consistent with our rules and our regulations. But the actual application process and approval process is one that I still need to learn about.

SENATOR LOONEY (11TH): Cool, thank you. And appreciate any follow up information that you might get on that once you've had a chance to, to examine that question. Another question relating to your experience, obviously, in terms of sports management, sports marketing, prior to your current position, when the opportunity for the expansion in sports betting first arose a few years ago, I think all the legislative leaders received visits from Representatives of the major professional sports. And at the time, I'm asking that a so-called

integrity fee be made part of the sports betting enterprise saying that all of a sudden now that it was going to be such an expansion of betting on their -- on their games that they needed to be able to receive more revenue to guarantee integrity, quality the operation concerned about GD1 kind or another.

You know that seemed to me to be a little bit disingenuous, because it's -- it ignore the fact that betting on their operations have been going on for a very long time, outside of the legal betting framework. And if -- and if -- are they only worried about integrity when the state is going to get some money out of it, as opposed to before when all of the other illegal interests were.

Around that time I got a call or just more recently, I got a call from my counterpart in New Jersey, State Senator Steve Sweeney, who is the President Pro Tem. And he said, "Don't give the sports of penny because they -- they're not entitled to it. They're just looking to reach out and grab some money that they're not entitled to. And he said it's hypocritical of them now to be looking for money, because they're the ones that blocked us for so many years from being able to do this in the first place." So I haven't heard them renew that pitch recently. But just -- to have like to have your thoughts on that, given your experience in the world of sports, prior to your current position.

ROBERT SIMMELKJAER: Yeah, that's a great question, Senator Looney, and you're sort of recalling of the history of it is correct. When Pascoe was first overturned by the Supreme Court, what happened in the sports industry was that every party in the industry, from leagues and teams, to media companies, to, you know, players and agents and players associations, everybody recognize that this was going to lead over time to a significant new stream of revenue coming into the sports ecosystem.

And so, all of these entities started to really strategize about how to essentially get their share of that revenue, what would their model be to make money on sports betting. And in that time, you saw, you know, as you just pointed out, leagues that for many years had resisted any talk of betting, even on their broadcasts or by their players, there was a very strong sense of any -- no association with betting at all now started to reach out for these so-called integrity fees.

And so, some of the early states that moved to legalize sports betting did look at the potential for integrity fees. But over time, what has happened is that concept has really faded away. And none of the states that are now in the process of legalizing or entertaining Bills to legalize sports betting, have this sort of integrity fee embedded in their model. And the leagues have, you know, started to really back away from that as a concept for a couple of reasons.

Number one, to your point, it's always been their job to guarantee the integrity of their sports. And while legal betting is relatively new thing, you know, illegal gambling on sports goes back as any sports fan knows, you know, over a century now, was 1919 when the World Series was, you know, thrown was lost intentionally by some members of the Chicago White Sox, now known as the Black Sox Scandal of 1990s.

SENATOR LOONEY (11TH): Right.

ROBERT SIMMELKJAER: Integrity has been a long-standing issue. And leagues have always had to work on that.

And then secondly, the leagues have also found other ways to generate revenue, Senator Looney. They have begun to do some very lucrative sponsorship deals with sports betting operators, companies like

DraftKings, FanTool, MGM, and others have inked -- with, you know, very lucrative sports sponsorship deals with leagues and teams. So they've seen that they're able to generate revenue that way. And then they're also going to start to see that the value of their media rights is raised by the existence of sports betting.

And that, you know, the National Football League is about to announce a new round of rights deals, and you'll likely see the impact of sports betting and the revenue that can be generated from sports betting reflected in those deals when the NFL announces them. So the league's, I think, have realized that the -- that this sort of new influx of revenue is going to ride -- you know, raise all ships essentially in the sports ecosystem. And they've backed away from that request for the integrity thing.

SENATOR LOONEY (11TH): Great. Well, thank you. Just one last question. I don't know if you heard the discussion that went on previously with the nominees for the UConn Board of Trustees but since you're someone is an expert in sports -- finances, sports management has thought to give it mature consideration over the years. If you were a UConn Board member or were asked to give advice to the UConn Board, do you have any suggestions about how they could manage this ongoing problem of their -- of their deficit, given the fact that so much of college football revenues are driven by or college sports revenues are driven by football and UConn has had a revenue drain because of football over the years and now going to be competing independently for the foreseeable future. They're in the basketball conference. That's quite powerful, the biggies but that's not a Football conference. So any advice for how UConn can stabilize its sports situation and not have a chronic problem with a major deficit going forward?

ROBERT SIMMELKJAER: Well, Senator, it's a -- it's such a tough question to answer. I'm aware of what's going on at UConn and I know that many colleges around the country are struggling with their desire to provide a wide range of student athlete experiences to both men and women and to do so in a way that's compliant with Title Nine, while at the same time managing from a budgetary point of view. My alma mater, Dartmouth College, went through a similar situation very recently, in which they announced they were going to cut some sports and then actually reinstated their sport. So it's challenging, I think, for universities to make these decisions. And, you know, revenue in college sports, you know, comes from a relatively small number of sports, as you know, football --

SENATOR LOONEY (11TH): Okay.

