

CONNECTICUT GENERAL ASSEMBLY

SENATE

Wednesday, May 12, 2021

The Senate was called to order at 1:04 p.m., the President in the Chair.

THE CHAIR:

Good afternoon everyone. Will the Senate please come to order? Members and guest if you will please rise and direct your attention to Ms. Kathleen Zabel of Burlington, who is our guest Chaplain. Kathy.

ACTING CHAPLAIN KATHLEEN ZABEL BURLINGTON:

In these difficult times, may our leaders find in their hearts the guidance and wisdom to do what is best for the people of Connecticut.

THE CHAIR:

Thank you so much, and now I would like to bring forward Senator Winfield, distinguished Chair of the Judiciary Committee to lead us in the Pledge.

SENATOR WINFIELD (10TH):

I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

THE CHAIR:

Thank you so much, Senator Winfield. And good afternoon to you, Senator Duff.

SENATOR DUFF (25TH):

Good afternoon, Madam President. Madam President, I would like to -- if the Senate will just stand at ease for a moment, please.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you.

THE CHAIR:

Good afternoon.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I'd like to yield to Senator Looney. Our Senate President.

THE CHAIR:

Senator Looney, good afternoon to you. Do you accept the yield, sir?

SENATOR LOONEY (11TH):

Yes, I do, Madam President. Thank you for point of personal privilege. Madam President --

THE CHAIR:

Please proceed.

SENATOR LOONEY (11TH):

Thank you. This is the first of two that I'll be mentioning. This morning there was a terrible event in the city of New Haven. One of our brave firefighters, firefighter Ricardo Torres was killed or died as a result injuries suffered at the scene

of a fire in the western side of New Haven. He is a -- he leaves behind young children. And he was a very dedicated firefighters. Very courageous, lost his life this morning. And also another courageous firefighter lieutenant Samod Rankins was seriously injured. And is currently in critical condition in Bridgeport hospital, I believe. So just a -- for a moment of silence both to remember the deceased firefighter and a prayer for the recovery of the injured firefighter.

THE CHAIR:

A moment of silence please. Thank you.

SENATOR LOONEY (11TH):

Thank you, Madam President. And also for an additional point of personal privilege

THE CHAIR:

Please proceed.

SENATOR LOONEY (11TH):

Thank you, Madam President. This date suffered a very serious loss this past Sunday in the death of former State Representative, former House minority leader, former Department of Motor Vehicle Commissioner, and former state auditor, Robert Ward of North Branford. Bob Ward, for those who served with him and knew him well, was really a legislature as legislature. He was someone who was an extremely talented attorney in private practice. Was somebody who was adept in both civil and criminal law. Very understanding of the public policy implications of any legal change. A close reader of all Bills and an understander -- someone who understood even the most complex legislation in great detail. Was an inspiring leader of his caucus.

He was first selected to the House in 1984. After having run a couple of time unsuccessfully. He was still very young when he was when he was first elected and served for 22 years. And I believe 12 of those years he was the leader of the Republican caucus in the House until his retirement in 2006. Shortly then he was succeeded by Larry Cafero after that.

He was someone that again, he also served as DMV Commissioner, as state auditor, was somebody who was completely dedicated to public service. Somebody who gave public service a very good name, was also very engaged in his hometown of North Brandford. Hi wife Annita was also someone who many of us knew as a wonderful, gracious person who has suffered a terrible loss. Annita herself is very active in her community. And Bob was someone who had struggled with health issues for some time but still was active, still engaged, is still courageous. He also had a wonderful warm and engaging personality. And his skill and his preeminence as a legislature was actually once recognized by the State Legislative Leaders Foundation because he was active in that organization all the years that he was House minority leader, and there was one year when he was chosen for a national legislator of the year award by that organization.

I'm sure we'll have a more detailed resolution that will come to us from the House but just today being the first time we're in session since his death, wanted to memorialize him briefly. Thank you, Madam President.

THE CHAIR:

Thank you so much for that. Will you remark further?
Good afternoon, Senator Kelly.

SENATOR KELLY (21ST):

Good afternoon, Madam President. And thank you. I also rise for a point of personal privilege to recognize the late Bob Ward, yes. Robert Ward. He was very well liked, and Connecticut is at a loss for a person like this, his leadership. He was, as I said, very bright, he worked very hard both in bipartisan and a common sense approach to public policy looking for solutions that worked for Connecticut. He is a role model to all of us who served in the legislator and we certainly wish his family our heartfelt prayers at this difficult time. Thank you.

THE CHAIR:

Thank you, Senator Kelly. Will -- Senator Duff. Unless -- will you remark further on -- will anyone like a point of personal privilege? Senator Kelly.

SENATOR KELLY (21ST):

Madam President, may we have a moment of silence?

THE CHAIR:

And please rise and join us in a moment of silence recognizing Robert Ward, public servant and legislator. Thank you. Senator Duff.

SENATOR DUFF (25TH):

Thank you. Madam President, Madam President, also just speaking briefly. I want to extend my condolences as well for our firefighter in New Haven who just passed away today, and certainly recognize the loss of his family -- to his family, to the city of New Haven, to the State of Connecticut. We many times always don't recognize the hard work and the sacrifices in how firefighters put their lives on the line for us each and every day, and we're reminded that today unfortunately. And so I also wanted to join with my colleagues in extending my deep sympathies for his passing, and also for Bob

Ward, who went I first came into the House he was the Republican leader. Was always very kind to the new kid and he didn't have to be. And he was always very much of a person of public policy and wanted to thank him for his service as well. I wanted to just take a moment to make those comments.

Madam President, is there business on the Clerk's desk?

THE CHAIR:

Mr. Clerk.

CLERK:

Clerk is in possession of Senate Agenda No. 1 and No. 2, dated Wednesday May 12, 2021.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Move all items on Senate Agenda No. 1 and 2, dated Wednesday May 12, 2021. Be act upon as indicated and to then to be incorporated by reference in the Senate Journal and the Senate Transcript.

THE CHAIR:

So ordered.

**Senate Agenda
No. 1
REGULAR SESSION
Wednesday, May 12, 2021**

**SENATE JOINT RESOLUTION(S) FAVORABLY REPORTED - to
be tabled for the calendar.**

EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE
SJ NO. 48 RESOLUTION CONFIRMING THE NOMINATION OF
THEODORE M. DOOLITTLE OF WEST HARTFORD TO BE
REAPPOINTED HEALTHCARE ADVOCATE.

EXECUTIVE AND LEGISLATIVE NOMINATIONS COMMITTEE
SJ NO. 49 RESOLUTION CONFIRMING THE NOMINATION OF
ATTORNEY LEONARD FASANO OF NORTH HAVEN TO BE A
LEGISLATIVE COMMISSIONER.

MATTER(S) RETURNED FROM COMMITTEE - to be tabled for
the calendar

NEW FILE

FINANCE, REVENUE AND BONDING COMMITTEE
SUBST. SB NO. 326 AN ACT CONCERNING THE SALE OF
CERTAIN ELECTRONIC NICOTINE DELIVERY SYSTEMS, VAPOR
PRODUCTS, CIGARETTES AND TOBACCO PRODUCTS.

EDUCATION COMMITTEE
SUBST. SB NO. 881 AN ACT CONCERNING WORKFORCE
DEVELOPMENT.

APPROPRIATIONS COMMITTEE
SUBST. SB NO. 943 AN ACT REQUIRING EMPLOYERS TO
PROVIDE CERTAIN INFORMATION TO DOMESTIC WORKERS AT
THE TIME OF HIRE AND ESTABLISHING AN EDUCATION AND
TRAINING GRANT PROGRAM FOR DOMESTIC WORKERS.

BUSINESS FROM THE HOUSE:

EMERGENCY CERTIFICATION:

HB NO. 6686 AN ACT CONCERNING THE DECLARATION AND
RENEWAL OF CIVIL PREPAREDNESS AND PUBLIC HEALTH
EMERGENCIES BY THE GOVERNOR.

Senate Agenda
No. 2
REGULAR SESSION
Wednesday, May 12, 2021

BUSINESS FROM THE HOUSE:

**HOUSE BILL(S) FAVORABLY REPORTED - to be tabled for
the calendar.**

GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE
SUBST. HB NO. 5653 AN ACT AMENDING THE CIVIL
PREPAREDNESS AND PUBLIC HEALTH EMERGENCY STATUTES.
(As amended by House Amendment Schedule "A" (LCO
8334))

SENATOR DUFF (25TH):

Thank you, Madam President. And for our markings
today.

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

Thank you, Madam President. And we would expect
potentially other markings later but we will mark
this list now. On Calendar page 32, Calendar 360,
Senate Bill 1058. I'd like to mark that item go.

THE CHAIR:

So ordered. And let's correct the number there.

SENATOR DUFF (25TH):

Yeah, that's why I put the glasses on.

THE CHAIR:

Thank you.

SENATOR DUFF (25TH):

Calendar page 32, calendar 350, senate Bill 1058.
I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 49, Calendar 22, Senate Bill 263. I'd
like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 12, Calendar 173, Senate Bill 891. I'd
like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 43, calendar 121, Senate Bill 890. I'd
like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 44, Calendar 174, Senate Bill 941. I'd
like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 11, calendar 157, Senate Bill 996. I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 14, Calendar 186, Senate Bill 998. I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 17, Calendar 225, Senate Bill 850. I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 18, Calendar 224, Senate Bill 193. I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 1, Calendar 355, House Joint Resolution 367. I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 1, Calendar 356, House Joint Resolution 368. I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 3, Calendar 357, House Joint Resolution 369. I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 2, Calendar 358, House Joint Resolution 379. I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 21, Calendar 258, Senate Bill 102. I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

And, Madam President, on Agenda 1, I'd like to ask for -- Agenda No. 1, the emergency certify legislation 8212. House Bill 6686 LCO -- I'm sorry, LCO 8212. House Bill 6686. I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the Clerk now call the items marked go?

THE CHAIR:

Mr. Clerk.

CLERK:

Page 32 Calendar No. 350, substitute for Senate Bill No. 1058 AN ACT CONCERNING COMPASSIONATE OR MEDICAL PAROLE RELEASE BY THE BOARD OF PARDONS AND PAROLES AND CONCERNING STAFF OF THE DEPARTMENT OF CORRECTION.

THE CHAIR:

Good afternoon, Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you and good afternoon, Madam President. Madam President, move acceptance of the Joint Committee's favorable report and passage of the Bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR WINFIELD (10TH):

Yes, thank you, Madam President. Good to see you. This is a Bill that comes to us through the Judiciary Committee. This Bill came to us on a bipartisan vote, and that makes a lot of sense given that what the Bill intends to do is expand the instances where the compassionated and medical release statute can apply.

I think we know that we are in a middle of a pandemic. and about a year ago we began to see that there was this pandemic and that we needed to be able to do things we hadn't done on the past. And one of those things was potentially allow people out of our prisons because we were thinking about the impact of the pandemic on them. What we discovered was that the medical release a statute and a compassionate release statute that we have didn't allow for the types of releases that we may want to do. And I stress the word *may* because the actual truth is we, in some instances, may not want to do, but the tool should exist.

And so during the time that we were having these discussions, it came to our attention that if we were going to be able to do the things that we might want to do, we would have to change the statute. And so that's why the Bill before us operates in a way that it does to allow for releases under the COVID-19 pandemic and other instances where we might find ourselves in a pandemic or a natural disaster, and it's good policy.

I can't imagine that regardless of what you think about people in prisons, regardless of what you think about the issue of prison at all, the state would not want the tool that it can or it may be doesn't use in case that we ever find ourselves, and God forbid we don't -- hopefully we don't, but we ever find ourselves in a pandemic like we're currently in.

The other thing that the Bill does is extents whistleblower protections to people in the

Department of Corrections that under our law require to report excessive use of force and ways in which their colleagues may operate in a manner that is not legal. It's a good Bill that came to us through the Judiciary Committee. And I would urge passage.

THE CHAIR:

Thank you, Senator Winfield. Will you remark further? Good afternoon, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Great to see you this afternoon. I appreciate the remark of my good friend and a Co-Chair of the Judiciary Committee, Senator Winfield. But clearly pretty much every Bill that comes before us has room for disagreement, and this is no different than any other.

I have -- I understand that people make mistakes in their lives. It's very difficult to either through a plea bargain, which I would suggest; in excessive 95% of those criminal matters that are resolved in the court system are resolved via plea bargain. A handful, especially those more serious, go through either a judge or jury trial. But it's really hard to get convicted and sentenced to life without possibility of release, so the vast majority of individuals incarcerated in the State of Connecticut will eventually be released back into society.

