

Government Administration and Elections Committee

MEETING MINUTES

Monday, March 29, 2021

1:00 PM in Zoom and YouTube Live

The meeting was called to order at 1:00 PM by Chairman, Rep. Fox D. 148.

The following committee members were present:

Senators: Flexer M. S29; Haskell W. S26; McCrory D. S02; Sampson R. S16;
Slap D. S05

Representatives: Blumenthal M. 147; Carpino C. 032; Fox D. 148; France M. 042;
Haddad G. 054; Labriola D. 131; Mastrofrancesco G. 080;
McCarthy Vahey C. 133; Morrin Bello A. 028; Palm C. 036; Rosario
C. 128; Santiago H. 084; Thomas S. 143

Absent were:

Senators:

Representatives: Fishbein C. 090

Rep. Fox convened the meeting at 1:00 PM.

Rep. Fox moved to Section III of the agenda, Bills and Resolution for Final Action.

Rep. Fox asked for a JF motion on item 1 listed under Section III of the agenda:

1. H.J. No. 50 (Comm) Resolution Commemorating the Twenty-Second Anniversary of the Connecticut-Taiwan Sister-State Relationship.

Sen. Flexer made the motion and it was seconded by Rep. Haddad.

Rep. Mastrofrancesco recommended that the committee establish a consent calendar, and item 1 be added to the consent calendar.

Seeing no objections, item 1 was added to the consent calendar.

Rep. Fox asked for a JF motion on item 2 listed under Section III of the agenda:

2. S.B. No. 138 (Comm) An Act Concerning Presidential Electors.

Sen. Flexer made the motion and it was seconded by Rep. Thomas.

Sen. Sampson described the bill as a means to ensure that any elector in Connecticut is legally bound to vote for the candidate that is declared the winner by the Secretary of the State. Sen. Sampson expressed his intent to support the bill in committee but noted that he could switch his vote once the bill comes to the Senate floor.

Rep. Mastrofrancesco stated that she opposes the bill because binding electors to a vote defeats the entire purpose of having presidential electors.

Rep. Fox requested a roll call vote on SB 138, An Act Concerning Presidential Electors.

Total voting = 18. Those voting yea = 17, those voting nay = 1, absent = 1.

Rep. Fox asked for a JFS motion on item 3 listed under Section III of the agenda:

3. S.B. No. 183 (Comm) An Act Concerning Remote Meetings Under the Freedom of Information Act.

Sen. Flexer made the motion and it was seconded by Rep. McCarthy Vahey.

Rep. Fox addressed the language changes in lines 24 through 26 in LCO # 6141.

Sen. Sampson stated that he believes the bill is an extension of the governor's executive order, which allowed municipalities to hold meetings electronically. Sen. Sampson made clear that he intended to vote no on the bill, reiterating the importance of holding in-person public meetings in order to maintain the same level of access for all citizens.

Rep. McCarthy Vahey emphasized the fact that the coronavirus pandemic has exposed fundamental issues regarding the accessibility of government. She acknowledged the importance of holding in-person public meetings, once it is safe to do so, and also the importance of electronic meetings. Rep. McCarthy Vahey stated her intent to vote in favor of the bill.

Rep. Mastrofrancesco acknowledged the benefits of holding Zoom meetings but made clear that some individuals do not have access to adequate technology that would allow for them to participate. Rep. Mastrofrancesco asked Rep. Fox whether this bill would mandate municipalities and public agencies to have in-person meetings as well.

Rep. Fox answered that the bill does not mandate agencies or municipalities to hold meetings in-person or electronically. Based on Rep. Fox's interpretation, the bill gives wide discretion to agencies and municipalities in terms of the meeting or hearing platform.

Rep. Mastrofrancesco expressed her concern with the bill, since she believes that it would have a negative impact on the participation of citizens without technology. Rep. Mastrofrancesco said that she could not support the bill in its current form but expressed hope that the committee could work on striking an appropriate balance between electronic meetings and in-person meetings in the future.

Sen. Haskell noted the importance that this bill would have in terms of expanding government accessibility to those who normally would not have the time or necessary means to partake in public meetings that are traditionally held in-person.

Rep. Fox requested a roll call vote on SB 183, An Act Concerning Remote Meetings Under the Freedom of Information Act.

Total voting = 18. Those voting yea = 15, those voting nay = 3, absent = 1.

Rep. Fox asked for a JF motion on item 4 listed under Section III of the agenda:

4. S.B. No. 353 (Comm) An Act Concerning Municipal Elections.

Sen. Flexer made the motion and it was seconded by Rep. Santiago.

Sen. Sampson recognized the desire to get all municipalities on the same page in terms of holding elections in November rather than May. Sen. Sampson expressed his belief that the state should not impose such mandates on municipalities.