ROBERT SIMMELKJAER: And then you know, the NCAA and basketball as well. And the only -- I think the only advice I can really give is that I think we should all try to remember in at the college level, Senator Looney, that sports is about a lot more than just those events that generate the big viewership and the big dollars, that, you know, participation as a student athlete is a -- is a part of so many people's college experience. And it breeds leaders that go out into the world and do great things. Because they were the captain of their soccer team, or tennis team or baseball team -- teams that no one really watched or they didn't generate a lot of revenue. So I -- the only thing I can really say is that the student athlete experiences is a -- is a special one. It's an important one. And it should be available as widely as possible for both men and women in a way that is not entirely driven by the revenue that some of these sports produce. So that's that -- the best I can really say to that question.

SENATOR LOONEY (11TH): No, I appreciate your thoughtful answer. I think we all received the economic lesson when the conference realignment thing was going on in the discussions about football. When we all learned I think so much to our chagrin, how much -- how much football drove the whole revenue aspect of college athletics, especially at the at the highest levels in the five power conferences and a powerhouse football program basically so for those of all the other sports, including all the none -- of the none-revenue generating sports and that they're actually so few sports at the college level that actually do generate revenue and that football is such a -- and such a big bone on a scale that it ignores everything else and that if your football program isn't revenue generating, it creates a crisis, all the way through the system. So -- but, again, thank you. Thank you so much for your comments and for your analysis of it -- and --

ROBERT SIMMELKJAER: Thank you.

SENATOR LOONEY (11TH): And good luck in your service on the Lottery Corporation.

ROBERT SIMMELKJAER: Thank you, Senator Looney.

SENATOR DUFF (25TH): Thanks, Senator Looney. Senator Formica, followed by Representative Perillo, followed by Senator Somers.

SENATOR FORMICA (20TH): Thank you, Mr. Chair, good afternoon. Once again, good afternoon, everyone. Good afternoon, sir. Thank you for your service and --

SENATOR DUFF (25TH): Thank you.

SENATOR FORMICA (20TH): All right. I just a few questions. Thank you for coming to see me. You're

not on my screen here so I'm having trouble trying to find you.

ROBERT SIMMELKJAER: I can -- I can see you.

SENATOR FORMICA (20TH): Okay, there you go. All right. Anyway, thank you very much for the visit, we had a nice chat. I have a couple of questions about moving forward. In terms of the administration at the -- at the lottery, the quasi, there's been some trouble in the past. And, you know, you came kind of after that, I think. And so, could you talk about the opportunities that you put in place to ensure that people are responsible and accountable and respected in the organization?

ROBERT SIMMELKJAER: Yes, thank you for that question and you're correct, Senator. I did come in toward it -- I would say the tail end of some of these issues that you refer to, although there certainly have been some lingering you know impact and litigation from some of the issues that have taken place in the past in my very first week after being named to this position -- nominate to this position by the Governor, I immediately got involved in one of those situations litigation involving a former employee who had been involved in a problematic drawing and then there had been some personnel litigation after that. And I immediately, you know got to work on making sure that we could put that situation behind us.

I worked with Greg Smith, our President CEO, and every single member of the Board to move quickly to approve a settlement that the State treasurer, Treasurer Wooden had spoken out and believe that should have been approved. It hadn't been approved, when I joined the Board, and I immediately got to work to make sure that that settlement was approved. Not because I had any feelings on the merits of the case one way or the other but because I thought it was important for the lottery to put these issues

behind it, especially as I knew that we were going into a period of time in which expanded gaming would very likely be on the agenda at the State level and that we wanted, they can make a lottery to be associated with the positive things that we're doing the revenue that we're delivering to the state in them the performance of the lottery and not any of these issues that that have existed in the past.

As far as going forward Senator I think that, you know, as I mentioned earlier that the job of the Board is to provide a robust oversight, to the staff and the management of lottery. I think the first thing that I feel comfortable with coming into this role and I wouldn't have taken the role if I didn't feel comfortable is the leadership of Greg Smith. You know Greg and I started talking months before the Governor nominated me. We spent time together, met, one day, you know at a restaurant off of 995 and spent -- sat down and spent a couple of hours talking about lottery, and you know what some of this history was and how he was looking to move past some of these things. And I felt very comfortable with Greg, with his experience as a lottery Director and to other states before he came to Connecticut, and the track record he had and the focus he had on making sure that lottery operated in a in a way that would make the state proud.

That said, you know, I -- I'm going to be a very aggressive as a Board Chair to make sure that when issues do come up, when -- you know even the small issues come up that we might notice at the board level that there is a clear sense of accountability, that there's a clear sense that you know we cannot let mistakes slide. And, you know, mistakes happen in any organization, right? The Connecticut lottery is -- we're, you know, operating every day. There are -- there are games being drawn every game. There are, you know, thousands and thousands of tickets being sold at retailers across the state, every day.

Things will go wrong. You've got an organization made up of people. Sometimes among people there are disagreements, they are disputes. These things happen. There's obviously a real focus in a magnifying glass when it comes to things that happen in government or quasi-government entities, and so there has to be a very high standard of integrity of accountability when it comes to everything that we do. And so, you know, I feel my role as Board Chair is to make sure whenever there's an issue that we, as a Board, are very aggressive in our oversight and holding people accountable and that's something that I'll be doing throughout my tenure in this position if I'm confirmed.