But at the same time, we have here in the State of Connecticut, as part of our constitution, protections for victims of crimes. And quite often the state's attorney if not always, I would pause it, it should always to some extent to the extent possible, the victim or the victims' family should be brought in and at least informed as to what the disposition of a particular matter is, such that they can offer any objections should they have them prior to the potential sentencing. And while plea

agreements typically are followed by the court, if the court finds that whatever the states attorney and defense attorney, typically would be defense attorney, although it certainly could be pro say agree to that it is not in the internet of justice the court certainly can reject that plea agreement, and urge the parties to go back and re-negotiate or some other outcome. Perhaps there would be necessity of some sort of Judiciary trial before a judge or before a jury or some other disposition.

But again I would stress that victims have rights in the State of Connecticut. Not only do we feel that those rights are extremely important, but we been trying them in our state constitution unlike other states that may not have gone that route. And we've stumbled along since that constitutional change was made. I know ai worked on a legislation years ago, I'm very proud of the fact that in our criminal court system that when a judge goes it, it used to be that the judge would say those individuals in the court house that were defendants would have certain right but nothing was stated to the victims or the family of victims in the court house. And so I along with several of my colleagues many years ago pushed through legislation that would require the court to make sure that the victims were present there and also knew that they had rights. That they could avail themselves of, and that was very important to strike a good balance as the court began its business for the day.

A few questions, through you, to the proponents of the Bill. And by the way, I'm later gonna get to the second part of this Bill but I want to focus on the first part regarding the release of inmates. Through you, Madam President to the proponent of the Bill. It's my recollection that there was opposition of this Bill by certain groups. I think one of them was there Connecticut Coalition Against Domestic Violence, I think there was some other victim groups. If he would be so kind, through you Madam President, if the good Chair, Senator Winfield,

could respond to that. Am I correct? Was there opposition during the public hearing? Either via Zoom or written testimony, and If so, what groups or individuals did articulate opposition to this proposal? Through you, Madam President.

THE CHAIR:

Thank you, Senator Kissel. Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. And through you, Madam President. There was, like many of our Bills, opposition expressed to the Bill. As Senator Kissel might imagine, I can't remember which particular groups expressed opposition. But I will acknowledge that there was opposition from some individuals and some groups that was expressed to the Bill. Through you, Madam President.

THE CHAIR:

Thank you. Senator Kissel.

SENATOR KISSEL (7TH):

Thank you -- Hello. A little technical glitch. In this day and age, that seems to be -- you know, I think there were always was technical glitches, but since we rely on it so much more now, we probably stumble upon it more.

Through you, Madam President, I don't know if it would be possible. I'd be more than willing to request a brief standing at ease if Senator Winfield would be able to access some sort of report on the Bill that might have the delineation of which groups offered opposition and which groups may have offered support.

I know that in the past, prior to the Zoom era and the COVID-19 pandemic, we would have support staff,

sessional employees that would create those reports and I found them very helpful. I don't know if they're still being created at this time, and if the good Chair might have easy access. If it's a real headache, I understand that, I'm just making the inquiries. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I think that Senator Kissel's referring to the JF report that attaches to a Bill. What I would say there is JF reports come in many different flavors, and they don't always have the opposition and support attached to them. And so, it is not the case that that necessarily would show up even prior to the pandemic. What I can say is that -- and the good thing about those JF reports is that sometimes they will capture the opposition and the support that was in a public hearing that you might not see when you go back and you look at the testimony. But what I would say to Senator Kissel is at the very least, regardless of the fact that we are in a pandemic right now, one could if they chose to go back and look at the written testimony and decipher, and that's not in any particular order, by opposition and support. But that sits there forever actually. Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Kissell.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. And again, for perhaps -- for perhaps those watching on the Connecticut Network or availing themselves of news media reports, JF is sort of shorthand for joint favorable reports. And because we have the House and

Senate conjointly voting on matters out of various Committees, I believe it's voted --it's considered joint favorable, and that's what my good friend and the Chair of the Judiciary Committee Senator Winfield means by JF reports.

These are reports on that portion of the public hearing that day that pertain to a particular Bill that's before us now. So I get it. And I actually appreciate the fact that even if we weren't in a pandemic, these joint favorable reports would come in different degrees of accuracy -- nah, nah, I don't think accuracy is the word I wanna use. But precision, as far as, you know, exactly who testified, exactly the tone of their testimony and if they were favorable or not favorable.

And I would be the first to admit having sat through years and years and years of public hearings, and they never get tiresome. But somebody could be there and half of their testimony is in favor of a Bill and half their testimony is not in favor of a Bill. And it may be as nuanced as down to particular sections of a Bill, or maybe even particular words within a particular section. So there's just no easy way to get our arms around that.

But suffice it to say, it's my understanding and recollection that I believe the Connecticut Conference Against Domestic Violence and other groups that tend to advocate on behalf of victims and victim's rights and trying to be concerned about crime, not that those that are in favor of the Bill are not, but -- and I want to make that clear. It doesn't mean that if you have concerns with the Bill, that you're against victims, that's not what I'm saying at all. But there are groups that testified that they had concerns with the Bill before us.

And it's my understanding, and this is gonna get to my next point for the good Chair, Co-Chair of the Judiciary Committee. That we're -- that part of what

we're doing here is not just addressing some of the issues as to the announcement of an emergency due to a public health pandemics, such that we're, hopefully, trailing out of at this point in time. I wouldn't characterize it as in the middle of. Of course, all I can do is knock on wood and the wood or this good circle.

But as to the specific language of the Bill, it's my understanding is that we're changing the definition, such that what would qualify as an individual who is incarcerated, and it could be male or female, whether they would be considered for a compassionate release. And so if I could, Madam President, through you, to the proponent of the Bill could -- the good Co-Chair of the Judiciary Committee, Senator Winfield, briefly articulate what the current standard is, I think it's like one sentence, and what this Bill would propose changing it to. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you Madam Chair, and hopefully the good Senator can work with me cause that's a very convoluted question. But what we currently have are compassionate release and a medical release statute. Both of which basically would require that you're very near to the -- more like -- more than likely than not, near to the end of life. So for the medical early statute, you have to be within six months of the end of life. For the compassionate release statute, you'd have to be so physically incapacitated that you could provide no threat to anyone, right?

So we're not just talking about a medical incapacitation, but a severe one, which likely means that you're probably in a similar condition. And so,

what this Bill does is -- it -- as we give the Board of Pardons and Parole, the authority to look at the issue of pardons and parole, we give them the authority to look at medical parole, medical and compassionate parole in a similar way.

And that's what the -- that's part of what the Bill does. And then it goes on to further clarify that in the instance of a major disaster or emergency, or a public health crisis that the Board of Pardons and Parole can operate in a more streamlined way where the head of the Board of Pardons and Parole could put together a panel of three people to take a look at the issues that are there if the threat of the pandemic, health emergency, national emergency provides a certain amount of risk to the people that we have incarcerated in the state. Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Kissell.

SENATOR KISSEL (7TH):

Thank you very much, Madam President, and I'll try not to formulate my questions in a convoluted manner, although I don't take any umbrage at that statement. Hey, I -- my questions have been called a lot worst and characterized a lot worse than that. More succinctly, I guess, would it be correct in stating that the definition as to what would qualify an inmate for compassionate release, as it stands now, would be changed under this Bill, such that the new formulation is that there's a less -- there's a reduced risk of that inmate to society with this second -- with this new assessment as to whether this individual could be released under this compassionate release program? Through you, Madam President.

THE CHAIR

Senator Winfield.

SENATOR WINFIELD (10TH):

Madam President, I want to accurately answer the question. I think the question asked to me was would there be a reduced rates? Could the question be reframed? I just want to make sure I answer what's actually asked to me.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Yeah, I apologize if I'm just not being clear. There's a reason why groups like the Connecticut Coalition Against Domestic Violence and others voice concern, if not outright opposition to this proposal. And it's my understanding that it had more to do with this first portion, as opposed to the -- what I would characterize as the whistleblower portion of the Bill, which is in the second part of the Bill.

And that being the case I'm just trying to get my arms around as to what the sum and substance was as to the language that was their concern. And it's my understanding that the current language, and we do have current language in the State of Connecticut for compassionate release, that that would be changed such that more inmates would be released into the general public. Would that be a fair characterization? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

So, through you, Madam President. While I won't attempt to represent what they thought, but I will attempt to use the Bill to answer the question. So, if -- and I don't know if Senator Kissell does or doesn't have in his possession the Bill, but, you know, there was conversation about language changes that we made in a Bill about the significant risk of one of these individuals.

That language used to say condition disease or syndrome that is not terminal, has to be physically incapable of presenting a danger to society. That's what it used to say. What it now says is conditioned, disease or syndrome that is not terminal as to present a significantly reduced risk of danger to society.

So I guess people could question whether or not the risk has changed, but I think that what is written in the Bill deals with reduced risk on a part of the individual. Whether people agree that it's very dissimilar from what we had or not, that's beyond my ability to actually answer. I'm sure there are people who have a problem with that. I think that the way that the Bill is constructed actually deals with the situation we're in right now and potentially could be in, in the future in a way that takes into account that we shouldn't just let everybody out but also takes into account that there is a risk that should be considered. Through you Madam President.

THE CHAIR:

Senator Kissell.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I appreciate the answer from Senator Winfield. And I guess my next question, through you Madam President, would be if there's no -- if it's considered that there's not a large change going on here, why indeed are we

changing the language at all? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I think the change in it -- so let me restate what the change is. Originally you weren't going to be physically -- you would have to be physically incapable of presenting a danger to society. Now you have to actually present a significantly reduced risk.

I think that, and again, this is a perspective thing. I think that the fact that you present a significantly reduced risk is not just about your physical capacity, but it's about the whole of the person and everything that they are and whether or not they present a reduce risk. So, you know, I think it's more accurate, it's a more accurate assessment to make of the individual before you, then just whether or not they are physically incapable of taking --presenting a risk. And I think there's more to a person than just their physical capacity. Through you, Madam President.

THE CHAIR:

Senator Kissell.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Through you, to Senator Winfield, the good Co-Chair of the Judiciary Committee, while I understand that he does not have a crystal ball and cannot look into the future, would it be fair to state that under this new language it's -- if not expected, it would not be unexpected and it would not be unusual that there would be more inmates released going forward under

the compassionate release program as regarding the number of inmates being released at this point in time? Through you, Madam President.

THE CHAIR:

Senator Winfield,

SENATOR WINFIELD (10TH):

Through you, Madam President. I guess I would answer it this way, thinking about the two parts of the compassionate release that are in the Bill. Any instance of the declaration of the pandemic and national emergency, significant health risks, the answer to that would probably be potentially yes, right, for that, because we don't really, we don't really have the ability to release people for those reasons right now, which is the genesis of the conversation.

In the norm, I'm not sure that I would say -- would answer yes or no. I think it has to do also with the body that's assessing them, which is the same Board of Pardons and Parole, whose perspective on releases won't be changed. Again, I think there's a tool that can be used and largely what this Bill allows for is the usage of that tool and situations that we were thinking about, like the pandemic and other things. But I'm not sure that I would say that the numbers would necessarily increase, although I would accept the argument on the part of someone who believes that that's the case. Through you, Madam President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I have no further questions for my good friend and colleague Senator Winfield at this time. I'm gonna take that

as like a one point victory because right at the end, he sort of said, well, you might draw to a reasonable conclusion that there will be some number of inmates increasing but we don't know. And I agree, we don't have a magic ball. We can't predict the future. And there's also this third factor of the Board of Pardons and Parole that'll -- and by the way, even with the Board of Pardons and Parole, there's -- you know, I think typically what they do is they assess these things in three person panels, and there's more than three members of the Board of Pardons and Parole. So maybe two out of three would view something differently than a different two out of three or three out of three.

So there's definitely moving parts in the process, but from my perspective, I think there's going to be, clearly due to the COVID portion of this Bill, the potentiality for an increase number of inmates that will be released into the general -- I can't say general population, that's a corrections term, but into the public. And -- but I also think under the change in definition, and I believe that there's a statutory construct that courts use that they try to give meaning to everything that we, as a legislature pass, A, and B, if we make a change, I think they go out of their way to try to figure out why did the legislature in its wisdom make that change and try to effectuate that change in some way, shape or form. What conclusions they draw, you know, sometimes I'm baffled but I know that they will at least attempt to, should this matter get through the court system, try to give meaning to what we, as the elected Senators and representatives of the good people of the state of Connecticut, spend so much time and goodwill and effort trying to effectuate.

