

Government Administration and Elections Committee

MEETING MINUTES

Thursday, April 15, 2021

10:00 AM in Zoom and YouTube Live

The meeting was called to order at 10:00 AM 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; Fishbein C. 090; 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:

Rep. Fox convened the meeting at 10:00 AM.

Rep. Fox moved to Section III of the agenda, Referred Bills to Consider for Final Action.

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

1. Substitute for H.B. No. 5310 (Raised) (File No. 9) An Act Concerning Data Privacy Breaches. (GL, GAE)

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

Rep. Fishbein expressed his support for the bill. Rep. Fishbein emphasized the importance of having safeguards in place that would allow for privacy breaches to be addressed in a timely manner.

Rep. Fox requested a roll call vote on Substitute for HB 5310, An Act Concerning Data Privacy Breaches.

Total voting = 19. Those voting yea = 19, those voting nay = 0, absent = 0.

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

2. H.B. No. 5736 (Comm) (File No. 223) An Act Concerning Price Preferences for Veteran-Owned Businesses in State Contracting. (VA, VA, GAE)

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

Rep. Mastrofrancesco cited the current policy of the Department of Administrative Services, which gives a price preference of up to 15% for veteran-owned micro businesses. Rep. Mastrofrancesco asked for clarification in terms of the definition of a microbusiness.

Rep. Fox referred to an OLR report that defined a microbusiness as a business that has a gross revenue of up to three million dollars.

Rep. Mastrofrancesco asked questions about the ownership requirements for a veteran-owned microbusiness. Rep. Mastrofrancesco questioned whether a business with 51% veteran ownership would qualify for price preferences.

Rep. Fox stated that he believed the bill reclassifies veteran-owned businesses as those with one or more veterans owning at least 51% of the business. Rep. Fox cited lines 50 through 57 of the bill which define veteran-owned businesses, and lines 60 through 64 which define microbusiness and veteran-owned micro businesses.

Rep. Mastrofrancesco expressed her concern for the bill based on the fact that there is already a law in place that seeks to provide price preferences to veteran-owned businesses with a gross revenue up to three million dollars. Rep. Mastrofrancesco noted that she fully supports veterans, but she believes that this bill categorizes veterans based on the value of their business rather than the value of their service to the country.

Sen. Sampson echoed the sentiments expressed by Rep. Mastrofrancesco. Sen. Sampson questioned why this bill was introduced when there is already a veteran-owned price preference policy in place. Sen. Sampson underscored his unwavering support for veterans. Ultimately, Sen. Sampson believes that veterans did not sacrifice their lives for our country with the intent of creating a system that treats people differently when it comes to the awarding of contracts.

Rep. Fishbein associated himself with the comments of Sen. Sampson and Rep. Mastrofrancesco. Rep. Fishbein asked about the bidding process in correlation with the proposed price preference policy. He expressed concern over veterans being

designated as a select classification. Rep. Fishbein believes that these types of policies give the impression that contracts are awarded solely based on identity rather than qualifications, thus promoting animus and jealousy.

Rep. Blumenthal asked whether the 10% reduction outlined in HB 5736 would coexist alongside the 15% price reduction that is already in place for micro businesses.

Rep. Fox responded by acknowledging that the 15% price reduction remains unchanged.

Rep. Blumenthal noted his own personal experience as a military veteran, and as an individual who has worked with veterans. Rep. Blumenthal addressed opposition to the companion bill, HB 5592 , which would expand the definition of a veteran to include individuals who might have not been honorably discharged. Rep. Blumenthal emphasized the historic injustices within the military justice system in terms of discharging service members. He addressed the fact that military experience can be advantageous for some individuals following their discharge, but for many people, military experience puts them at a disadvantage due to certain stigmas and even physical or invisible wounds. Rep. Blumenthal believes that these two bills are well-advised and make important changes.

Sen. Flexer spoke in strong support of the bill. Sen. Flexer addressed recent efforts by the General Assembly to expand veteran benefits and expand the current price preference law to include microbusinesses. She noted that the votes on the two aforementioned pieces of legislation were unanimous in both chambers.