SENATOR FORMICA (20TH): Thank you very much for that answer, sir. The new agreement on iGaming moving forward that kind of been stalled because of the rollout affects the Lottery. The Lottery is, I think the largest revenue source that comes in from outside entity, other than taxes. Could you explain the difference between the iLottery games and the iGaming and the sports betting in terms of the iLottery in sports betting, my understanding is the sports betting is going to be in a limited number of locations.

I believe that, that has been identified, I think, is 15. And then sort of -- Senator Looney's point about choosing those locations, you know, whether you have chosen those or whether that was chosen as part of the agreement and then, what are the games that iLottery is going to include? A -- I guess kind of the games, that you have now but digitized or there are other opportunities and then the iGaming, if you could touch on that please?

ROBERT SIMMELKJAER: Yes, thank you. So I'll start with the iLottery and the games that we'll be offering electronically if we're approved and given the opportunity to do that. The iLottery suite of

games will be a subset of the games that we currently offer as a Connecticut lottery, primarily, it will be our draw games, both our Connecticut only and our multi-state draw games so games like Lotto, the Daily Numbers, Play 3 and Play 4, and those draw games that we run both in state and then also the Multi-State draw games, so a Mega Millions and Powerball, those are all games that we will -- if we're able to will be able to opt to offer online. Keno is also something that we plan to offer through iLottery as well. And the discussions that have gone on with the Tribal Nations set a limit to the frequency of draws that that we could have so that we don't put something in iLottery that looks too much like an online casino game of the sort that the tribal casinos will be offering, so we will -- we will -- we do plan to offer Keno online.

What we will not be offering online, Senator, are any electronic versions of our draw -- of our scratch ticket games, I should say. The scratch ticket games will continue to be offered only at retail, only in person via cash purchases and will not be offered as an online game. You asked also, Senator, about sports betting and the retail locations that we envision. As you -- as you saw the agreement that was reached between the administration in the Mohicans envisions up to 15 retail locations and specifically mentions that there will be retail locations in Hartford and in Bridgeport.

To answer your question, we have not yet identified any specific locations for any of those retail operations. The course of those negotiations with the Tribal Nations was one in which we started out with the -- you know, looking at potentially a larger number of retail locations in that. And as the negotiations played out, we ultimately ended up back at the number of 15.

So, given that that's what we now envision -- of course there's still a lot of work to be done in terms of an agreement with the other Tribal Nation and the legislative process, so we don't know for sure yet what we will end up with. But assuming that it's 15 we'll be looking to distribute those geographically across the state in a way that makes it possible for as many of our residents as possible, who want to engage in this activity to be able to do it within a short drive of where they live.

The Bridgeport and Hartford locations stand out as something that the vision for those is for it to be much more than just sports betting. That may, in fact, be the case for more than just two of them, but at least for those two, the goal is to do something that is -- that is bigger than just sports betting, that is more of an entertainment experience that could involve other types of entertainment, including things like events, dining, eSports and, you know, video game play and competitions -- another thing that I was involved with and I was an NBC.

So they're -- those will be sort of multi-faceted entertainment complexes -- that's the idea and that's our goal. There have been conversations about in Hartford, the X.L. Center potentially being a part of that but it's -- you know nothing is really concrete yet. We look forward to sitting down with potential partners, with representatives of those C.D.s, to talk about what makes the most sense in Hartford and Bridgeport. And then we'll work with other potential partners to figure out where the best places for retail to live around the state.

And then lastly -- sorry for the long-winded answer, but I knew you asked about iCasino as well. And, you know, that is a different type of gaming which we don't plan to operate as Connecticut Lottery.

iCasino is a part of the agreement that's being reached with the Tribal Nations, which would allow them to offer online casino games -- things like Blackjack and other table games, slots in an online setting, mobile and desktop, Web, and so that's something that Connecticut Lottery would not be involved in but it's something that you know, has been legalized in many other states, and that I know that the Tribal casinos are interested in operating online.

SENATOR FORMICA (20TH): Well, thank you very much. It was -- it was a bit long winded, but it was -- it was the answer I was looking for, I appreciate that. So the Bridgeport Hartford are going to be modeled after the entertainment zones of Legislation and that surfaced around in the past and never really -- you know we never really got anywhere. Those -- does that mean the Lottery would, as a quasi, be investing into brick and mortar as a partner in these things, or would it only bring -- would the state be doing that or would the state work in conjunction with the towns or has any of this even been developed yet?

ROBERT SIMMELKJAER: All to be determined, Senator. I think we would look at all types of potential investment from the state, from potential private partners, from lottery, from sports betting operating partners that we may work with. I think there are a number of different partners that could, potentially, bring something to the table on those. So all to be TV determined.

SENATOR FORMICA (20TH): And then the tax implications on the sports betting if there are 15, 13 will be located geographically, perhaps, they'll be model F.T., the entertainment zones, I talked about Waterbury, other cities, you know, maybe involved, but for now to your answer you said 13 will be geographic and two will be Bridgeport and Hartford.

ROBERT SIMMELKJAER: Correct.

