



JOURNAL OF THE SENATE

Tuesday, April 27, 2021

The Senate was called to order at 12:17 p.m., President in the Chair.

The prayer was offered by Acting Chaplain, Kevin Ricciardi, of Branford, Connecticut.

The following is the prayer:

Please grant our hearts grace as we come together for our deliberations. As we face many needs and challenges, give us the ability to be judicious.

PLEDGE

Senator Abrams of the 13th led the Senate in the Pledge of Allegiance.

REPORTS

The following reports were received, read by the Clerk and referred to the Committees indicated:

Report – Soldiers’, Sailors’ and Marines’ Fund – American Legion, Quarterly Report of Disbursals for January 1, 2021 to March 31, 2021 (Pursuant to Section 27-140 of the Connecticut General Statutes.) Date received: April 23, 2021.

Referred to Committees on Veterans’ Affairs.

Report – Office of Policy and Management – Federal Stimulus Grants to Connecticut as of April 22, 2021. (Pursuant to Section 2 of Special Act 21-1.) Date Received April 26, 2021.

Referred to the Committee on Appropriations.

Report - Connecticut Judicial Branch – Proposed Changes from the Rules to the Practice Book of the Connecticut Judiciary (Corrected). (Pursuant to Section 1-9(a) of the Connecticut General Statutes.) Date received: April 26, 2021.

Referred to Joint Committee on Judiciary.

**BUSINESS FROM THE HOUSE
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE
HOUSE BILL**

The following favorable report of the Joint Standing Committee was received from the House, read the second time and tabled for the calendar.

LABOR AND PUBLIC EMPLOYEES. H.B. No. **5377** (COMM) (File No. 254) "AN ACT CONCERNING THE REMOVAL OF COVID-19 RELATED LAYOFFS FROM THE UNEMPLOYMENT COMPENSATION EXPERIENCE ACCOUNT."

**BUSINESS ON THE CALENDAR
ORDER OF THE DAY
FAVORABLE REPORT OF THE JOINT STANDING COMMITTEE
BILLS PASSED**

The following favorable report was taken from the table, read the third time, the report of the Committee accepted and the bill passed.

APPROPRIATIONS. Substitute for H.B. No. **6423** (RAISED) (File No. 431) "AN ACT CONCERNING IMMUNIZATIONS." (As amended by House Amendment Schedules "A" and "G").

Senator Abrams of the 13th explained the bill and moved passage.

Remarking were Senators Hwang of the 28th, Sampson of the 16th, Martin of the 31st, Somers of the 18th, Anwar of the 3rd, Kissel of the 7th, Osten of the 19th, Berthel of the 32nd, Champagne of the 35th, Bradley of the 23rd, Miner of the 30th, and Lesser of the 9th.

Senator Looney in the chair.

Senator Somers of the 18th offered Senate Amendment Schedule "A" (LCO 7542), moved adoption and requested that the vote be taken by roll call.

Remarking was Senator Sampson of the 16th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 5:48 p.m.:

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	11
Those voting Nay	25
Those absent and not voting.....	0

The following is the roll call vote:

- | | |
|---------------------|-------------------------|
| N 1 JOHN W. FONFARA | N 19 CATHERINE A. OSTEN |
| N 2 DOUGLAS MCCRORY | Y 20 PAUL M. FORMICA |
| N 3 SAUD ANWAR | N 21 KEVIN C. KELLY |
| N 4 STEVE CASSANO | N 22 MARILYN MOORE |

N 5	DEREK SLAP	Y 23	DENNIS BRADLEY
N 6	RICK LOPES	N 24	JULIE KUSHNER
Y 7	JOHN A. KISSEL	N 25	BOB DUFF
Y 8	KEVIN D. WITKOS	N 26	WILL HASKELL
N 9	MATTHEW L. LESSER	N 27	PATRICIA BILLIE MILLER
N 10	GARY WINFIELD	N 28	TONY HWANG
N 11	MARTIN M. LOONEY	N 29	MAE FLEXER
N 12	CHRISTINE COHEN	Y 30	CRAIG MINER
N 13	MARY ABRAMS	Y 31	HENRI MARTIN
N 14	JAMES MARONEY	Y 32	ERIC C. BERTHEL
N 15	JOAN V. HARTLEY	N 33	NORMAN NEEDLEMAN
Y 16	ROB SAMPSON	Y 34	PAUL CICARELLA
N 17	JORGE CABRERA	Y 35	DAN CHAMPAGNE
Y 18	HEATHER S. SOMERS	N 36	ALEX KASSER

On the roll call vote Amendment Schedule “A” (LCO 75) was rejected.