So ultimately as to the Bill, this portion of the Bill, I oppose it out at this point. Unless some changes are made, I'll probably end up having to oppose the Bill as a whole. It would be remiss of me though, before I conclude. And I do believe that

there's others that have questions or at least comments regarding this Bill as well.

I know that there's an Amendment out there, but I don't want to call it right at this time. I'd like to have everybody else have their opportunity to speak on the Bill at this point in time. But the other portion of this Bill has to do with what I would consider the whistleblowing or whistleblower protections that we afford. Corrections officers, can be men or women, and you can have women in non-female facilities in various capacities, but they would be protected if they report on abuse of an inmate and they report it up the chain of command, such that appropriate either disciplinary action or some other action can be taken, because I firmly believe that there are strict rules as to how individuals are treated within our correctional facilities.

I've toured all the, now five, used to be six open facilities in my district, any number of times. I think I've stated any number of times on corrections issues that up in the town of Suffield that I represent and I have for 29 years in its entirety that you can't see it from the road, you have to take a road in, but MacDougall-Walker is the largest correctional facility in all of New England. That's how big a prison that is.

And so it's -- these are not minor facilities by any stretch of the imagination, just compare the population of Massachusetts to Connecticut alone. So we have some major correctional facilities in North Central Connecticut, but when an individual is judged guilty and sentenced to some term of incarceration, they don't give up all their rights. They give up their freedoms but they do not exceed to any way, shape or form that anybody under the guise of authority can abuse them.

And if another corrections officer, and these are professionals, and this is a difficult job, it's

hazardous duty. If another professional sees another corrections officer abusing an inmate, they should not have any hesitation in reporting that abuse, such that justice can be meted out and appropriate penalties or punishment or discipline can be granted.

And there's a sliding scale. I mean, there can be something that's relatively minor and there could be something that's potentially life-threatening. And you read about this, if not necessarily in Connecticut but throughout the country these things happen both within our free society and within the Department of Corrections. And quite frankly, that's why I've always had concerns if not outright opposition to correctional facilities being run by private enterprise because essentially, in my understanding, private enterprise ultimately has a goal of making a profit for shareholders or its owners and management. And that's why I think Connecticut is blessed, outright blessed. I don't have any hesitation in saying that. That we have some of the very best corrections officers in the United States of America, bar none. Highly professional individuals that take their job extremely seriously, and they want to make sure that the inmates are treated fairly and safely.

And, and frankly, having gone through these facilities and not just north central Connecticut, you know, it could be Garner in Newtown. It could be facilities out in Wallingford, other places in the State of Connecticut. You know, I think you'd be hard pressed to find a corrections officer that wouldn't like to see inmates turn their lives around and become productive members of society. I think that would be, you know, not unusual to find that.

You know, in this day and age people know the risks of becoming a corrections officer. It's not an easy job. We watch these inmates 24 hours a day, seven days a week, 365 days a year. Sometimes due to short staffing, people are called in for double shifts.

They understand that -- how critical they are to our society and keeping the public safe. But at the same time, the inmates have a level of rights that are not abrogated even if they are incarcerated for the rest of their lives.

And so that portion of the Bill, I wish it was standalone because I'd have no hesitancy in supporting it. But now that it's coupled with this other portion of the Bill, that gives me pause and concern regarding victims, victims expectations, victims' rights, and the safety and security of our general public. Like I said, I have grave concerns regarding that, but at this point in time, I'm not sure given the fact that we have reduced the numbers here in the circle, how we go about -- I can't really yield, but I do believe that there's others, at least within my caucus that have some either statements or questions that they want to pose regarding this legislation as well.

So with that indulgence, Madam President, I'm gonna stop at this time with the notion that later on it's my intention to bring out an Amendment regarding this. But as I stated, I want to be able to -- I would like the circle to avail itself of the questions and concerns raised by others, either party, any side of the aisle. Through you, Madam President. I will now step away.

THE CHAIR:

Thank you. Thank you very much, Senator Kissel. Will you remark further on the Bill that is before the Chamber? Good afternoon, Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I rise because I have some issues with this Bill. I'd like to start by talking about what the typical prisoner is. The typical prisoner is not a first time offender unless they committed something very serious. Most

committed multiple crimes, been arrested multiple times and finally ended up in prison. Manny plea bargaining serious offenses down to less serious convictions, and others resulting in reduced sentencing. Over the course of our Committee meetings, I asked prosecutors, police chiefs, defense attorneys, how hard is it to go to prison in the State of Connecticut? Some of the -- some of them were -- stated that it's really hard-- that you really have to work at it. You have to be a career criminal. It's very hard to go to prison in Connecticut. These are the -- these are comments by people who were in -- are part of this.

And I relate that back to when I was a policeman. When I was a policeman in 1990, I pulled up a criminal history on a gentlemen and he had been arrested 18 times and I thought, wow, that's a lot of arrests. And at the time it was. When I left in 2012, I was pulling up multiple that had 50, 60, 70 arrests. That's a broken system.

So it's hard to get into -- it's hard to go to prison. And I keep seeing, you know, all these laws passed, including this one, that want to make it even harder to go to jail. Now, I believe in a lot of the programs that are out there, I believe in first-time offender. I believe in all of the programs that can result in helping somebody, but there's those that just will continue to commit crimes.

Now we have a Bill changing the rules on compassionate parole release from physically incapable of presenting a danger to society to present a significantly reduced risk of danger to society. Madam President, I have some questions for the proponent of this Bill, Senator Winfield.

THE CHAIR:

Thank you. Prepare yourself. Senator Winfield.
Please proceed, sir.

SENATOR CHAMPAGNE (35TH):

Through you, Madam President. What is present significantly reduce risk of anger -- of danger to society mean?

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I would say that because the Bill imagines that the Board Of Pardons and Parole will put in place rules around this, it will be determined by the Board Of Pardons and Parole exactly what that means. I would also not a hundred percent be able to tell you what physically incapable of presenting a risk is either. I think people would disagree on all of these terms.

Madam President, I just want to make one correction. I don't think the Senator meant this, but I just want to make one correction to what he said because he suggested that this Bill makes it harder to go to prison. And this Bill deals with people who are already in prison. So, just for the record, this Bill doesn't deal with getting into the prison. It deals with the population that's in the prison already. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And I understand that. I wanted to make a point that, you know, those in prison, aren't just there because they walked into it. You know, it is difficult to get into prison and now we want to make it a little easier to get out of

prison. And I don't mean that, you know, you know, somebody has cancer and, and their days are numbered. But I want to focus on this point that they significantly reduce risk of danger. Is significant -- through you, Madam President, significantly reduced risk of danger. Is that a hundred percent that this person is not going to hurt somebody else when they get out?

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I don't think anything we do is a hundred percent that a person won't hurt anyone, even the current construct is not that. That it really is an assessment that the person cannot cause harm currently. It's an assessment that there's a significant reduction in the ability to cause harm going forward. And so I don't think there's anything that we are going to do here that is a hundred percent regardless of how people might feel about that. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And through you again, when we talk about significantly reduce risk, does that create more of a danger to society than the current language? Through you.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. Think that's a question that reasonable minds would disagree on. I would just say that -- and it goes back to the question that Senator Kissel asked, is it a potential for a group, even if it's marginally larger to be out? Yes. But -- and I think maybe this is a good time to remind people that what this Bill talks about is physical and mental debilitation.

You might have a mental debilitation. That means that you probably should be getting out, has nothing -- no link to your ability to cause a physical harm. And so that person who we would under the current law say mentally is debilitating to the point where they should be out, cannot get out because there's not the physical inability to cause harm as perceived by those doing the assessment, which is why an answer to Senator Kissel. I said that when we're looking at people, they're more than just what their physical capacity is. I think this is more complicated than the black and white way in which many people, unfortunately, look at this issue. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I guess I'll keep it at a physically incapable of presenting a danger to society, as the original, and present a significantly reduced risk of the dangers to society. I think I'll let the wording speak for itself on that one.

I just believe is our jobs as politicians is, and I've said this before, public safety needs to be number one. And anything we do, we need to look at this and make sure that we're keeping the public safe.

I have some questions further on down about the major disaster declaration and the mass releasing of prisoners. Through you, Madam President, can you -- to Senator Winfield, can you tell me how many prisoners were released under COVID-19?

THE CHAIR:

Senator Winfield

SENATOR WINFIELD (10TH):

Through you, Madam President. I don't have those numbers with me right now. The Department of Corrections has those numbers should the good Senator wish to ask them, but I don't have the numbers with me today.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And through you again, can you tell me what crimes the prisoners released under COVID-19 were convicted of?

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I didn't bring those numbers with me because this Bill would deal with a different set of people. So I didn't see how that was pertinent to the group of people we're talking about under the Bill. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. Can you tell me -- through you, Madam President. Can you tell me how many of the release prisoners were rearrested and for what crimes.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. Again, that would be a different set of people. So I didn't see how having that information would be pertinent to the Bill that's in front of us. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. So basically we want to pass a law to prepare us in case something like this happens again, and we have no supporting data. We didn't look up the data. This wasn't presented to Judicial, for all we know of these prisoners were all released. They're all -- they've all been convicting crime -- been committing crimes. They could be responsible for a lot of the serious crimes right now.

In fact, this is some of the information that I'm receiving from law enforcement out there and from the court system. And to me, I think that is a very important piece of information. Yeah, it may be different people in the future, but when we study something, we look at what happened now, it's a predictor for the future. And I think it's very important. I mean, we have court dates that are

three to four months out right now because we've been closed. And I do believe that the victims of those that were injured during -- because of the release prisoners would have a problem with mass releasing's in the future.

Should the public -- through you, Madam President, should the safety of the public be considered before we release mass prisoners?

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. So absolutely. That's actually what the Bill does, the part where it talks about the significantly reduced risk to the public, that's considering the public safety.

I would also suggest that -- it's interesting that we're talking about the data that we have, we're talking about a particular population under this Bill, there's no data for that population because we don't let them out. This Bill doesn't imagine mass releases. It deals with people who are existing under very specific sets of circumstances, who also have, you know, in a part that mostly has been talked about has -- have a debilitating and physical conditions.

This is not a Bill that imagines that we're going to let everyone out of the prisons. That's not what it is. This is a Bill that imagines that at some point in the future, like the past year, unfortunately, that we've experienced, that we could find ourselves in a similar situation. And if we find ourselves in that situation, people who we have in our prisons, who are not sentenced to life should not die because we don't have a tool to use. That's what this Bill imagines. Through you, Madam President.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And just responding to that, you know, we talk about a tool, but, you know, part of this, in this Bill, you know, we're talking about releasing of large numbers of prisoners. And as part of this, we should be outlining which ones should be released and which ones should stay in prison because our primary job again, and I'm going to say this again, is public safety. And, as I read through many of the Bills that are coming before us, and many of those that have come through us, I see that as not a priority in some of these Bills. And I know I'm off target on this, I'm going to stay to this Bill here.

I want to touch base on some of the crimes to see if -- we outline two, at least two crimes in this Bill that people would not be released on. So I want to touch on just a few to see if they fall under this, just so I have on the record, you know, what we're talking about here. Through you, Madam President. First is, are those convicted of aggravated sexual assault of a minor eligible for release under both of these programs?

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I guess I would ask the Senator for clarification because the Bill does more than one thing in the sections that I believe he is concerned about, which is Sections 1 through 7.

The Bill deals with the issue of compassionate release. And that's why we were having a conversation about the significantly reduce risk. But it also deals with it during the times of an emergency, which is related, but not the same. So I would ask the Senator for clarification of which time he's asking about?

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And I am talking about both times, under the compassionate release and under emergency declarations. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Okay. So, Madam President, through you, I would ask the Senator then to reframe his question so I can answer the question.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. Under compassionate release and the release under emergency declaration, are those convicted of aggravated sexual assault of a minor eligible for release under those two programs?

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President, as they are now under our compassionate release statute, potentially, yes.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. Through you again, under compassionate release and the release under emergency declaration, are those convicted of assault of a pregnant woman resulting in termination of pregnancy releasable under the two programs?