SENATOR FORMICA (20TH): The sports betting then will only occur in those 13. So while you're doing other lottery opportunities online at their convenience stores throughout the state, you're just going to be, you know, using those upper -- those venues to drive traffic to the other 15, is that my understanding correctly?

ROBERT SIMMELKJAER: So from a retail -- a bricks and mortar perspective, yes, we would only be taking bets on sports in those 15 locations. We also would be taking sports bets online as you know the agreement calls for three online operators both Tribal casinos and lottery, so we'd be taking sports that's online, but only in person at those 15 locations. as far as what other retailers would it be doing, yeah, those other retailers of the -- you know our network of 2900 retailers would be continuing in their traditional lottery operations.

SENATOR FORMICA (20TH): All right. And then the tax conversation has been around 13 and three-quarter percent for sports betting?

ROBERT SIMMELKJAER: That's been -- that's been the number that has been discussed between the administration and the Tribal casinos, yes, that that doesn't really apply to lottery per se, of course, because we give all of our profits to the state so taxing isn't really an issue from our point of view.

SENATOR FORMICA (20TH): So, then the 13.75% if I'm betting \$100 dollars on a sports bet, the \$13 and 75 cents comes out of that original bet?

ROBERT SIMMELKJAER: That tax comes out of something called gross gaming revenue, which is essentially the revenue that the operator achieves after they

have taken in bets, paid out winning bets. It's essentially that grow -- that that -- the gross revenue post-bet. So that -- that's where it comes from. It doesn't come from what you're describing, which is the handle. It comes from the gross gaming revenue.

SENATOR FORMICA (20TH): Okay. And so that 13.75% in your view is that less or more than what the lottery is projected to give from its participation in the sports, because you don't have that 13.75%. Are you going to separate out the economics of just simply sports betting, to see what the gross is? You must have an accounting for each of the games.

ROBERT SIMMELKJAER: Yeah, so we'll account for sports betting separately, then we account for the rest of our operations. And we will -- as we do in our traditional lottery games handle for all of our gross gaming revenue to the state past what -- you know post whatever expenses we may -- we may have.

To your question about projections, you know we've developed models, which were used by the administration to model out what we thought the market would look like with lottery as an operator versus not as an operator. And, yes, because of the fact that we do hand over 100% of our -- of our -- of our net to the state, we have anticipated that we'll return, you know significantly more per dollar back to the state than, you know, a taxed entity or, in the case of Tribal Nations technically it's a revenue share it's a contribution right now the tax rate. But yes, we anticipate that will return more per dollar back than those entities at will. What we don't know sitting here today is what the market share will be. So will we have 20%, 30%, 40% of the -- of the market? That's something you won't really know until we get top rating.

SENATOR FORMICA (20TH): Thank you. And then I know my colleagues have some questions for you as well

but I have one last question that somewhat troubles me in terms of -- we had a -- we had a nice conversation. And then subsequent to that, I learned of an online post that you made, disparaging members of my party. I think you referred to a very difficult time and certainly this year and in our nation's history. And I spoke earlier about your leadership with people in terms of accountability and I also used the word "expect". So given the comment that you made, are you still able to work in respectful nature with people that nothing to do with that, you know, that disastrous event of January 6th. But I think it's troubling to me that that comment was made by somebody in a leadership position.

ROBERT SIMMELKJAER: Yeah, I appreciate your asking me that question, Senator, and I appreciate the opportunity to talk about that a little bit. I want to say a few things about that and if anyone's not aware, familiar with what the Senator is talking about a member of the media looked at some online posts of my Facebook page that talked about political events really not related to Connecticut but relating to what was going on in Washington D.C. and I want to say two things.

First of all, I always say that my personal political beliefs have absolutely no bearing on the role I have done or will do as Chair of the Connecticut Lottery, which you have absolutely no -- nothing to do with one another. There's no partisan influence or partisan relevance, frankly, when it comes to the way that the Connecticut Lottery, the Board of Directors should be run or to be overseen. There's no -- there's no Democratic or Republican way to run the lottery, right? This is a -- this is a non-partisan company quasi-public, whose job is to drive revenue to the State of Connecticut to all of our, our priorities and we will work and continue to work with everyone in the State Legislature, no

matter what their party affiliation is when it comes to the way that we operate.

Secondly, Senator, I think if you look at the way I have worked so far as Board Chair, the evidence is there that I don't have any partisan agenda at all when it comes to lottery. We made one hire -- one significant hire in the time I've been Chair of the Lottery, which is our Government Relations Manager, and I was involved in that hiring process, and up to a couple of candidates and we ended up hiring a former colleague of all of yours in the State Legislature Christopher Davis, a former Republican member of the assembly.

And I had absolutely, you know, no qualms. In fact I was very supportive of hiring Mr. Davis because I could see that he had great relationships on both sides of the aisle, that he is going to be helpful to us in our conversations with all of you, and he would be a huge asset at the Lottery. And he has been just that. And so there is no reason to believe that, you know, whatever my own personal political views are -- and that's what that post was that -- it was my personal political point of view at that particular time, right? You mentioned it was -- this was on February 1st I think I posted that after a very traumatic period of time that we all gone through in this country. And so my point of view, was a very much a personal one and having nothing to do with the Connecticut Lottery.