Rep. Mastrofrancesco noted that she is a proponent of local control, believing that municipalities should have ultimate discretion over when they hold their elections.

Rep. Fox requested a roll call vote on SB 353, An Act Concerning Municipal Elections.

Total voting = 18. Those voting yea = 13, those voting nay = 5, absent = 1.

Rep. Fox asked for a JFS motion on item 5 listed under Section III of the agenda:

5. S.B. No. 753 (Comm) An Act Concerning the Counting of Incarcerated Persons for Purposes of Determining Legislative Districts.

Sen. Flexer made the motion and it was seconded by Rep. McCarthy Vahey.

Sen. Sampson asked about the policy goal of the bill.

Rep. Fox explained that the intention is to count inmates as residents of the municipalities that they resided in prior to their incarceration.

Sen. Sampson understood the bill description although maintained uncertainty over the specific policy goal of the bill and its intended impact. Sen. Sampson noted May 1,

2021, as the deadline for passing the bill into law. Sen. Sampson questioned Rep. Fox about the potential implications in the event that the bill is not passed by May 1, 2021.

Rep. Fox responded by acknowledging the deadline set in the bill. In the event that the bill does make it out of committee but is not voted on in both chambers by May 1st, it is likely that the bill would need to be resurfaced after the next decennial census when state legislative districts will be subject to redistricting.

Sen. Sampson noted that he intends to oppose the bill because he does not recognize any injustice with counting incarcerated people as residents of the district in which their correctional facility is located. Sen. Sampson finds that this bill is promoting the process of gerrymandering by allocating people to addresses where they no longer physically reside. To further his point, Sen. Sampson emphasized the status of inmates that are sentenced to life. If these inmates will physically reside in the district of their respective correctional institution for the remainder of their life, Sen. Sampson reasoned that they should not be counted as members of the district they originally resided in prior to incarceration.

Sen. McCrory stated that he intended to support this bill. He highlighted the fact that these counts used to redistrict are critical in terms of dictating where resources are allocated. Sen. McCrory urged the state to stop counting individuals in correctional facilities as residents of those districts. He added that these communities do not provide support or resources for incarcerated individuals. Sen. McCrory emphasized the likelihood for incarcerated individuals to return to their original communities, since that is where their family and livelihood remain.

Rep. Haddad echoed the sentiments of Sen. McCrory. Rep. Haddad acknowledged the fact that state law recognizes the last known residential address of an incarcerated individual. Rep. Haddad believes that the address on file is the address that incarcerated people should be allocated to in terms of districts. Rep. Haddad stressed the need to fix this problem, as it creates districts that are systematically undersized based on the counting of incarcerated individuals as residents of the district.

Rep. Fox requested a roll call vote on SB 753, An Act Concerning the Counting of Incarcerated Persons for Purposes of Determining Legislative Districts.

Total voting = 18. Those voting yea = 13, those voting nay = 5, absent = 1.

Rep. Fox asked for a JFS motion on item 6 listed under Section III of the agenda:

6. 6. S.B. No. 759 (Comm) An Act Concerning Gender Neutrality in the State Constitution.

Sen. Flexer made the motion and it was seconded by Rep. McCarthy Vahey.

Rep. Fox addressed language changes in subsection G and line 30 in LCO # 6132.

Rep. Mastrofrancesco inquired about the purpose of this bill.

Sen. Flexer explained that provisions in the bill would help convene a task force to review the gendered language in the state constitution. The task force would make recommendations to add or alter language in an effort to incorporate all genders.

Rep. Mastrofrancesco asked Sen. Flexer whether the task force would consist of equal representation from both parties.

Sen. Flexer answered that the task force would convene using the same standards used throughout the General Assembly, including one appointment for the speaker of the House of Representative, one appointment by the president pro tempore of the Senate, one appointment by the minority leader of the House, one appointment by the minority leader of the Senate, three appointments by the Governor and three by the Chief Court Administrator. Sen. Flexer stated that the Chief Court Administrator would likely make appointments that were not partisan.

Rep. Mastrofrancesco emphasized that any changes to the state constitution should be done on a bipartisan basis. Rep. Mastrofrancesco identified the current appointment process as partisan based due to the fact that the governor gets three appointments. She expressed her intent to vote no, since there was no assurance that the task force would be bipartisan.

Sen. Haskell elaborated on the importance of addressing gendered language in the state constitution so that all people can see themselves reflected in the state's chief governing document. Sen. Haskell rejected the notion that the state constitution is a historic document that should rarely be altered, citing the fact that the state constitution was adopted by referendum in 1964 and has since been amended 31 times.

Sen. Sampson objected to the idea that the state constitution is sexist. Sen. Sampson stated his belief that the use of the word "men" in the earlier forms of the English language was intended to incorporate women as well.