The following is the Amendment.

After the last section, add the following and renumber sections and internal references accordingly:

"Sec. 501. (NEW) (*Effective from passage*) Notwithstanding the provisions of sections 10-204a, 10a-155, 10a-155b, 19a-79 and 19a-87b of the general statutes, as amended by this act, any child or student who, prior to September 1, 2022, was exempt on religious grounds from the immunization requirements of any other state shall be exempt from the appropriate provisions of said sections."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	New section

Senator Somers of the 18th offered Senate Amendment Schedule “B” (LCO 7375) and moved adoption and requested that the vote be taken by roll call.

Remarking were Senators Formica of the 20th, and Abrams of the 13th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 6:02 p.m.:

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	10
Those voting Nay	26
Those absent and not voting.....	0

On the roll call vote Senate Amendment Schedule “B” (LCO 7375) was reject.

The following is the roll call vote:

N 1	JOHN W. FONFARA	N 19	CATHERINE A. OSTEN
N 2	DOUGLAS MCCRORY	Y 20	PAUL M. FORMICA
N 3	SAUD ANWAR	Y 21	KEVIN C. KELLY

- | | | | |
|------|-------------------|------|------------------------|
| N 4 | STEVE CASSANO | N 22 | MARILYN MOORE |
| N 5 | DEREK SLAP | N 23 | DENNIS BRADLEY |
| N 6 | RICK LOPES | N 24 | JULIE KUSHNER |
| Y 7 | JOHN A. KISSEL | N 25 | BOB DUFF |
| N 8 | KEVIN D. WITKOS | N 26 | WILL HASKELL |
| N 9 | MATTHEW L. LESSER | N 27 | PATRICIA BILLIE MILLER |
| N 10 | GARY WINFIELD | N 28 | TONY HWANG |
| N 11 | MARTIN M. LOONEY | N 29 | MAE FLEXER |
| N 12 | CHRISTINE COHEN | Y 30 | CRAIG MINER |
| N 13 | MARY ABRAMS | Y 31 | HENRI MARTIN |
| N 14 | JAMES MARONEY | Y 32 | ERIC C. BERTHEL |
| N 15 | JOAN V. HARTLEY | N 33 | NORMAN NEEDLEMAN |
| Y 16 | ROB SAMPSON | Y 34 | PAUL CICARELLA |
| N 17 | JORGE CABRERA | Y 35 | DAN CHAMPAGNE |
| Y 18 | HEATHER S. SOMERS | N 36 | ALEX KASSER |

The following is the Amendment.

After the last section, add the following and renumber sections and internal references accordingly:

"Sec. 501. (NEW) (*Effective from passage*) The Department of Public Health shall (1) compile a list of physicians, physician assistants and advanced practice registered nurses in the state who will accept and treat patients regardless of their vaccination status, and (2) provide such list, on or before October 1, 2021, to the parents or guardian of any child who (A) is enrolled in sixth grade or below at a public or nonpublic school in the state, (B) presented a statement, prior to the effective date of this section, from such parents or guardian that any immunization required pursuant to section 10-204a of the general statutes, as amended by this act, is contrary to the religious beliefs of such child or such parents or guardian, and (C) communicates in writing to such public or nonpublic school, on or before September 1, 2021, that they are seeking a written declaration from a physician, physician assistant or advanced practice registered nurse to recommend that immunizations should be given to the child pursuant to a schedule that is different from an immunization schedule specified by the Commissioner of Public Health."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	New section

The President in the chair.

Senator Kelly of the 21st offered Senate Amendment Schedule "C" (LCO 7426), moved adoption.