The last thing I want to say about that though is that, I think, this episode has also helped me realize the importance of the role that I'm set -- and to hear with lottery, and to think a little bit differently about the way I may communicate online, right? On Facebook, people, you know, they debate about politics, they debate about issues like that. I will sometimes start debates like that, because I'm interested in different people's point of view on political matters.

And a lot of times people change my mind when it comes to things like that. I posted that comment, and had a number of Republican friends of mine reached out to me and had conversations about their feelings as Republicans after everything that happened. It actually came to think a lot differently about that issue than I did the day I posted that. I have a different point of view on party membership and what that means that I did when I first posted that. So people have actually changed my mind and made me think differently about it.

But I think what's important is that I realized I have to be more judicious about the things I say online, about comments I make in social media. I have to make sure that I don't say anything to give the idea that as a Member of Connecticut's State Governor as someone who's overseeing this Board that I have any sort of partisan angle when it comes to what I'm doing. And so I can commit to you, Senator, and to everyone else listening to this that I will -- I will be more thoughtful about things that I might post online when it comes to national politics or partisan politics than I was when I -- when I made that post.

As you may know I was -- you know I have been an active Democrat in the state, I was a member of the Democratic State Central Committee. I left that position, in part, because I did not want to have a sense of partisanship at Lottery. And so, I will continue with that thinking and that way of behaving going forward so that there really isn't any misinterpretation of my role or anything I'm doing a lot at Lottery going forward.

SENATOR FORMICA (20TH): Well, thank you for that answer, I appreciate it. I'm sure my colleagues are anxious to talk to you about their questions, and I thank you for answering mine, and I thank the good

Chairman for his latitude with allowing me the time to do that. Thank you very much, sir.

ROBERT SIMMELKJAER: Thank you Senator.

REP. CONCEPCION (4TH): Thank you, Senator. Next, we have Representative Perillo, followed by Representative Yaccarino.

REP. PERILLO (113TH): Mr. Chairman, thank you very much. And by the way, welcome.

REP. CONCEPCION (4TH): Thank you.

REP. PERILLO (113TH): It's good to see you there.

REP. CONCEPCION (4TH): Thank you.

REP. PERILLO (113TH): Rob, good to see you. First of all, congratulations. Second of all, I want to thank you for reaching out to me quite a while ago. We had a very good conversation, I appreciate that, that you took the time out to do that, so that was - that was good of you.

You know during that conversation, we actually had a very interesting discussion, you know, largely because of your background in sports media. And I want to talk a little bit about how the rise in sports betting has influenced sports media here across the country, but especially you're, obviously, in Connecticut because of -- because of the presence of ESPN. How is that environment changed given the rise in sports betting?

ROBERT SIMMELKJAER: It has a -- thank you, Representative, for the question. It has changed massively. There has been a tremendous impact that it has had in a very short time. And the reason for that is pretty simple, right, revenue, money. The fact that sports betting is now legal in 20 states, most of 20 states, means that there's significant

advertising revenue that is available to these media companies that they want to capture, and so they do that by creating a lot more sports betting content, and they are taking advertising from a lot of sports betting operators.

When sports betting was first legalized in NBC Sports, you know, where I worked at the time, we had a lot of conversations about, you know, when and whether we would take advertising from sports betting companies. And now you look there and pretty much everywhere else in sports media, and it's everywhere -- the advertisements, the content. I took a drive about a month ago -- I was driving from this -- to visit a friend in Greenwich from Westport, I drove in the car for about a half hour. It was a Sunday morning, before the NFL Conference Championship games, and I listened to sports talk radio out of New York, and all I heard that an entire drive was talk about how to bet the games that day.

So, it's really become a very big part of the way that sports is presented in this country. It's one of the reasons why I feel strongly that we as a -- as a state should legalize sports betting because it's just part of sports now. And if you're an -- if you're a sports fan and you're listening to sports talk radio or you're reading about sports, you're being hit with this content on a regular basis and so, you know, we should give our residents the opportunity to participate in it instead of sending them across the state line to another state or that of a black market. So, it's big and it's becoming a bigger part of the sports media landscape.

REP. PERILLO (113TH): It's a capitalistic economy and I guess where the money is where the interest goes, I can -- I can appreciate that. But your interest in sports media is really interesting, your background in that, brings a lot to the table. And

I know you've got a venture of your own that's focused on sports media. It's Persona, right?

ROBERT SIMMELKJAER: Right, correct.

REP. PERILLO (113TH): Could you share a little bit about that because I find that interesting as well.

ROBERT SIMMELKJAER: So Persona is a company that I launched in 2019, and the best way to describe it is a -- its a -- an interview platform it's a question and answer marketplace essentially, where you can ask questions to public figures or celebrities and get personalized video answers back from them.

It actually isn't really tied to -- we don't do too much in sports. We have a few -- we have some spots journalists who are on there and some friends of mine, former sports journalists, people work in that space, who will answer questions about what they think about sports or, you know, what their interests are or give career advice or things like that.

But the best way to describe it as a marketplace. It's similar to a company called Cameo, that some of you may have heard of this is that company where you can book a celebrity to wish your friend "Happy birthday" or something like that. So we do similar things to that video base, and it's but it's more based on questions and answers, that's really the focus of Persona.