Rep. Thomas recalled testimony from a teenage girl who said she struggled to see herself reflected in government documents based on the gendered language. Rep. Thomas hoped that the committee would seek to make changes to the language and avoid justifying gendered language based on precedents.

Rep. Fox requested a roll call vote on SB 759, An Act Concerning Gender Neutrality in the State Constitution.

Total voting = 18. Those voting yea = 13, those voting nay = 5, absent = 1.

Rep. Fox asked for a JFS motion on item 7 listed under Section III of the agenda:

7. S.B. No. 761 (Comm) An Act Permitting the Use of Citizens' Election Program Grant Funds to Offset a Participating Candidate's Child Care Costs.

Sen. Flexer made the motion and it was seconded by Rep. Thomas.

Rep. Fox addressed the language changes in LCO # 6041, which includes the change of the effective date from October 1, 2021 to July 1, 2021.

Rep. Morrin Bello sought clarification that the childcare cost would follow the existing guidelines set by the State Elections Enforcement Commission. Rep. Morrin Bello inquired about the threshold for allowable expenses and the prohibition on family members from receiving compensation for childcare services.

Rep. Fox confirmed the existence of these guidelines in the bill, citing lines 84 and 85, which prohibit family members from receiving compensation, and lines 21 through 23, which established a threshold for allowable expenses.

Sen. Sampson expressed his intent to vote no on the bill. Sen. Sampson cited his belief that the Citizens' Election Fund was not created to provide candidates with taxpayer funding that could be used for personal expenses. Sen. Sampson acknowledged that mounting a candidacy for legislative office requires a personal financial commitment.

Rep. Thomas empathized with people who want to run for office but cannot due to childcare concerns. She believes that many qualified people have been held back from pursuing public office because of this barrier and therefore supports the bill.

Rep. McCarthy Vahey highlighted the need to advance this bill, especially for single mothers or fathers who are running for office but lack adequate resources to provide childcare for their children.

Rep. Mastrofrancesco understands the challenges of running for office with children. However, Rep. Mastrofrancesco does not believe that the Citizens' Election Fund was created to fund any candidate's child care expenditures. Rep. Mastrofrancesco also addressed the scenario for candidates who might be caregivers to elderly parents or handicapped children, asking whether funding would be extended to these individuals.

Rep. Carpino expressed her intent to support the bill today but noted her strong concern with the shortcomings of the bill. She stated that during the campaign season, she knocks on doors with her children, finding this to be a vital learning experience for her children and their friends. In addition, Rep. Carpino echoed the sentiments expressed by Rep. Mastrofrancesco regarding candidates who might be caregivers to elderly parents. Rep. Carpino believes that this bill should also incorporate funding for candidates who might be caregivers. She stated that she would never use such funding, but she understands the intent of the bill.

Rep. Rosario described his experience campaigning with his son who is an introvert and felt nervous when campaigning with his father. He expressed his intent to support the bill so that any parent pursuing public office can have expanded options to provide their children with appropriate care.

Rep. Fox requested a roll call vote on SB 761, An Act Permitting the Use of Citizens' Election Program Grant Funds to Offset a Participating Candidate's Child Care Costs.

Total voting = 18. Those voting yea = 15, those voting nay = 3, absent = 1.

Rep. Fox asked for a JF motion on item 8 listed under Section III of the agenda:

8. S.B. No. 1013 (Raised) An Act Concerning the Legislative Commissioners' Recommendations for Technical Revisions to the Government Administration and Elections Statutes.

Sen. Flexer made the motion and it was seconded by Rep. McCarthy Vahey.

Sen. Sampson recommended that item 8 be added to the consent calendar.

Seeing no objections, item 8 was added to the consent calendar.

Rep. Fox asked for a JF motion on item 9 listed under Section III of the agenda:

9. S.B. No. 1014 (Raised) An Act Concerning A Municipal Election Monitor for the 2021 Municipal Election and the 2022 State Election.

Sen. Flexer made the motion and it was seconded by Sen. Slap.

Sen. Sampson recommended that item 9 be added to the consent calendar.

Seeing no objections, item 9 was added to the consent calendar.

Rep. Fox asked for a JF motion on item 10 listed under Section III of the agenda:

10. S.B. No. 1016 (Raised) An Act Concerning Municipal Ethics.

Sen. Flexer made the motion and it was seconded by Rep. Thomas.

Rep. Mastrofrancesco asked for a brief overview of the bill.

Rep. Fox described the bill as a means to require municipalities to adopt a code of ethics by October 1, 2022. Municipalities that already have a code of ethics do not need to take further action. Rep. Fox added that the bill requires the Office of State Ethics to develop a model code of ethics for municipalities to refer to when drafting their code.

Rep. Mastrofrancesco expressed her intent to vote no on this bill, citing her belief that municipalities should have jurisdiction over their own code of ethics and not be legally bound to the requirements imposed by the state.