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, again, Madam President. My answer will remain the same for all of the crimes not excluded in the Bill. Currently, we have the physical limitations to those things, which are excluded. But we can consider crimes that are abhorrent to society. That's the point of a compassionate release. Through you, Madam President.

THE CHAIR:

Senator champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. If this answer's gonna be the same, then I'm just gonna read through my list of some of those people that are going to be released under both of these. And, you know, I --

there are victims on each one of these and those victims, you know, should be considered as well.

If somebody goes to prison and a situation like COVID happens, and they're convicted under one -- even just one of the two that I just mentioned and they're released, and they had a long sentence and they're just released, that's a danger to society right there. And I understand under COVID what we did, but we really need to take a look at everything and seeing how we don't have the list here. This is what I'm left with.

So the other ones that I was going to list and get an answer on, which the answer will be the same. Are sexual first, kidnapping first with a firearm, home invasion, arson first, manslaughter first degree with a firearm, assault of an elderly, blind, disabled or pregnant or person with intellectual disabilities, first degree. Robbery first degree with a firearm, trafficking in person, manslaughter second, strangulation first, and any of those could have a domestic violence arrest included with them except the robber, well robbery first could too if they're related.

I guess I have some issues, I think that this should have been defined a little better and I think we really need to start to thinking the definition of the compassionate release and leaving it the direction it is, so that we have more people that, you know, we have better control as to who we're releasing.

I am compassionate but if there's any chance that person could come out of prison and another victim is out there, then I'm gonna have a problem with it.

Madam President, I'm gonna leave it at that. And I know there's other that need to speak. Thank you.

THE CHAIR:

Thank you, Senator Champagne. Will you remark further on the Bill that is before the Chamber? Senator Hwang. Good afternoon, sir.

SENATOR HWANG (28TH):

Thank you, Madam President. It's good to see you after a little bit of a house cleaning. I rise in trying to get a better understanding of this Bill. Having been former member of the Judiciary, I know such issues are complicated, emotional and well intentioned.

So as I go through this Bill, and as a strong supporter of second chance society, and supporting those that have paid their debt to society and giving opportunities, I really wanted to better understand this Bill. So through you, to the proponent of this Bill. Some particular questions for me to better understand this. Through you, Madam President.

THE CHAIR:

Please proceed, sir.

SENATOR HWANG (28TH):

Thank you. To the good Chair of Judiciary that I have greatly respected, can you explain a little bit to me the idea of medical and compassionate parole and the current fairly high bar that's been set relative to it right now. And I'll just simply say for me, in my homework, it defines individuals who are so physically or mentally debilitated, incapacitated or in form has a result of advanced age or as a result of a condition disease, or syndrome. Are those the current application of individuals that qualify for compassionate medical parole? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President, and through you, Madam President. As I answered earlier in response to Senator Kissel, the medical release basically you have to be within six months of the end of life. So it's an end of life type of release. The compassionate release has a mental or physically debilitation, which basically results in a physical incapacities such that there is no risk of harm to the public, which is very limiting and may not actually take into account because of the physical incapacitation that mental debilitation itself. Through you, Madam President.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. Through you, Madam President. I just want to apologize as I was in other meetings and did not have a chance in these current environments to be able to hear some of the previous points. and if indeed if the good Chair, if I'm asking questions that may be repeated or addressed, feel free to share that and I'll be happy to go back and read the notes. But I wanted to acknowledge that.

So we have a current practice of discretionary releases in addition to our current application of the fairly high bar that I mentioned earlier. Could the very good Chair talk about the current application of discretionary release that has been ongoing since the COVID pandemic? And unless again, the good Chair has already stated this before and I might have missed it. But could he explain a little bit more the idea of how we are addressing or applying discretionary releases right now? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. And through you, Madam President, first to Senator Hwang. I am happy to repeat answers. I've been here for many years and I've done ten, 12, 14 hour debates which I repeat answer and I'm happy to make sure everyone has clarity-

Yes, we do have discretionary releases. I can't tell you exactly how they work, discretion has something to do with that. But we do have discretionary releases which have, thankfully, not at the very beginning but during the COVID pandemic allowed some people who we wanted to make sure had the ability to leave the prisons to get out.

To be honest with you, at the beginning of the COVID pandemic. And I think Senator Hwang may have maybe expressed this at some point when we were here. I was frustrated with what was going on and that we weren't using every tool in the toolbox, including the discretionary release that we could use. I think that's, to be honest with you, a little bit of the issues. The discretionary nature of it. And that's discretion that's built in here too because simply because we provide for a tool, doesn't mean that we have to use it. But I think what we're doing here is making sure that we have a tool. Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. And I want to extend the good Chair, I want to respect his time and I greatly value and respect his time. And so I thank him for educating me on this. And as the good Chair cited earlier, we in this circle are trying to address problems. I think the best way we have is when we are able to target in on a problem and work to find solutions.

So would it be fair to say, in his description of the discretionary, but also that this Bill and the premise of it is trying to address a problem that we have seen present itself during the COVID-19 in which the prison population was put at risk in close quarters and the potential of being in a higher risk environment without the opportunity. Is that one of the major premise that initiates this idea of this compassionate and medical parole release Bill? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. And through you, Madam President. The basic genesis of the Bill that is before is, at the beginning of the COVID-19 pandemic, naturally, family member of people in our prisons were concerned about the fact that we had what was explained to the public as a very contagious virus that we were watching run through populations, particularly, populations where people lived next to each other in close quarters, which prisons are. And I think as the good Senator and most of us know, prisons are places that breed disease and the expectation was that we might not find ourselves at the end of the pandemic in a place we wanted to be as it relates to those who survived and those who did not survive.

I engaged in conversation with the Department of Corrections, the administration and others about this because I was inundated with calls about it. And family members who wanted answers about what could be done for their loved ones. And the answers I got were not satisfactory, not for me, not for the families, and not for the people who I kind of talked to about it because I couldn't believe what we were doing. And often time in that conversation I heard this statute is the problem. If the statute would of give us more leeway then we might not use it but we could use it.

And so I made the promise that when we came back we would deal with that because that's a major problem, and because if we ever experienced like COVID-19, and this is the reality, we might not be as lucky as we were during this pandemic 'cause we got lucky doing the things that we did in this state. That more people didn't die. That's just reality. And I think that we as general assembly have the power not to just let people out, as some people might suggest, but to make sure that tool is there to be used if we decide to use it. To make that that tool is there as this Bill suggest with regulations around how it's used if we decide to use it. But to go through this pandemic, to know we have a problem and to come out the other side and leave it as it is, I just couldn't be a part of that. So that's how got here. Madam President.

THE CHAIR:

Thank you, Senator. Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. And I agree. I agree with the good Senator because I have also received phone calls from individuals concerned for their loved ones because this close quarters. And look, for those that are paying their price to society, there are good people who do wrong things. And then

there are really bad people that should be protected -- protecting our public safety. But that being said, everyone has basic right to public health and safety, whether they're in prison or not.

So in the case of the good Chair's passionate and articulate description of the problem, I completely agree. It is a problem that we need to address. Now it leads to a couple of the questions in regards the devils in the details, right? So a couple questions I have related to this, because as I go into the questions, it is clear -- I want to be clear that I'm very supportive of solving this problem because individuals who are currently incarcerated during a public health crisis similar to the COVID-19 pandemic need to have some recourse and avenues of protections.

So I completely agree, the devil is in the detail. So through you, Madam President. We're gonna compose a new panel of compassionate and medical care considerations different from the full panel? Would that be correct? And is that composition outlined in this Bill? And would those individuals come from the full parole board, or would they come from outside of that?

So the questions is the composition of the new, compassionate and medical parole that's being described in this Bill for a point of clarification. And what is the membership of that panel and would they be coming from the full board and pardon review board, or would they be coming outside of that? through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. I believe that the good -- through you, Madam President. I believe the good

Senator is referring to lines 131 through 135, which allow the Chair of the Board of Pardons and Parole to appoint a special panel to implement the provisions of what would become the law. And yes, they would be coming through the Board of Pardons and Parole. This is not a process that's dissimilar than to what happened sometime. Now as you know, the full board doesn't always meet to consider pardons and parole. This is attached on the Section on the declaration issued by the Governor of an emergency or state of emergency.

So I guess I would say that, yes, it's potentially different than what we currently have, because it always is whenever that kind of thing happens. But it's not that this special panel is impaneled and then exists forever, that's not the case. It's a response to the situation we're in, and even within that situation after that panel has been impaneled it could be that case that the Chair of the Board of Pardons and Parole impanels to the other members to continue doing that work depending on how the pandemic or health emergency continues to take place. Through you, Madam President.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. Thank you for that answer, that's helpful. I appreciated that. Now as I ask the following questions, I will draw from reading the testimonies of the Connecticut Coalition Against Domestic Violence, as well as the Connecticut Alliance to End Sexual Violence, and some of their concerns. And through you, Madam Chair, this measure in this Bill to address the problem that we both agree, creates a new process with a much lower standard of granting compassionate release during times of emergency declarations like COVID-19.

That is beyond anything nationally or anything that is in place right now even with the discretionary release has an effect right now. So it really removes also the supervision of the department of Corrections of individuals that are granted the compassionate release. Through you, Madam Chair -- President, would that be correct that it sets a higher standard than anywhere in this country beyond the discretionary, and does it remove supervision by the Department of Corrections by those individual that have been granted a compassionate release? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. On the first part of that question, I'm not sure how I would answer that. I mean, you know, there are places where Governors just let people out, so I don't think that's a higher standard having the Board of Pardons and Parole look at the issue, have regulations around it, all of that. I actually think that's a lower standard and that's a completely subjective standard but reasonable minds can disagree on that.

We're talking about individuals who are going to the Board of Pardons and Parole to seek a compassionate release. And when they go there now, the Board of Pardons and Parole has it's process for looking at it. The Board of Pardons and Parole will have a process. I don't know that I could answer that question beyond that. I just don't have an answer for that question beyond that.

THE CHAIR:

Thank you. You have the floor, Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. It's good to see you up there Senator Hartley.

THE CHAIR:

Likewise.

SENATOR HWANG (28TH):

The answer that the Chair gave me is -- and I hope for us in this circle and for us in the general assembly, that we will hold up to a higher bar. And that the example cited by other states is not applicable to Connecticut. It is what we do well in the State of Connecticut is to set up a standard for others to follow. So and I appreciate your comments on that. But again the second part of my question. Through you, again, Madam President is, does the current proposal remove supervision by the Department of Corrections of individuals that have been granted compassionate release under the terms of House Bill 1058. Through you, Madam President.

THE CHAIR:

Senator Winfield, you have the floor, sir.

SENATOR WINFIELD (10TH):

Through you, Madam President. I don't think anything in this Bill takes away supervision from the Department of Corrections. Again, the Bill allows for the creation of regulations around this, and I imagine that the regulations could potentially impact anything that would normally be the case for supervision, so I will grant that. But the Bill itself, doesn't do -- doesn't take away that the Department of Corrections would have as it relates to compassionate release if we were doing compassionate releases.

THE CHAIR:

Thank you, sir. You have the floor, Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. And that goes right to the crux of the concerns of these leading domestic violence groups. And before I get into the questioning, I wanna applaud Winfield for his tremendous advocacy and leadership in recognizing domestic violence and the fight, the continual fight against it. But what we're saying is, under current statute, an individual under these extenuating emergency circumstances, if they were released they would remove the required treatment for sex offenders and the nullify the treatment of supervision collaborative models that were so necessary victim a chance of advanced notice.

Maybe the good Chair could clarify what was written by the Connecticut lines to end sexual violence. Because for me, beyond the context of what is written, what I read this is under the compassionate release due to an emergency circumstance, potential domestic violence perpetrators, sexual offenders, could be released and they would not have the normal supervision and reporting guidelines has applied to current statute related to individuals of those offense.

I would like to ask through the good Chair of Judiciary if that is indeed not the case for legislative intent, and if it was, I want to be able to make sure that those kind of errors are corrected in order to create a Bill that is fair and just and protective of the public safety that's been so emphasized earlier by proponents -- by this Bill.

So through you, Madam President. The question I'll clarify again. As I understand, and as I read from the testimony of the advocates fighting domestic violence and sexual assaults, that individuals released under the extenuating circumstances of the

compassionate release of Senate Bill 1058 would no longer have the reporting and as I said, the treatment of supervision collaborative model that is so necessary to protects victims and notification of them because right now, if that individual is released, there is no mechanism or requirement of advanced notification of individuals or families that could be impacted by the domestic violent perpetrator or sexual assault perpetrator. Through you, Madam President.