REP. PERILLO (113TH): Sort of interesting, creates a virtual dialogue. So that --

ROBERT SIMMELKJAER: Yes.

REP. PERILLO (113TH): Basically, what you might see, you know, you referenced for radio where folks calling in kind of same concept but almost on demand.

ROBERT SIMMELKJAER: Yes, correct exactly. And we'll -- over time I'm hoping to enable a lot of conversations as well as have now asynchronous when you send a -- send a question to someone and get an answer that.

REP. PERILLO (113TH): Got it. And I just -- I do want to talk about something that will obviously kind of research into some projects I do find it interesting and I just want to mention something. Because, you know, as a -- as a public figure. We're all sensitive to it, you know, your, your bio on the Persona website, obviously references your background in sports media with ESPN, NBC Sports, it references that your Chairman of the Connecticut Lottery Corp.

I will say this though, the thing goes on to say that, Rob will answer your questions about the sports media industry get career advice and of course, talk about Persona. And then it's an opportunity you can click the button ask a question for 99 cents. And that's the concept, I understand that. That said, A lot of what we do is about perception. And this bio you advertise yourself rightly, by the way, you advertise yourself as the Chairman of the Connecticut Lottery Corporation Board, and then go on to say, "you can ask me a question for 99 cents."

I get it. It's consistent with what the company does. But if any of us, you know, we're in that similar situation and advertise ourselves as being state representatives, or state senators, and said, "Oh hey by the way, you can even pay to ask me a question about government, you know, the press would be all over us."

So, I would simply caution. Be careful when I read that. I was kind of shocked when having spoken with you, not, I don't think there's any sort of vast

left wing conspiracy to enrich, Rob, by being -- you know by having this chairmanship. But, you know, people do think about these things, people do notice these things. You know so consistent with your sense -- your conversation with Senator Formica, you know, we are now in a different environment once we're elected or appointed. So just be careful.

ROBERT SIMMELKJAER: Thank you.

REP. PERILLO (113TH): I'll give up my time I know other folks have other questions.

ROBERT SIMMELKJAER: Well, thank you for that comment and I -- I'll make a brief response to that. It's interesting. The fact that my bio on the -- on the platform, references that is, I think, just something that was sort of cut and paste or taken from my overall bio and put on. There's no connection at all. In fact now that you mentioned that I didn't really realize that so I'm actually going to remove that line from my bio on the platform as soon as I get off of this, this conference, frankly, it really shouldn't be there usually no connection between the two.

And the 99 cents is actually only there because we haven't yet developed or built free as an option. I'm actually or asking my developers to put in a completely free auction for people who do want to be on the platform, and not ask for any revenue for doing stuff, partly, in fact, that Representative Perillo because I am hoping to be able to attract public figures who are officeholders onto the platform. I would love to have someone like you or others be able to communicate with your constituents through this platform, and I recognize that we really can't do that as long as they're sort of a price accurate right?

So we're actually in the midst of developing a free option on to allow that to be done for them, and so

99 cents is the lowest amount that the Apple App Store will allow you to choose like that that literally love as long as I can choose, but that's why it's 99. But we'll work -- we'll work on doing that so that, you know, but for me if I stay on the platform as a contributor and anyone else who's a public servant, who wants to use a platform that they can do it without charging anything. terminate. And I think that's -- at the point I've thought about it a lot in terms of getting elected officials on the platform. But for myself, you know, in the 99 cents that I was targeting for myself as I thought about it but appreciate you raising it.

REP. PERILLO (113TH): Well, I just give you credit for thinking 99 cents, I mean I can't get people to come to a free event where I'm handing out pizza, so, so good for you, but, but again, I don't want to take up any more your time or the Committee's time, I know there are other questions out there so thanks very much.

REP. CONCEPCION (4TH): Thank you, Representative. Representative Yaccarino.

REP. YACCARINO (87TH): The ACA renewable energy secure, congratulations, by the way, I live in South Africa, we spoke about loving and thank you so I like that because I play wow there's a couple questions.

REP. CONCEPCION (4TH): Yes, Thank you.

REP. YACCARINO (87TH): Thank you. So, you mentioned the past problems and I know I was aware of classrooms. The water court person relations as far as lawsuits, and you said you corrected. Is that correct you said those are all corrected, including the chair corrected are there. I think that there are still some, there's still some limitations. Right, so there's still some ongoing litigation that

that I inherited when I joined the board, one of which was settled.

NAFTA, or a one of which is still ongoing. So there, there is still litigation there, there will still be, you know, events that take place during that litigation that you, you may hear about. We're of course, anxious to move past that as well but you know it's a process of litigation so when we say we pass it, that's my guess. So to me it's a cultural problem, because as a legislator, I've made complaints in the past but even I've worked at the law report of either mistreatment or misgivings, is a culture going to be changing, because it seems like the defaults are so representative, I think that the culture has already changed, or certainly is along the process of changing a culture doesn't change overnight. Of course we flip a switch and say, great, everything is good here now. And so I would not sit here today and say things are perfect or there are there are no issues at all.