Rep. Fox requested a roll call vote on SB 1016, An Act Concerning Municipal Ethics.

Total voting = 18. Those voting yea = 14, those voting nay = 4, absent = 1.

Rep. Fox asked for a JF motion on item 11 listed under Section III of the agenda:

- 11.. S.B. No. 1052 (Raised) An Act Concerning a Disparity Study.

Sen. Flexer made the motion and it was seconded by Rep. Santiago.

Sen. Sampson recommended that item 11 be added to the consent calendar.

Seeing no objections, item 11 was added to the consent calendar.

Rep. Fox asked for a JF motion on item 12 listed under Section III of the agenda:

12. S.B. No. 1072 (Raised) An Act Concerning Freedom of Information.

Sen. Flexer made the motion and it was seconded by Rep. Thomas.

Sen. Sampson recommended that item 12 be added to the consent calendar.

Seeing no objections, item 12 was added to the consent calendar.

Rep. Fox asked for a JF motion on item 13 listed under Section III of the agenda:

13. S.B. No. 1075 (Raised) An Act Concerning Payroll Service Providers.

Sen. Flexer made the motion and it was seconded by Rep. Morrin Bello.

Sen. Sampson recommended that item 13 be added to the consent calendar.

Seeing no objections, item 13 was added to the consent calendar.

Rep. Fox asked for a JF motion on item 14 listed under Section III of the agenda:

14. S.B. No. 1076 (Raised) An Act Concerning Public-Private Partnerships and Privatization of State Services at the University of Connecticut Health Center.

Sen. Flexer made the motion and it was seconded by Rep. Haddad.

Sen. Sampson recommended that item 14 be added to the consent calendar.

Seeing no objections, item 14 was added to the consent calendar.

Rep. Fox asked for a JF motion on item 15 listed under Section III of the agenda:

15. H.B. No. 5011 (Comm) An Act Concerning the Copying of Public Records Under the Freedom of Information Act.

Sen. Flexer made the motion and it was seconded by Rep. Thomas.

Rep. Mastrofrancesco recommended that item 15 be added to the consent calendar.

Seeing no objections, item 15 was added to the consent calendar.

Rep. Fox asked for a JF motion on item 16 listed under Section III of the agenda:

16. H.B. No. 6203 (Comm) An Act Exempting Certain Records Concerning Native American Cultural Knowledge from Public Disclosure Under the Freedom of Information Act.

Sen. Flexer made the motion and it was seconded by Rep. Haddad.

Rep. Mastrofrancesco recommended that item 16 be added to the consent calendar.

Seeing no objections, item 16 was added to the consent calendar.

Rep. Fox asked for a JF motion on item 17 listed under Section III of the agenda:

17.H.B. No. 6573 (Raised) An Act Concerning the Commission for Educational Technology.

Sen. Flexer made the motion and it was seconded by Rep. Morrin Bello.

Sen. Sampson noted that he opposes this bill based on the fact that he previously voted in favor of removing the four members that this bill seeks to reinstate to the commission. In the interest of consistency, Sen. Sampson said he would vote no and requested a roll call vote.

Rep. Fox requested a roll call vote on HB 6573, An Act Concerning the Commission for Educational Technology.

Total voting = 18. Those voting yea = 16, those voting nay = 2, absent = 1.

Rep. Fox asked for a JFS motion on item 18 listed under Section III of the agenda:

18.H.B. No. 6574 (Raised) An Act Concerning Revisions to The State Codes of Ethics.

Sen. Flexer made the motion and it was seconded by Rep. Thomas.

Rep. Fox addressed language changes in section 3 of LCO # 6180, which seeks to limit the definition of "confidential information."

Sen. Sampson thanked the Office of State Ethics for their commitment and diligence to ensuring that ethics are upheld in the State of Connecticut.

Sen. Sampson recommended that item 18 be added to the consent calendar.

Seeing no objections, item 18 was added to the consent calendar.

Rep. Fox asked for a JF motion on item 19 listed under Section III of the agenda:

19. H.B. No. 6663 (Raised) An Act Revising Certain Campaign Finance Statutes.

Sen. Flexer made the motion and it was seconded by Rep. Santiago.

Rep. Mastrofrancesco recommended that item 19 be added to the consent calendar.

Seeing no objections, item 19 was added to the consent calendar.

Rep. Fox moved to a roll call vote on the consent calendar, which included items 1, 8, 9, 11, 12, 13, 14, 15, 16, 18 and 19.

Total voting = 18. Those voting yea = 18, those voting nay = 0, absent = 1.

Rep. Fox announced that the committee will be holding a committee meeting on Wednesday, March 31, 2021 at 1:00 PM.

A motion was duly made and seconded to adjourn the meeting.

The meeting was adjourned at 5:00 PM.

Administrator

Val Mehmeti
Committee Clerk