THE CHAIR:

To you, Senator Winfield. You have the floor, sir.

SENATOR WINFIELD (10TH):

Thank you, Madam President. Good to see you.

THE CHAIR:

Good to see you.

SENATOR WINFIELD (10TH):

Through you, Madam President. I would say this, that the persons that we're talking about as the Bill would touch, that the Bill -- that the law currently obviously doesn't touch, which is why we have the Bill. Those people technically wouldn't have any rules right now because they're not touched by the law. What the Bill say in Section 126 through 130, lines 126 through 130 is that any person that's granted-- and I'm gonna skip a couple of lines, would be allowed out, but there are terms and conditions, and they're established by the Board of Pardons and Parole and it pursuant to section of the law that currently exist.

Now the conversations behind this Bill are that -- the full expectation is that those rules and regulations that are to be promulgated would include many of the things we already see, including

notification of victims, which this Chair supports. Including the kind of things that Senator Hwang is asking for, which this Chair supports. The point is not to get around notifications or anything, or anything like that, the point is to actually get a tool that works. Through you, Madam President. I believe that the way this is constructed allows for all of those concerns to be addressed in the way that they should be addressed, and I am supportive of that. Through you, Madam President.

THE CHAIR:

Thank you, Senator Winfield. You have the floor, Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. And I appreciate the public statement of support for those ideas by the good Chair but then I understand, and I don't have the Bill in front of me. But in my homework I'm understanding that we did remove in Connecticut general statute under this Bill Section 54-131K, Sub-Section B, which I understand from reading in the notes through the good Chair, and correct me if I'm wrong, it nullifies the requirement that any person who's granted compassionate leave will be subject to the terms and conditions of the Board of Pardons or Parole or supervision once released. That is why I drew upon this that individuals of sexual assault, convicted of sexual assault or domestic violence under the removal of Section 54-131K Sub-Section B, removes the normal traditional notification and supervision requirement model that we talked about.

Is that an error or did I read that statute, or read the testimony of advocates incorrectly? Because that is important to understand because for those individuals that have struggled through domestic violence, not only the individual but their entire families, the specter of individuals that are being

released that do not have proper guidelines and rails of protections, and to be properly notified should that individual be released, is to me a significant flaw and a concern of this Bill. And my hope is through my question and through further clarification that the good Chair of Judiciary could clarify and nullify my concerns and address them in -- for legislative intent but more clearly for those individuals that are extremely concerned by the well intention of this Bill but the possibility that it could impact many people that have already suffered crimes and my hope is to not ever suffer those again. Through you, Madam President.

THE CHAIR:

To you, Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I am going to-- and the good Senator -- I'm going to say, Madam President, the good Senator can interrupt me to correct but I'm going to make some assumptions. I'm going to assume, and I recognize that he doesn't have the Bill in front of him but I'm going to assume that he is in Section 7 of the Bill where we're talking about the pandemic, the health crisis, the national emergency, that kind of thing. And I would say that Section 7B is all new language, so there's nothing that is removed. It's not like we added new language or struck something out of the statute in that Section B.

So the representation that something is removed there would be incorrect. What it -- the further says in Section now C is what I was just talking to the good Senator about. That's lines 126 through 130, and I will ask leave of the Chamber to read those lines for clarity. What it says as it's currently constructed is, "Any person granted a compassionate parole release pursuant to this Section shall be released subject to the terms and

conditions, as may be established by the Board of Pardons and Parole, and the rules and regulations established pursuant to Section 54-126."

So that is that Section that allows to establish, to promulgate the rules and regulations, which will be done. That is what I was just talking about where I said that the conversation that I had about that establishment led me to understand that we would be talking about all of the things that probably will be talked by numerous Senators here today and that this Senator, the Co-Chair of the Judiciary Committee was in agreement with.

I recognize that the way our Bills are written, times people assume that we are trying to remove or add language that may not always be that the intent here is to do. Again what we are trying to do is make sure we have a tool that works. We put in place a paradigm where the rules can be promulgated. Those rules would include the things that are necessary to protect, not only the life of the people who this Bill looks to protect but the issues inherent in the fact that they're in prison, which include the fact that there is a victim. Through you, Madam President.

THE CHAIR:

Thank you, Senator Winfield. You have the floor, Senator Hwang.

SENATOR HWANG (28TH):

Thank you. I want to thank the good Chair for that point of clarification. You're absolutely right because as we have learned many times in this Chamber and in this general assembly, legislative intent written in words may be different interpretations when put into practice. And that is part of why it's so necessary for us to have this kind of dialogue, this kind of transparent engagement of these kind of processes.

I will take at the good Chair's word and legislative intent that as he cited that there were considerations that individuals, such as I've cited, that could pose a risk to domestic violence, and sexual assault would have the proper supervision and regulatory requirement guidelines in place. So perhaps even as I read the testimony of the advocates that there may be a different reading, which happens all the time, but I'm hopeful and grateful that we have an opportunity right now, colleague to colleague, to really try to hone in on a Bill that is addressing a critical problem that we both agreed on, and the devil is in the details to get it right.

This was a point of concern that was raised by advocates that I have great respect for in doing the work that I have great admiration for, and in a very sad statement, unfortunately, necessary all too often. So in the area of domestic violence, sexual assault, those were concerns raised, and I wanted to raise that in our dialogue in our circle. And I want to thank the good Chair for clarifying some of the possible misreading of current language in the proposed Bill.

So I would say this, I thank the good Chair for his answers. I thank the good Chair for his patience and his clarifications on some of the potential interpretation for legislative intent, and in this case, my hope is that I will listen to the rest of the debate and learn more about this very important Bill because I agree this is a problem we need to address to ensure safety of everyone in this State of Connecticut, whether they are out in the community, whether they're our first responders or individuals that are paying their debt in incarceration. They deserve every right to public health and safety.

So thank you, Madam President. And I want to thank the good Chair for his patience and my gratitude as well. Thank you, ma'am.

THE CHAIR:

Thank you, Senator. Will you remark further on the legislation before us? Good afternoon, Senator Martin.

SENATOR MARTIN (31ST):

There you go. Thank you. Good afternoon, Madam President. I rise to ask a question to the proponent of the Bill. My understanding [inaudible] and the -- particularly the impact that it had in the [inaudible]

The questions that I have, you know, does this Bill allows the Board of Pardons and parole the ability to grant a compassionate parole [inaudible]

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. So as I've explained, our current system of compassionate release is a system where in order to be released the individual has to have an incapacitation themselves, physical or mental incapacitation. And that individual has to be whatever it means, so physical incapacitated as to not be able to cause harm themselves. Of course, that doesn't automatically mean that they would get that release but those are the requirements for that individuals. And also we've been talking about the medical release, which is an end of life type of scenario where the individuals within the last six months of their life. Through you, Madam President.

THE CHAIR:

Thank you, Senator Winfield. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, President. And that's where I [inaudible] it looks like we're changing physical capable and [inaudible] through you, Madam Chair.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you Madam President. And I'll guess I'll answer as I answered earlier that what the good Senator is pointing to is the changes present a significant reduced risk of danger to society. And the thinking is that in order to actually make this work in the way we hope it works, that is a better scheme of how you do this, a better set of words actually get at what we're talking about it. You could have a mental incapacitation but that doesn't mean that your body is physical incapable of causing certain amount of harm, right. I think we all recognize that. Under that, you actually shouldn't be able to be released here but we might agree that you probably should be released.

This takes into account the fact that what happens is that it's not that you're so physically incapacitated because that's as subjective as a significant reduction of risk but that is that you have a significant -- you have the conditions that have to be met. And in conjunction with that you have a significant reduction in the risk that you could cause.

And so the thinking was that in conjunction this is actually getting at what we're intending to do. Through you, Madam President.

THE CHAIR:

Thank you Senator Winfield. And Mr. Clerk is letting me know Senator Martin that we're having difficulty hearing you, and we're just wondering if you could step to this desk so that we can hear you better. Thank you very much for your flexibility. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, and President, is this better?

THE CHAIR:

Definitely, yeah.

SENATOR MARTIN (31ST):

I could hear it, her it myself. I could hear the echoing. Okay, so we -- and so you're changing -- I didn't see a definition in Connecticut State Department regarding [inaudible] is that --- is physical aspect is still in the legislation? Through you, Madam Chair.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes, thank you, Madam President. I just explained that the physical aspect is not and the limitation at the physical aspect would actually place that probably doesn't make the -- doesn't do exactly what many people would think we wanted to do, right. We want to make sure that people with a certain physical and mental incapacities themselves, potentially, have the ability to go out in a compassionate release. If you have it so that you're so physically incapacitated that you cannot cause

harm, you could have the type of, for instance, mental incapacity yourself but still have the ability, whether you could actually do it or not, still have the ability to cause physical harm. And technically, by the letter of the law, you would not be able to get out, even though we all might agree that you should be out.

And so what I was saying to you is, yes, that physical part is removed but this, remember that this is not an automatic out. This allows us to consider people more accurately who have the conditions that we're talking about. Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, it seems to shed some light into it. So is there another [inaudible]. Through you, Madam Chair.

THE CHAIR:

Thank you. Senator Winfield.

SENATOR HWANG (28TH):

Through you, Madam President. I don't have the information in front of me, and I'm not sure that I would be able to answer the answer the question as it's posed in terms of an average number. I don't think the pandemic has gone on for a period of time where we have established averages anyway. And I think the only thing that, at least as the questions that are being asked would relate to, is a pandemic or a public health emergency. So I'm not sure that we could answer that question. Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. Sorry. So it currently -
- so the only problem that we have with release is
this [inaudible] of any current compassionate
release, is that through the executive order that we
have or is it an established policy or under
corrections system? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. People were not
released in the state of Connecticut like they may
have been in other states via the Governor and his
executive authority.

In the State of Connecticut what we looked during
the pandemic was the existing statute, which has
been in existence for a very long time that deals
with the issues of compassionate and medical
release. They -- so an answer to Senator Martins'
question we are talking about statutes that have
been in place for quite a while. Through you, Madam
President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Okay, so we do have a program, a current program, we
have some guidelines and statutes in place regarding
the compassionate release. And COVID came into play
and we sort of expanded it because of COVID, and now

we are here changing those -- that -- the current statute to include permanently COVID and then changing the description of who would be allowed to qualify for this release, a compassionate release program. Through you, Madam Chair.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. We did not change our -- it's a statute. We didn't change -- the only way that we could of potentially operated as a change during the pandemic was that either the legislature came in and did it, or the Governor through his executive authority potentially made some changes. And as I suggested in my answer to the last question. The Governor did not do that, so we haven't made any change to this point. What we are looking to do is to make a change that comports with what we've learned during the pandemic. But we haven't done anything to this point except have a Committee process where the Bill was introduced and we have a public hearing. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you. Let me clarify, so we're here today to change it. In other words, we are looking to add to that compassionate legislation, compassionate release legislation to include and codify the pandemic or an emergency, something similar to COVID. And in addition to that, it's changing that wording where it -- you -- the qualifying line, I'll say, one to three regarding the physical incapable of presenting, et cetera, and then we're replacing

it with the risk of danger to society, or a significant risk of danger towards society. Through you, Madam Chair.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. That would be accurate. We are doing all of that and just - I know that is what the good Senator meant, but a significantly reduced risk to society. Just for clarity. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. Thank you for clarifying that. I'll get my terminology straight here, I think, by the time of this. So let's just very quickly, had the risk of harm, can you explain what that is specifically? Or high risk. Can you explain what a high risk of harm is? [inaudible] Through you, Madam Chair.

THE CHAIR:

Senator Winfield.

SENATOR MARTIN (31ST):

Thank you.

SENATOR WINFIELD (10TH):

Thank you, Madam President. I'm going to take a little liberty here. The Bill doesn't talk about a high risk of harm. I'm going to make the assumption

that the Senator is asking me to explain what is meant by the Bill by the significantly reduced risk portion in those two lines. And I'm going to say that is something that Board of Pardons and Parole, given that this is under their authority would be looking at, and promulgating the roles and regulations that are in lines 1126 through 130 to address.