Rep. Thomas referred to the testimony submitted by the Connecticut Airport Authority (CAA). Rep. Thomas identified provisions from the CAA testimony that pointed to a potential conflict between federal statutes and the bidding requirements outlined in this bill. Rep. Thomas asked whether this issue was addressed.

Rep. Fox did not have any further information on this issue at the time but stated his belief that the issue had been addressed.

Rep. Mastrofrancesco recognized the fact that all committee members support and appreciate veterans. Rep. Mastrofrancesco proposed for the current 15% price preference law to be expanded to incorporate all veteran owned businesses.

Rep. Fox requested a roll call vote on HB 5736 An Act Concerning Price Preferences for Veteran-Owned Businesses in State Contracting.

Total voting = 19. Those voting yea = 14, those voting nay = 5, absent = 0.

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

3. Substitute for H.B. No. 6108 (Raised) (File No. 50) An Act Concerning Board of Education Vacancies. (PD, GAE)

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

Rep. Mastrofrancesco asked for an overview of this bill.

Rep. McCarthy Vahey, chair of the Planning and Development Committee, provided an explanation for the bill. Rep. McCarthy Vahey described the bill as a means to clarify or define a Board of Education vacancy that did not come as a result of a resignation. The bill provides guidance in terms of how to fill a vacancy if there are no special acts, ordinances or municipal charters that specify how to fill a vacancy. In the absence of such language, the remaining Board of Education members would be tasked with appointing an individual to fill the vacancy until the occurrence of the next election.

Rep. Mastrofrancesco asked if the town manager, mayor or first selectman would be charged with making this appointment under the current regulations.

Rep. McCarthy Vahey highlighted the intent of the bill, which seeks to address the lack of clarity over who has the power to appoint members to a Board of Education in the event of a vacancy.

Rep. Mastrofrancesco asked a series of questions regarding vacancies and political party dynamics of a Board of Education. In particular, Rep. Mastrofrancesco asked if the appointment process would be carried out in a partisan manner.

Rep. McCarthy Vahey stated that the bill does not specify party affiliation.

Attorney Tellerico referred to Section 9-167a of the Connecticut General Statutes, which speaks to minority representation on Boards and Commissions.

Rep. Mastrofrancesco expressed her view that a Board of Education should not have sole appointment power, finding that it would create a highly partisan environment. Rep. Mastrofrancesco believes that the town manager or first selectman should have some authority with such matters.

Rep. McCarthy Vahey underscored the fact that the bill does not change anything in terms of the party process. In addition, Rep. McCarthy Vahey made note of a current law which specifies that Boards and Commissions fill any vacancies themselves unless stated otherwise in statute, charter, ordinance or a special act.

Rep. Palm asked if this bill would have any impact on the role of the voting public who might wish to weigh in on a Board of Education vacancy.

Rep. McCarthy Vahey emphasized the provision in the bill that allows for voters to fill the vacancy, should a vacancy occur less than 60 days prior to a municipal election.

Rep. Fox requested a roll call vote on the substitute for HB 6108, An Act Concerning Board of Education Vacancies.

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

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

4. Substitute for H.B. No. 6476 (Raised) (File No. 266) An Act Concerning a Disparity Study. (LAB, GAE)

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

Rep. Mastrofrancesco acknowledged SB 1052, which was passed out of the Government Administration and Elections Committee with unanimous approval. Rep. Mastrofrancesco asked why this nearly identical bill was being brought up for a vote.

Sen. Flexer stated that SB 1052 and HB 6476 are identical. Sen. Flexer couldn't speak to the reasons why the same bill was raised in the Labor Committee. Sen. Flexer stated that the bill was referred from the Labor Committee because the Government Administration and Elections Committee has cognizance of such issues.

Rep. Fox requested a roll call vote on the substitute for HB 6476, An Act Concerning a Disparity Study.

Total voting = 18. Those voting yea = 19, those voting nay = 0, absent = 1.

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

The meeting was adjourned at 12:00 PM.

Administrator

Val Mehmeti
Committee Clerk