Remarking were Senators Kissel of the 7th and Abrams of the 13th.

Senator Duff of the 25th requested that the vote be taken by roll call.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 7:57 p.m.:

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	12
Those voting Nay	24

Those absent and not voting..... 0

The following is the roll call vote:

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|------|-------------------|------|------------------------|
| N 1 | JOHN W. FONFARA | N 19 | CATHERINE A. OSTEN |
| N 2 | DOUGLAS MCCRORY | Y 20 | PAUL M. FORMICA |
| N 3 | SAUD ANWAR | Y 21 | KEVIN C. KELLY |
| N 4 | STEVE CASSANO | N 22 | MARILYN MOORE |
| N 5 | DEREK SLAP | N 23 | DENNIS BRADLEY |
| N 6 | RICK LOPES | N 24 | JULIE KUSHNER |
| Y 7 | JOHN A. KISSEL | N 25 | BOB DUFF |
| Y 8 | KEVIN D. WITKOS | N 26 | WILL HASKELL |
| N 9 | MATTHEW L. LESSER | N 27 | PATRICIA BILLIE MILLER |
| N 10 | GARY WINFIELD | Y 28 | TONY HWANG |
| N 11 | MARTIN M. LOONEY | N 29 | MAE FLEXER |
| N 12 | CHRISTINE COHEN | Y 30 | CRAIG MINER |
| N 13 | MARY ABRAMS | Y 31 | HENRI MARTIN |
| N 14 | JAMES MARONEY | Y 32 | ERIC C. BERTHEL |
| N 15 | JOAN V. HARTLEY | N 33 | NORMAN NEEDLEMAN |
| Y 16 | ROB SAMPSON | Y 34 | PAUL CICARELLA |
| N 17 | JORGE CABRERA | Y 35 | DAN CHAMPAGNE |
| Y 18 | HEATHER S. SOMERS | N 36 | ALEX KASSER |

On the roll call vote Senate Amendment Schedule "C" (LCO 7426) was rejected.

The following is the Amendment.

After the last section, add the following and renumber sections and internal references accordingly:

"Sec. 501. (NEW) (*Effective from passage*) Except in the case of a public health emergency declared pursuant to section 19a-131a of the general statutes, no child, pupil or student shall be unenrolled from or prevented from enrolling at any (1) public or private school, including an institution of higher education, or (2) child care center, group or family day care home, for violating the provisions of this act without a contested case hearing in accordance with the provisions of chapter 54 of the general statutes. Whenever such child, pupil or student is a minor, the notice required under sections 4-177 and 4-180 of the general statutes shall also be given to the parents or guardian of the child, pupil or student at least five business days before such hearing. If a public health emergency has been declared pursuant to section 19a-131a of the general statutes, the contested case hearing shall be scheduled as soon as possible after a child, pupil or student has been unenrolled from or prevented from enrolling at any public or private school, including an institution of higher education, or child care center, group or family day care home. The notice shall include information concerning (A) the legal rights of the parents, guardian and the child, pupil or student, (B) the legal services provided free of charge or at a reduced rate that are available locally, and (C) how to access such services. An attorney or other advocate may represent any child, pupil or student at such hearing. The parents or guardian of the child, pupil or student shall have the right to have the hearing postponed for up to one week to allow time to obtain representation, except in the case of a public health emergency declared pursuant to section 19a-131a of the general statutes, such hearing shall be held as soon as possible. Any legal fees or costs incurred as a result of the administration of the provisions of this section shall be borne by the state."

This act shall take effect as follows and shall amend the following sections:

Sec. 501	<i>from passage</i>	New section
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Senator Kissel of the 7th offered Senate Amendment Schedule “D” (LCO 7543), moved adoption.

Remarking was Senator Abrams of the 13th.

Senator Kissel of the 7th requested that the vote be taken by roll call.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 8:08 p.m.:

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	12
Those voting Nay	24
Those absent and not voting.....	0

The following is the Amendment.