So I can't answer that question just like I can't answer at what point they feel someone is physically incapacitated to the point where they can't cause any harm. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

I guess, I'm confusing I think two different aspects of the Bill. I'm sorry. But it has to deal with the emergency declaration where an inmate is -- if he is going -- he or she is -- remains incarcerated there's a higher risk of harm to himself or perhaps to other inmates. And I guess I want a better understanding of that part of the Bill. Thank you, Madam Chair. Through you.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. So during the -- and through you, Madam President. During the COVID pandemic, we know that and we know that prisons are places where diseases spread pretty easily, we know that COVID-19 is a -- pretty high -- highly transmissible disease. That increases the harm potentially to the prisoner, which is what triggers

the actions under the Bill, the increased potential for harm to the prisoner.

And so it be a situation in which we had a pandemic for instance that did something like that, or a disaster of some sort that would mean that the prisoner staying where they are, increases the potential harm to that prisoner that would allow us to consider the things that we would after the passage of this Bill be allowed to consider. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. I'll move along to the panel of that -- this Bill is making reference to as well. Is that made up of the Pardons and Parole Board, or is it going to be a different group of individuals? Through you, Madam Chair.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. That would be made up of three members of the Board of Pardons -- from the Board of Pardons and Parole chosen by the Chair of the Pardons -- Board of Pardons and Parole. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

And I understand that it would be made up of three individuals? Through you, Madam Chair.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. That would be correct.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam Chair. So going back to my opening statement regarding the changes that we made legislatively regarding some of the deficiencies that we found regarding that early release of the convicted individual who murdered a police --

THE CHAIR:

I don't know where that's coming from.

SENATOR MARTIN (31ST):

Yeah. Okay.

THE CHAIR:

Senator Martin, apologies for that scratchy sound.

SENATOR MARTIN (31ST):

So one of the things that we changed there was additional -- and I can't recall if it was every so years, or every year annually. But it required the additional training for those that are in the parole role. I don't recall seeing anything of that sort in this Bill. It sounds -- I would believe, or I'd like

to think, that those that are going to be selected by the Chairman are gonna be qualified. Now would -- I think the Bill does make reference to that. but through you, Madam Chair, is there any type of training that is going to be require specifically regarding identifying the emergency aspect of this, or as well as the reasons of the, you know, the subject to language that we placed, you know, regarding the significantly reduced risk of danger to society. Is there going to be any type of training regarding being able to identify that? Through you, Madam Chair.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I'm not sure that the Board of Pardons and Parole would need training on the fact that there's a major disaster or emergency as it's required to be a declaration from the President of the United States, or declaration by the Governor. So at that point, it would be an established fact that there's a declaration, which would allow therefor them to operate under the provisions of this Section that is 109 through 121.

In terms to the types of training that the Senator - - the good Senator is referring to as training for the Board of Pardons and Parole, that will not change. And as the Members of the panel-- members of Board of Pardons and Parole, they will be trained on all of the things that the members are trained one, as the law has -- as the law change if he hears back. Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. I'm glad to hear that, 'cause I'm sure that the -- I wouldn't want to have happened again that we release someone through this program to find out that the members of that board or panel didn't receive adequate training in regards to, you know, the do's and don'ts or what to look for, what to question when they contemplate the changing or the releasing of an inmate.

I only have a few more questions here regarding the medical expenses. I know that, you know, these individuals probably cost us quite a bit, incarcerating them along with the medical expenses. And I thought I read -- and I can't remember if it was in a summary or in the Bill itself, probably in the fiscal note, but the impact of-- it might be less expensive if we did release them. And I don't know. And that's why I'm asking. Is -- are these individuals that are released in this program, are we still going to be picking up or paying for their medical expenditures once they are released? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President, and through you, Madam President. So I didn't do the breakdown, the fiscal analysis on the Bill and that kind of analysis. But what I would say is that if these individuals are to be released and maybe I should take a step back to the pandemic we have a head, the releases that were done or -- and/or at least the ones that were contemplated. There were a lot of things that were part of the conversation about how to release an individual, including whether they had a place to go, whether they might -- whether this was public or not, whether they would be able to make contact with the victim or not. A whole bunch of different things. And when you include all of those things,

certainly, that individual would get at least some portion potentially of their medical care from the fact that they were outside of the system. And so it would have some impact, what that impact is in terms of dollars, that is beyond my capacity to know. But certainly I think, it would be true to represent that there would be at least some mitigation in costs. I would not tell you whether that mitigation would be huge or not. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR MARTIN (31ST):

Senator Martin.

THE CHAIR:

Oh, I apologize. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. If a inmate is released under this program and he breaks parole, are there certain citations or what happens. Through you Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you Madam President. I don't believe that anyone, as we stand here right now, can tell you the mechanism by which they would be pulled back into the system. But if you look at lines 126 through 130 where there's the portion that I talked about earlier about the promulgation of rules and regulations, they -- that -- the method by which

that person would be pulled back would be established under that section. Through you Madam President

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Okay. So I guess there are some provisions in this that if they, I guess, for -- if something happens, that the parole board will have the authority to rescind their decision and re-incarcerate that individual. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. The parole board will make the rules and regulations that pertain to the program, as a I'm sure Senator Martin knows. And when given that power, they will clearly establish the manner in which one violates the program and the manner in which that person is pulled back into the system. through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. I'm going to just wrap up, thank you for answering my questions. UI know that you've put a lot of time into this, and the aspects that I do like about this Bill are relative to the whistleblower protections that you've put into this Bill. As, you know, my concerns, you've answered a lot of them, and I'm going to listen to the rest of the debate. And I'm just trying to get

back to the top of my notes here. But I basically, I was trying to understand the Bill a little bit better. Did have some questions.

I am concerned about the changing of the language regarding the physical aspect of what we're deleting from the Bill and replacing it with new language. But thank you, Madam President, and thank you to the good Senator.

THE CHAIR:

Thank you, Senator Martin. Will you remark further on the Bill that is before the Chamber Senator Cicarella. Good afternoon, sir.

SENATOR CICARELLA (34TH):

Good afternoon, Madam President. Sorry. This one was lit up so I had to shuffle over. I just have a couple of questions to get a good understanding of exactly what this -- is attendant attended to accomplish. I heard a bunch of questions and some responses, and I'm just trying to understand. It seems to me regarding the compassionate release. there is already a process in place, and just in a summary, if you could, through you, just give me a brief summary of the differences what the board does now and what this new proposed legislation will do.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President, very happy to repeat what the current statute does. The current statute says that if someone has a physical or mental incapacitation and they are physically incapable of presenting any physical harm to the public that they potentially are available -- can avail themselves of a compassionate release.

The way that's largely been interpreted is that not dissimilar from the medical release statute we have -- portion of the statute we have that a person is likely to be very, very, very far along and potentially near death. And we know that when something like COVID-19 or something similar, which I don't know what similar, but something similar comes along. Those aren't the only people that we might wish to be able to pull out of the system. And because the statute is written the way that it is, we cannot move beyond the statute. So we are stuck in a sense. And so what the new version of the statute would do is give us the tool to let out additional people. Through you, Madam President.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you. And through you. The tool specifically to let out additional people, what would change specifically right now, it's people who are unfortunately, at the end of life and cannot cause any physical harm to the public. In this proposed Bill, what would be the difference,

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. So I guess I'll take this into parts that actually exist in the Bill. They're really two kinds of different parts of the Bill. So the part that we've talked about with each of the individuals who have asked questions is about the significantly reduced risk. That is a change to the statute as it currently sits, and so it's not just that you have a condition where you're

so physically incapacitated as to not be able to cause harm, but you would present a significantly reduce risk. As I've explained, there things I think we thought you could do under the Bill that you actually technically, probably couldn't do.

So, for instance, it says, if you have a physical or mental incapacitation, dada dada, and you're not physically able to present the risk, but if your mental incapacity is such that you probably should be able to be out on a compassionate release, you may physically still be able to cause harm, right? We've seen this. Changing the language as we change it allows us to deal with the people I think we thought we could deal with, put that to the side.

The other portion of this is any instance of a COVID-19, a national emergency, public health crisis that allows for people who are not that set of people, but for whom the emergency itself creates an increased risk of harm to potentially be pulled out of the system pursuant to rules that the Board of Pardons and Parole would propagate after this Bill was passed. Through you, Madam President.

THE CHAIR:

Thank you, Senator. Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you. And through you. So currently for compassionate release, they have to be an end of life. This Bill is proposing that additional people with mental illnesses would be able to be released in this process. Is it just for people with mental illnesses? Through you.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

So, Madam President, I think I may have been misunderstood. So what I was doing was giving an example for how it would function differently, but I will start with the second part first this time. In the, in the second part, what this Bill adds to, what we can do in the State of Connecticut is that during an emergency, a COVID-19, a declaration by the President or the Governor that you could consider the harm to the individual we have in custody. And if the harm is great enough, then pursuant to the rules that would be put forward, that person potentially, could get a compassionate release, basically, in order to save that persons life, they could be released.

The other part, the first part second. So what this -- the reason I talk about the mental incapacity is because when you look at the statute as it's set out. what the statute says that if you have a psychical or mental condition, debilitating condition and you are incapable of causing physical harm, then you might be able to get the compassionate release. But if you have the physical disability, that probably lines up. But if the mental disability doesn't always line up in a way that I think we think.

So I was using it as an example to explain why this isn't just lowering a standard. This is, from my perspective, actually making it work better than I think some people just looking at it would understand it to do.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you, and through you, a few more questions. And I do understand there's two parts. I think I understand the part with the COVID situation or a COVID like situation. And I'll revisit that with a

few additional questions. But just trying to understand the main difference between the first, part -- I know we're confusing each other with the first part or second part. But I think you understand where I'm going with this. the first part being the difference between a compassionate release not taking into consideration a natural disaster or a pandemic. As I'm understanding at this point and I'll for clarification. Right now it's only if somebody is at end of life and cannot cause harm to somebody.

As I'm understanding. And this just may be an example, and there may be additional. And that's what I'm really trying to get to. The first part of this Bill would allow someone who is incarcerated to be considered for a compassionate release if they have a mental or physical disability. And I guess that's the first part of my question. Is it designed for individuals with physical and mental disabilities? Through you.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you Madam President. I'm going to try to answer the question. I may -- I fully admit may miss part of it, and I'm happy to go back with you and do it piece by piece. So if we find ourselves --, I don't know if you have the Bill, but if you're on line 100 of the Bill, this is where it starts to lay out the requirements of -- is Section 7A, a line 100 this is where it starts to lay out the requirements, right? So, the individual could be granted the compassionate release if they are so physically or mentally debilitated, incapacitated or infirmed as a result of age or a condition or disease or syndrome, that's not terminal, right? The condition itself is not necessarily terminal, but you have to be so debilitated -- I'm talking about currently, you have

to be so debilitated that you are physically incapable of presenting a danger to society. Right

Now, I will pause there to say that what it has in effect meant, in order to get to that condition, -- you're not -- you didn't just break your leg, right. You're pretty far along, and you may not be terminal, but you're not too far from those types of conditions.

Okay. So now what we're saying, we're going to do is say all of that, except that, not terminal, and presents a significantly reduced risk of danger to the society. As I explained, as an example, you could have a mental incapacity, right. A mental debilitation, and we probably all agree that that person shouldn't be in our prison under the circumstances. But given that they physically could still, maybe not likely, but physically could still present harm to the society under the statute as written, we shouldn't release that person.

And I think that, maybe not all of us, but I think many of us would agree that person should be released. And so to my mind, what this does is make the statute actually work the way that we think it works. Through you, Madam President.

THE CHAIR:

Thank you. Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you. And I think that clarified that part, and it allows us to possibly provide better treatment for somebody that may be mentally ill, but could still cause physical harm to somebody. So they wouldn't be allowed, pursuant to the way it's written now to get the proper treatment, maybe at a -- some type of medical facility, or be in an environment where they would be able to have proper and compassionate treatment.

So I guess the simple question that maybe will allow me to understand this better is can anybody that does not have a mental illness and is not near the end of life, be eligible or go in front of the newly established panel and ask for a compassionate release.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

So Madam President, the three person panel that I was talking about with the good Senator Henri Martin, is in reference to the portion of the Bill when we're inside of the pandemic or health emergency. So that is different than what you and I were just discussing. In that case, yes, you would not have to be -- have a physical debilitation or a mental incapacity because the thing that is the trigger is the harm that I discussed at the beginning of this colloquy. Through you, Madam President.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you for the clarification. So they would, in the first situation go through the same channels and the same board, which is the parole board. Can they hear someone's request for an early release if the person does not have a physical or mental disability? Maybe for example, a dying relative or something along those lines, do they have to have a physical or mental disability?