What I would say is as I -- as I referenced earlier is that we have a -- we have leadership now at the staff level with Greg Smith, who I think really has made great stride, since he came in 2008, to improve the relationship between management and all of the employees. Are there are some, some still some, some ongoing issues. Yes, and there will be there will always be issues in an organization where you have you have different types of employees you have union employees and nonunion employees you have different types of people working there so I don't expect that will likely reach the state of perfection, but we certainly are moving in a direction toward a more positive culture.

I appreciate your honesty that's the answer I wanted to hear. It's not just gonna go away. And that's something that you recognize and I think the suspects recognize that I think the whole body for you we met you mentioned integrity earlier.

I ended Republican, I have to be honest it really bothered me that I had done that campaign manager, we've had a back and forth, but it just It saddens me that you generalize, really, everybody in Republican Party -- local, state or federal. And I think that -- that's the problem right now is so divisive in Washington, but here in Connecticut, we all live together. And I was shocked and saddened to hear your statement. I study history, I'm just reading a book, our President Eisenhower.

After his presidency, spoke to Republicans, to bring people together, and just like when George Wallace was a Democrat, ran for President Jimmy Carter fled the party itself it swept the party to that Ted Kennedy, of the party. Now, saying the party of strength, it may be better. I just was really saddened to see that and I spoke to Chris aids this morning about you. You have a tremendous resume. I know folks that work, your ESPN, and they all have good things to say about you know that statement is a broad statement that nobody's gonna say, I will say it about any Democrat.

And what happened in Washington, we all know this should never happen again. Anybody that wants that behavior. They don't belong in our country, let alone. And I don't know if you guys are you take that and listening, for me, but we don't want. You don't want that. We don't want people to think that way. We don't that way, is it just the bicep, it's not; doesn't vary together. We learn even more often than not, yeah.

REP. CONCEPCION (4TH): No thank you, Representative I really do. I just want to get clear I really appreciate what you're saying and I agree with, you know, I think I said to at a time that was an emotional time for so many of us right after what we all saw take place in our nation's capital in January and. And so I think that seems to come from

that place right and not from a place of, you know, thinking, by any means that, you know, all Republicans are bad or anything like that. I want to make it as clear as I possibly can that that is not my point of view on it.

REP. YACCARINO (87TH): And as I said, you know, when I post things like that, what I really want to do is start a conversation, and that conversation really led me to change my point of view on that. I really don't agree with that statement that is put out there. I think we have a country that has two parties, right? If you want to go into public service, you got two choices, right? You've got Democrat, and you've got a Republican. And there are very principled reasons or someone to choose to be a member of the Republican Party. Maybe they were drawn to the Republican Party during the days of Ronald Reagan, or George H.W. Bush or George W. Bush, there are principled Republicans in our country. There are people who are doing the right thing in Washington as Republicans. If you -- if you follow my Facebook feed and or --

REP. CONCEPCION (4TH): I have.

ROBERT SIMMELKJAER: Yeah, you would see that there are comments on there that, frankly, would -- some Democrats would occasionally disagree with, right? I have spoken out and said, "Hey, you know, people like Liz Cheney and people like Ben Sasse are heroes." I talked about, you know Mike Pence and what he did so I have spoken at length about what I think are -- is the most important thing, which is that we do need to come together.

And so I think that comment was certainly not my best on Facebook I tried to speak thoughtfully and I tried to speak in a unifying way. I didn't do it in that case, and I do regret that, but I think that I will be much more mindful of the message than anything I post online or on social media gives now,

now I'm coming into this new part of -- this new chapter personally which is being involved in state government. So I appreciate that and again I certainly regret any, any bad feelings that, that fact generated on behalf of you or any of your colleagues.

REP. YACCARINO (87TH): Yeah. I had posted something, a couple days later, about -- I didn't mention anybody but we're United States of America, we should not be divided, and that was a divisive moment. And I was attacked on both right and left. The fact is -- was, I tried to give a unifying message, and I would just hope going forward -- listen, we're all imperfect, but we need to be united not divided, and I -- I'm inspired by my dad who's passed, who's a Democrat but love Franklin Roosevelt, Theodore Roosevelt and Abraham Lincoln. That's my -- you know, or just doing -- being a good person doesn't matter if you're Democrat or Republican, just doing the right thing. So, that's all I have to say. I just hope you -- you know, because I'm older than you a little, think what you say and be careful and social media is dangerous in some cases, and thank you. You have anything --

ROBERT SIMMELKJAER: No, I appreciate that I actually saw the commentary, Representative, that you put out on your Facebook page --

REP. YACCARINO (87TH): Oh, you did.

ROBERT SIMMELKJAER: After what happened. Yes, and I thought it was excellent. I thought your comment was excellent. So I do think that you, you know, we spoke about things the right way. And, you know, if you look at some of the other things I posted on social media, you know --

REP. YACCARINO (87TH): And there has --

ROBERT SIMMELKJAER: Yeah, I invite you to, right, because I think if you do, you'll see that, you know, by and large, that's really the tenor of what I say. I remember speaking out during the period when former President Trump had COVID, right? And I talked about how I was praying for him, right? I was praying for him as the leader of our nation to recover to, you know, to continue to lead us. I've spoken out many times about what I felt were the values that we all have to share, right, as Americans.