The following is the roll call vote:

N 1 JOHN W. FONFARA	N 19 CATHERINE A. OSTEN
N 2 DOUGLAS MCCRORY	Y 20 PAUL M. FORMICA
N 3 SAUD ANWAR	Y 21 KEVIN C. KELLY
N 4 STEVE CASSANO	N 22 MARILYN MOORE
N 5 DEREK SLAP	N 23 DENNIS BRADLEY
N 6 RICK LOPES	N 24 JULIE KUSHNER
Y 7 JOHN A. KISSEL	N 25 BOB DUFF
Y 8 KEVIN D. WITKOS	N 26 WILL HASKELL
N 9 MATTHEW L. LESSER	N 27 PATRICIA BILLIE MILLER
N 10 GARY WINFIELD	Y 28 TONY HWANG
N 11 MARTIN M. LOONEY	N 29 MAE FLEXER
N 12 CHRISTINE COHEN	Y 30 CRAIG MINER
N 13 MARY ABRAMS	Y 31 HENRI MARTIN
N 14 JAMES MARONEY	Y 32 ERIC C. BERTHEL
N 15 JOAN V. HARTLEY	N 33 NORMAN NEEDLEMAN
Y 16 ROB SAMPSON	Y 34 PAUL CICARELLA
N 17 JORGE CABRERA	Y 35 DAN CHAMPAGNE
Y 18 HEATHER S. SOMERS	N 36 ALEX KASSER

After the last section, add the following and renumber sections and internal references accordingly:

"Sec. 501. (NEW) (*Effective from passage*) Any parent or guardian of a child who does not immunize such child in accordance with the requirements of section 10-204a, 19a-79 or 19a-87b of the general statutes, as amended by this act, as applicable, on the grounds that such immunization is contrary to the religious beliefs of such child or such child's parent or guardian, shall not be liable in any civil action or criminal prosecution related to a claim of perceived or actual harm to such child due to such parent's or guardian's failure to comply with such immunization requirements."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	New section

Remarking were Senators Haskell of the 26th, Formica of the 20th, Duff of the 25th, Kelly of the 21st, and Looney of the 11th.

The chair ordered the vote be taken by roll call.

The following is the result of the vote at 9:04 p.m.:

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	22
Those voting Nay	14
Those absent and not voting.....	0

The following is the roll call vote:

Y 1 JOHN W. FONFARA	N 19 CATHERINE A. OSTEN
Y 2 DOUGLAS MCCRORY	N 20 PAUL M. FORMICA
Y 3 SAUD ANWAR	N 21 KEVIN C. KELLY
Y 4 STEVE CASSANO	Y 22 MARILYN MOORE
Y 5 DEREK SLAP	N 23 DENNIS BRADLEY
Y 6 RICK LOPES	Y 24 JULIE KUSHNER
N 7 JOHN A. KISSEL	Y 25 BOB DUFF
N 8 KEVIN D. WITKOS	Y 26 WILL HASKELL
Y 9 MATTHEW L. LESSER	Y 27 PATRICIA BILLIE MILLER
Y 10 GARY WINFIELD	N 28 TONY HWANG
Y 11 MARTIN M. LOONEY	Y 29 MAE FLEXER
Y 12 CHRISTINE COHEN	N 30 CRAIG MINER
Y 13 MARY ABRAMS	N 31 HENRI MARTIN
Y 14 JAMES MARONEY	N 32 ERIC C. BERTHEL
Y 15 JOAN V. HARTLEY	Y 33 NORMAN NEEDLEMAN
N 16 ROB SAMPSON	N 34 PAUL CICARELLA
Y 17 JORGE CABRERA	N 35 DAN CHAMPAGNE
N 18 HEATHER S. SOMERS	Y 36 ALEX KASSER

On the roll call vote, the House Bill 6423 as amended by House amendments "A" and "G" passed in concurrence with the House.

**SUSPENSION OF THE RULES
IMMEDIATE TRANSMITTAL TO THE GOVERNOR**

On the motion of Senator Duff of the 25th, the rules were suspended for immediate transmittal to the Governor of House Bill No. 6423 as amended.

ADJOURNMENT

On motion of Senator Duff of the 25th, the Senate at 9:06 p.m. adjourned subject to the call of the chair.