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I'm going to again, take the liberty of making some assumptions, and I'm happy to be corrected if I'm wrong. I'm going to assume the Senator Cicarella is talking about under normal circumstances. And what I would say is this Bill doesn't deal with the type of situation -- It doesn't change the type of situation in which a person wants to get out because of a family member. It doesn't touch that at all. This Bill simply deals with a person looking for compassionate release, whatever compassionate release currently is and what the reasons are for allowing that person out in terms of what they present in terms of physical or mental debilitation.

And depending on how we walk away from here today, whether they are physically able to present harm or whether it's a significant reduction in risk. That's what this Bill is dealing with. It's not dealing with, instances of the commissioner, for instance, giving -- using his discretion to let someone out to do whatever. it's not dealing with any of that other stuff. Through you, Madam President.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

Excellent. And thank you for the clarification on the first part. So I have a couple of questions regarding a, let's hope, not another situation like COVID or a natural disaster. Is there a plan for releasing individuals that may apply to get out because of a pandemic and a natural disaster? Do they have to apply number one? And number two, is

there a process to decide who would go in front of this panel

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you Madam President. I would say that for Senator Cicarella, I believe that he's now talking about the portion of the Bill that are on lines a 109 through 136, which is B, C, D of -- D and E of section seven. In terms of, is there a plan, what I would say is this section allows for that release during the emergency, pandemic, whatever the case may be, and the plan would exist in what would be the rules and regulations that are promulgated when the Bill is -- after the Bill has passed. And that's lines 123 --126 through 130.

Does the state currently have a plan for releasing people in pandemics and emergencies? I think that -- the answer to that question is there is no standing plan, given the fact that these things are all different and how you would release people, when you release people and why you would release people, would be different depending on the emergency that we're actually in. Through you, Madam President.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you. And through you. The reason for asking these questions is to understand how we would deal with the repercussions of numerous incarcerated individuals coming out of a facility. I believe one of the main goals or in the mission statement of department of corrections. The first part is to protect the public. And as I do understand the

pandemic and a natural disaster for people that are incarcerated can be a challenge but we -- prior to saying we're going to find a way to allow certain people to get out early due to these situations, that we would develop a plan first.

In the Department of Corrections, if there's a fire, which people have to get out of the facility, they, -- we have to also -- and the Department of Correction, his mission statement is to protect also the inmates and provide a safe and secure environment. But there is a plan, if there is a fire, we know what we're going to do, step-by-step to get everybody out safely and securely while still protecting the public.

So the question is, is there a process within this - - And I just didn't see it, and maybe I overlooked it, that would handle notification of possible victims being able to make sure the sentences are carried out, whether there's a suspended sentence or a certain amount of parole at the end, or anything else that may go along with an early release, is there any type of a plan in place? Through you.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. As said in my last exchange with the good Senator, lines 126 through 130, the rules and regulations around what we do would be established pursuant to a current law.

The Board of Pardons and Parole, and many in terms of the conversations that have happened for the last year, have been very concerned about what happens if we let people out of the system, as I'm sure Senator Cicarella is aware. And the promulgation of the rules and regulations, all of the rules and

regulations around how and when someone would be pulled back in, for instance, if there's a violation of the parole that they were extended would be a place in those rules and regulations.

The notification of the victims and all of the things that people are concerned about would be placed inside those rules and regulations. And as I suggested earlier, when Senator Champagne asked the question, and others, I am very much a proponent of making sure that those things are in the regulations, which is why the -- this section allows for the rules and regulations to be promulgated. Through you Madam President.

THE CHAIR:

Thank you, Senator. Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you. And through you. So those rules will be determined by this board and not the current panel that is in place right now. It'd be by the three panel board? Through you.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. That's not correct. So again, Madam President, if you will, I ask leave of the Chamber to read the section, just so that we all are understanding.

THE CHAIR:

Please proceed.

SENATOR WINFIELD (10TH):

Thank you. It's lines 126 through 130. I'll read it as it would currently sit. I will omit the part that is admitted for clarity. "Any person granted a compassionate parole release pursuant to this section, shall be released subject to such terms and conditions as may be established by the Board of Pardons and Paroles," that's the board, "and the rules or regulations established pursuant to Section 54-126.

So it is not the three person panel. The three person panel is a panel that would be doing the assessing of the individual and handling the case if you will, but the rules will be established by the Board of Pardons and Parole.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you for the clarification, and through you. So my understanding then the -- this panel that will be established will then handle the understanding of the supervision plan and I -- these are kind of hypothetical. So I'm trying to think of a situation to properly ask this question. So through you, I think I have an example that will lead into a question, and maybe this will clarify for me. If there was an individual that was sentenced to five years and had a suspended sentence thereafter, and through this natural disaster, they were released and they still had time to serve. It was my understanding that they would be supervised by the rules and regulations of the board established. So my question is, would the sentence that was given to them be modified by this board? Through you.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I'm not sure that I understand, but I'm going to take a crack at it so that we don't have to go back and forth if I actually get it right. I guess my understanding of what is being asked of me is a concern for whether or not this individual just gets to walk away in a sense from the rest of their sentence. What is imagined here is that the individual can be let out, as it pertains to what triggers the letting out, if you will. So -- but the thing that triggers the individual potentially being letting out, is the harm, the removal of the harm should mean that the individual is not any longer considered to be let out unless they actually got a real pardon or something like that.

But the individual should not be allowed to be out. They're getting a compassionate release. They're not getting a pardon, or they're not getting paroled. They're getting a compassionate release, which is tied to the fact that we have the emergency, the public health crisis, whatever the case may be. And that's why we wanted to make sure that all of this is clearly established in the rules that the Sections in line 126 through 130 would have captured. Through you, Madam President.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you. And one more question through you that touches on this topic. And the reason the questions are being asked is from something that was read in the Bill. Under current law, if there is a granted compassionate release, parole must be monitored by the DOC or supervised by the DOC. But from my understanding of this, in this Bill, it would require them to be supervised by the rules and the

regulations the board establishes. So they're not established now, is my understanding. Through you.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President, if I understand the question correct. And I will allow for the fact that I may not. If I understand the question -- tongue tied, question correctly, the question is asking if the rules are currently established. Ad we don't have compassionate release of this sort, it would probably make a lot of sense that we don't have those rules, which is why the Bill, writes future looking language about the establishment of those rules and regulations. So those rules would be established pursuant to the fact that we actually allow for this in the law. We can't really establish the rules if we don't allow for the practice, through you, Madam President.

THE CHAIR:

Thank you very much --

SENATOR CICARELLA (34TH):

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you. And through you. That question, or that helped me to try to understand this question. So in the event that this does move forward. The simple question is would this new board that will be established, be able to supersede sentences that were handed down by the judicial system?

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President, I think for clarity, there isn't a new board being established. There is the current Board of Pardons and Parole, and yes, the commissioned -- the chairperson of the Board of Pardons and Parole can put together a three person panel to review and decide request. But there's not a three person new board that is established. And those requests are for this compassionate parole, on an emergency basis, right? So this is not a compassionate parole forever. This is compassionate parole on an emergency basis, and it is tied to that public health emergency declaration, whatever the case may be. So the roles that it will be established would also take that into account and talk about the manner in which the people return. Through you, Madam President.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you very much for that clarification. And that did help. Through you, one more question regarding that topic. So if the natural disaster, or in this situation, a pandemic, becomes under control, would the individuals that were released be put back into custody. Through you.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you. Madam President, I would say this to Senator Cicarella. And anyone with that question, the intention here is to get people out of the way of the harm. And so it is the intention of the Chair and the legislation before you that when the harm is mitigated, when the risk of harm is not higher than it currently would be to that individual, that the emergency basis parole, would then elapse. And that that would be put into the rules and regulations, such that that is clarified under those rules and regulations. If the individual went to the board of pardons and parole and wound up getting a parole that was different than the emergency basis parole, that's beyond this Bill, but that is a potential, although not likely scenario, probably very unlikely. Through you, Madam President.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you. And through you, a question regarding possible natural disasters that would fall within the situation that would make it reasonable that it would be safer out of custody than in custody, what type of a natural disaster was thought of when this was written. Through you.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I'm not sure that there was a list of natural disasters put forward. I think it was to make sure that as this Bill is written when the President or the Governor declares, that there is a natural disaster, that there's an assessment, whether that natural disaster itself causes the increase in harm and of course

potentially, the risk of death to the inmate. And I'm not sure that there was an exhaustive list -- exhaustive list created the. The point of adding that in was to sort of like I did with you, give examples of what we're talking about, so that we are clear about what the statute is intended to do. Through you, Madam President.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you. And through you, as I gave, as an example before, if there was a fire in a facility, they would still remain in custody, so they could be safe and secure, as well as still protecting the general public. You know, natural disasters are a big difference than a public health emergency, in my opinion. And I hope a natural disaster would not last as long as this unfortunate pandemic. But again, those are things that happen fast -- And I brought up in my other questioning and comments that there needs to be somewhat of a plan in place that would allow the Department of Correction employees to be able to still do their job, and fulfill the mission statement of protecting the public and also the inmates. Would there be a plan in place? And if there is a plan in place who would develop that plan? Through you.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President, I think that the question gets beyond the boundaries of this Bill. I will say this, on a natural disaster, it's not just that we have a fire or just that we have an earthquake or anything like that. This, again, just

as a reminder, this requires a declaration by the President or the Governor, which as we know, reaches a certain level, that this is a natural disaster of such a import that they would require a declaration around it.

So we're not just talking about, you know, there's a storm. Maybe we might be talking about a hurricane Katrina, right. And we saw what happened with prisoners there. But we're not talking about the kind of storm that we might see every day, or the fact that we had four feet of snow versus a foot snow. We're talking about something that rises to the level of a public declaration by the Governor or the President. Through you, Madam President.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you. And through you. So we identified reasons that the compassionate release may be, or the application, if you will, for the compassionate release may be entertained. And to do so there needs to be a reduced risk, is that defined anywhere in here? 'Cause I couldn't see that.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. As I've asked it earlier the significantly reduced risk is not defined. And that is, as any of these terms are a subjective thing, including the incapacity to cause harm, you know, one could be judged that and then still cause harm. So, I think it's an important question. And as I said to Senator Champagne, I

don't think there's any way to a hundred percent say that an individual is a hundred percent incapacitated and not cause harm unless they're in a coma or something like that. And I don't think that I can tell you with exact certainty how the board would assess the significantly reduced harm as well. Through you, Madam President.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you. And I appreciate you answering all of my questions. I do want to make sure I have a clear understanding of the intentions of the Bill. And I appreciate you indulging and attempting to answer all of my questions. And I'm not going to ask any additional questions, maybe more so a, a few statements. I am still having a very hard time understanding why this is being presented at this point when there's a lot of things that are unknown. For example, you know, we're going to figure out what the definition of a reduced risk is, and not have the plans in place prior to implementing something that's so serious.

We are over -- when I say, we, our parole and probation officers right now are operating on a reduced schedule and a reduced staff, and we're going to be coming into a very large amount of retirees in both of those departments. And it just seems that we're going to have a substantial increase and possible inmates that may be getting out early and not a plan to them. And the concern is the public safety. I do understand the intention of a compassionate release, but I just think that more work has to be done. I'm clarifying what that looks like and how it will be handled, and take into consideration public safety first and foremost. Thank you so much for your time.

THE CHAIR:

Thank you, Senator Cicarella. Will you remark further on further -- Good afternoon, Senator Miner.

SENATOR MINER (30TH):

Good afternoon, Madam President. Madam President, if I might a few questions to the Chair of the Judiciary Committee, please, through you-

THE CHAIR:

Senator Winfield, prepare yourself. Please proceed, sir.

SENATOR MINER (30TH):

Thank you, Madam President, Madam President, I was sitting in the caucus room listening to the conversation between you and Senator Champagne, and he had a pretty extensive list of reasons for which someone might find themselves in prison after having been convicted. Was that list to your mind, an accurate list? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam. President. I'm not sure -- I'm not sure I can answer your question because I'm not sure exactly what the question is asking. Let me explain. You asked if it was an accurate list? Yes. They were things that could land you in prison. I don't know if you mean the panoply of things that could land you in prison. Certainly, the panoply of things they could land you in prison, it's probably more exhaustive than that list. Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Through you, Madam President. I would tend to agree and I didn't want to try and research the whole list that could land you in prison. But I think the point he was trying to make was there's a very limited list of crimes for which you would have been committed and then are in prison and be ineligible for release under this proposal. Is that accurate?