And that really is my belief. I know that, you know, that's the way that you know our Governor and others, our other state leaders have operated, and so I do believe that that's the way public servants --

REP. YACCARINO (87TH): Yes.

ROBERT SIMMELKJAER: Including people like me or, you know, just here as volunteers, right, signing up for a --

REP. YACCARINO (87TH): Right.

ROBERT SIMMELKJAER: Volunteer assignment, not a -- not a full time, you know, role as a -- as a member of state government. But I think what I'm what I'm learning from this episode is that even in that position, right, I need to speak in a way that reflects, you know, those values and not values that are divisive. So I really do take your comments to heart, I appreciate it.

REP. YACCARINO (87TH): Well, thank you. You went to great school, a home Theodore Geisel.

ROBERT SIMMELKJAER: Yes, he's been a -- he's been a topic of conversation recently as well but that's another -- that's another topic.

REP. YACCARINO (87TH): Well, he caused a lot havoc when he went to school there. Read his biography last year. So he was always a rebel --

ROBERT SIMMELKJAER: Yes.

REP. YACCARINO (87TH): For better for worse, but thank you. And --

ROBERT SIMMELKJAER: Dr. Seuss for those who don't - - who don't know, yes. Thank you very much --

REP. YACCARINO (87TH): Yes.

ROBERT SIMMELKJAER: Representative, appreciate it.

REP. KENNEDY (119TH): Yes, tomorrow --

SENATOR DUFF (25TH): All right. Thank you Representative Yaccarino.

REP. KENNEDY (119TH): In the afternoon.

SENATOR DUFF (25TH): Next is -- thank you Representative Concepcion for pinching it there for a little bit, appreciate it. Representative Kennedy.

REP. KENNEDY (119TH): Thank you, Mr.

SENATOR DUFF (25TH): I need you to be on mute.

REP. KENNEDY (119TH): Hang on just a minute. Chairman, let me just move away from my desk. I am at work today. Rob, thank you so much for being here. I will be really quick because it has been a very long morning. And I want to thank you for reaching out to me back in January. I have to honestly tell you how to go back and look at my notes. Into this social media piece I will say, if you don't like Snoopy, I'm in big trouble because

Snoopy is all over my Facebook page. So -- but just for clarification, this is a volunteer position that you're going to be going into, correct?

ROBERT SIMMELKJAER: That's correct, yes.

REP. KENNEDY (119TH): Okay. And do -- what -- how -- kind of hours do you anticipate that you would be working in? Because I'm exhausted, listen to some of the things that you've been able to put into place and you've implemented since last May. So, what do you think the average type hours would be for this because --

ROBERT SIMMELKJAER: Yeah, that's a good question. I think that, you know, at a base level I speak to Greg Smith on a weekly basis. We have a monthly Board meeting and I also share the Executive Committee on a monthly basis. So that adds up to, sort of, you know, six meetings on my calendar every month, which is -- which is manageable.

I think the moment that we're going through right now with what's happening with the potential expansion of gaming and we may be looking at in terms of sports betting and iLottery, a little -- certainly putting a little bit more time than that in both working with the administration on what I think a deal might look like to expand gaming and working with, you know, Greg Smith on our strategy.

I think, you know, we're looking at, you know, a number of hours every week, just to make sure that we're aligned and that we're doing things the right way, you know, don't have a really specific hourly number in mind. But, I think, it'll probably ebb and flow a little bit, based on, you know, things that are happening and, you know, what we've got to do to, to ramp up, if and when we're given the right to top rate with some expanded gaming in that state.

REP. KENNEDY (119TH): I appreciate that. And I do appreciate everything that you said regarding the iGaming, and also the fact that you'd be working with various agencies with gambling addiction, and that's a very positive note, so I do thank you for that. I think that's all my questions. Thanks for being here. Thanks for spending all morning and early afternoon with us. Thank you, Chairman Duff and Chairman Concepcion. Thank you.

ROBERT SIMMELKJAER: Thank you, Representative Kennedy.

SENATOR DUFF (25TH): Thank you, Representative Kennedy. Thanks, Rob, for being here. Are there any other questions from Members of the Committee? Any other questions from Members of the Committee? Okay, seeing none, before we let you go Rob, just real quick. There's one thing we ask everybody. Is there anything in your past believe might prove to be embarrassing to the Committee, to the Governor, or the State of Connecticut?

ROBERT SIMMELKJAER: No, there is not and all social media comments that we've discussed today I'll try to make sure that that is not the case in the future as well. Thank you.

SENATOR DUFF (25TH): All right. Thank you, Madam Clerk, before let's go, Rob, we did have one person I think said they wanted to publicly testify, I'm not sure if we -- if it was on this nominee or anybody else. I think actually we can let you go, Rob. Thank you.

ROBERT SIMMELKJAER: Okay, thank you very much.

SENATOR DUFF (25TH): Do we have anybody?

WENDY FRITZ: We not have here.

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SENATOR DUFF (25TH): Okay, all right. Thank you. Okay, that -- I believe that's our last nominee. Is that correct, Madam Clerk?

WENDY FRITZ: Yes.

SENATOR DUFF (25TH): Okay. All right. Well, let's adjourn then the public health -- Public Hearing agenda. And we will adjourn that.