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I'm going to do something I don't normally do here. I'm going to opine on what someone else thought and saying something I know that's dangerous ground. But I think that the point of providing the list was to suggest that there are egregious and boring things that people are in prison for that Senator Champagne may feel that we shouldn't let out even potentially under the Bill that is before us.

My response to that is those very same people could be let out under the system we currently have, except the limitation is that they would have to have that physical incapacity. And when it comes to the emergency, those people, yes, would potentially be let out if they were at a heightened risk to those individuals. But I don't think the point was to point out that there is a small group that is excepted from the Bill because the simplest way to do that would be to point out the two exceptions. Through you, Madam President, if that answers the question.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

So, through you, Madam President. Senator Winfield, and I have known each other from as long as he's been here. And for as long as I've known him, I have always respected his interest in the subjects that he seeks to change. He has a constituency, I think, in this matter, that is far broader than his technical numerical jurisdiction you know, is outlined in his Senate district. And that's not a bad thing.

I'm sure he got phone calls from constituents that were extraordinarily distraught, that they were unable to see loved ones in a nursing home before they died. I don't think anyone did anything intentionally wrong. I don't think people made decisions thinking that the outcome was going to be perfect. I think people that were in a position to make decisions when they did, made them hoping for the best and tried to provide resources, to have a better outcome than no resources would have brought. So, I recognize why we're having this conversation because I think the same argument could be made for people that live or find themselves in the prison population. Is that, through you, Madam President, is that the reason why we're having this conversation?

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President and I would agree with that and add that it is my belief that we learned some things about the statutes we currently have, that weren't apparent prior to the pandemic. And I

felt as though if we learn those things, recognize the limitations we had, it would be a shame to have gone through what we've gone through and not given us tools that we may or may not use in the future, should we find ourselves here again? And it would be terrible if I said we got lucky, very because we didn't have the number of people die that people suspected my die in our presence, but it would be terrible if we found ourselves in a situation where we could have given ourselves tools, even if we never used them and needed to use the tools and didn't take that into account. So that's how we get here through you to other good Senator, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. I thank the gentleman for his response. Does the gentlemen know whether or not we closed access to visitors during the pandemic, in the case of those that are incarcerated? So, if someone prior to the pandemic was able to have visitation for some period of time during the course of a week or a month, however, it's regulated. Did we foreclose that opportunity during this pandemic? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President, there was a period of time when visitation, as we know it was not an option. Through you, Madam President. Yes.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And through you, Madam President, was that for the duration of the emergency? Through you-

THE CHAIR:
Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I don't think anyone, no, the emergency staff go on going. So that answer is not an absolute. Yes. but that's, I guess that's my answer. Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And the gentleman, I think just indicated that we're still in a state of an emergency. So, would I be corrected upon passage, whatever that date is that would permit this happening and that three-member-body being in place, if that was to occur during the window of the current COVID pandemic, in whatever form or fashion it is, as long as the emergency declaration still exists, would people be able to argue that they should be released with the passage of this legislation? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President, I'm going to give an answer to, it seems flippant, but doesn't mean to

be. People have been arguing during this whole pandemic that they should be released so, the notion that they would be able to argue it. I'm not sure is the question. I think the question really is whether or not, if they argue it, does the statute stand up for those individuals. I think that's really the question. And I think the thing that's important there is that the harm as the trigger and whether that the level of harm is such that the individual for being in that prison, when we experience a level of harm, that is high enough, so that that person could avail themselves under the statute of the compassionate release.

And I think that while the emergency may still be going on at certain points in emergency, particularly towards the tail end of the emergency, where the harm has been reduced, but we still have the emergency going on because we are not completely out of it. It would not be the case that you could successfully argue it because the harm itself has been reduced. Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And so, through you, Madam President. At what point does the reduction in harm inside the prison create sufficient evidence for release, if it's not the mere declaration, is it one person within the prison being COVID positive in this case, or perhaps succumbing to that illness? Through you-

THE CHAIR:

Senator Winfield

SENATOR WINFIELD (10TH):

Through you, Madam President. I think that's one of those questions for which the answer is probably not really staying. So, I'm going to give is probably not satisfactory, but is accurate and that is to say that this is the purpose for having the sub-panel, if you will, of the border part is a parole that look at these kinds of things and take circumstances into account, take the situation into account.

What the Bill says is if the, if the panel that is in panel finds the circumstances exist, which pose at higher risk, right? So, they would have to look at the individual set of circumstances as they present. And as we imagine, if we're talking about potentially natural disasters, Public Health emergencies, another COVID, whatever, let's not even talking about that. But another pandemic of this sort, the things that would be that trigger would be particular to the issue that gives rise to one availing themselves of the statute. And so, I'm not sure it's, it's easiest to say, well, if this, then that, and I think it's why you have the panel that is trained and does all of the things that these the Board Padrone and Parole does. Look at this, it's not just a simple release. Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

Thank you, Madam President. And I thank the gentlemen for that explanation. So, it's not as clear as one no, two yes, or two maybe in three, yes. It's more into your mind, more deliberate than that. And I have-- I'll confess watch the Pardon-- Board of Pardons and Paroles at times, and have found it to be a pretty deliberative group as are a number of different groups that we have in the state of Connecticut charged with making these types of decisions. But so, if a person feels that they

should qualify and they make the request and the request, is there a denial option? So, if I was incarcerated and I made an appeal that I be released under whatever argument I make, and they say no, is that appealable? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. There's nothing in the statute as it would be written, if we pass this Bill that speaks to appeal of this emergency declaration emergency parole.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

And through you Madam President, nothing in the language-

SENATOR WINFIELD (10TH):

Madam President, I'm not trying-

SENATOR MINER (30TH):

For close as that.

SENATOR WINFIELD (10TH):

I'm sorry, I didn't mean to, I'm sorry.

THE CHAIR:

Senator Winfield. Go ahead Senator Miner.

SENATOR MINER (30TH):

Yep. Happy to let the gentlemen finish his thought.

THE CHAIR:

Go ahead Senator.

SENATOR WINFIELD (10TH):

Sorry about that. It happens sometimes. Madam President, I'm not trying to be slick with my language. I'm simply just for clarity. I'm just simply saying that the Bill doesn't have anything about an appeal. It's not there, but it's somewhere else kind of thing. Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (30TH):

I would never associate slick with anything that you have proposed or any conversation we've had. I mean, I think that's part of the question, right? So, understanding that there were certain threats of a lawsuit to get people removed. It demonstrates to my mind length to which some people will go advocating, whether I think they should be released or you think they should be released, someone else may think they should be released.

And that's why I asked the question. I ask if there, if there's anything, is there anything definitive in the language that says you can make the request, we'll give it every consideration. We don't believe it meets the warrants of release. Somebody is going to want to know what the next step is. And so, there's nothing in the language as I read it that says you couldn't bring an action. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through your Madam President. There's nothing in his language that says you couldn't bring an action. And I think as Senator Miner knows that even when people are barred from bringing actions, they still make attempts to bring actions. So, I won't comment on that. But I there's nothing here that bars that but, but I think in terms of myself as a proponent of the Bill we didn't place that in there.

The point was to if the state had the need to let people out for certain conditions, give us that option, not to do everything that everybody potentially who might advocate for something like this would want, that wasn't the point, the point was to try to deal as narrowly with the issue as possible. Through you, Madam President.

THE CHAIR:

Senator Miner.

SENATOR MINER (10TH):

Thank you, Madam President. And I thank the gentlemen for clarifying his answer. I don't have any more questions. I think that this situation and it certainly is in the eyes of many, a significant engrave situation is one that no one would have asked for no one wants to have return. It's made us think about a lot of things. And when I think about this issue, I think to myself, so what are the mitigating circumstances under which you might've kept this population safer before you take on the risk of making the public less safe?

I think Senator Cicarella, mentioned that many of the people that worked for the state of Connecticut had been working long hours. Some of them from home,

some of them from the road we may have employees in certain categories than we've ever had, or at least in recent past. And are we going to create a problem that might be just as bad or worse for a broader population by taking this step, might not be a popular position. My first approach would have been, if it was good enough for the nursing home industry to shut the door, we should have shut the door at the prisons.

I didn't hug my daughter for over a year. It wasn't my choice. Sometimes it was her choice. It's a situation where I think all of us have had to reconsider rethink even the most basic human connections, good friends, not coming over to dinner, family members, not being able to share stories other than on the phone. Thank God people learned how to use zoom. I'm not so sure we should be taking this step. If I was in prison and I wanted to get out, I would begin arguing any number of things the minute I could have this opportunity. And I don't know what I would say to people that may have been harmed.

I think the good Chairman acknowledged that some of the actions for which someone would be incarcerated and would be able to avail themselves of this opportunity it's pretty egregious. In most cases, they had a victim. In most cases, they had a victim. There have been a lot of good efforts put into having conversations about what boxes we have to check, what restrictions we put on employment. What opportunities we offer some and don't offer others.

In fact, we made our position pretty clear about marijuana. I've got friends that have had felony arrests. They've been carrying around for 40 years with not so much as a parking ticket since then. So, these conversations are not bad to have, but I'm not sure that voting yes. In fact, I'm pretty sure voting yes for my perspective today is a bad idea, a bad idea.

I know how desperately people want to get out of prison. I see the blue shirts here. I've seen him here for years. I've seen them advocate for different job opportunities. I've seen them advocate for leniency. I've seen them advocate for forgiveness and in every single one of those I've listened. Every single one, sometime for hours, I've had great conversations with advocates. Some cases, it softened me in others it is not. I couldn't imagine how you'd round people up after letting them out. And I don't know how we would ever protect the victims in some cases where someone hasn't turned the corner.

My opposition has nothing to do with your good interest Senator and this conversation where people are having a discussion about the importance in Public Health pandemics, in emergencies, I'm not opposed to this conversation one bit, and I'm happy to be here to be able to participate and happy, you know, to be able to have the conversation with you. I just can't get myself in this Bill to a yes. And that's really where I am today.

I think the risk in terms of the overall risk has to be considered in taking this step. And I think the overall risk is too great. I think we should charge the Department of Corrections for a very significant upgrade in whatever their emergency plan should be. And just like the Governor closed the front door on nursing homes. I think those are the kinds of steps that we have to consider on the drawing board, if this was to be revisited, doesn't make me feel good. I know it's part of the process of coming to grips with bad decisions. I think I know that sometimes having family members and good friends participate while someone is incarcerated is all with the best of intentions of getting them make better decisions when they get out. But we only get to vote yes or no, that's the problem.

And so, for purposes of today, for purposes of this Bill, the way it is drafted and the risks that I

think outweigh the benefits to the whole population in the state of Connecticut, I'm afraid I'm opposed, but I do thank you for the time and the explanation and the effort. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Miner. Will you remark further on the Bill? Senator Somers.

SENATOR SOMERS (18TH):

Good afternoon, Madam President. I rise to ask the proponent of the Bill, a few questions.

THE CHAIR:

Senator Winfield, prepare yourself.

SENATOR SOMERS (18TH):

Thank you. First of all, I would like to thank you for your hard work on helping make those that are in prison have a better opportunity upon release and looking at our entire prison system in the state of Connecticut. And I would like to also do a shout out to the Commissioner who I think is really interested in pursuing some aspects of Public Health within our prison system that need to be addressed it's overdue and over time.

So, I do have a few questions. I have to say I am a little confused on many of the aspects because there's been so many different questions, asked different ways. So, I just am looking for some clarity on a few things. So, under this Bill we're talking about the potential to release prisoners early from prison based on compassion, compassionate care under the guise of a pandemic, and that will be determined by a three-member panel. So, during the pandemic that we are experiencing now, do you know how many prisoners were released early from prison?

Do you have a number on that? Through you, Madam Chair.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you. Thank you, Madam President. Madam President, I don't have the number with me as I suggested an answer earlier this is obviously a different group because we're expanding. So, I didn't pull a number of people who have been released. I just want to clarify, I'm not sure that you meant this, but the way it came out, just for those listening. The emergency is not determined by the three-person panel-

SENATOR SOMERS (18TH):

Right.

SENATOR WINFIELD (10TH):

The emergency is via the declaration-

SENATOR SOMERS (18TH):

Right.

SENATOR WINFIELD (10TH):

Through you, Madam President.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you. And yes, I didn't imply, or I did not mean to imply in any way that the emergency was

granted by three-member panel. They would be the folks that would decide whether somebody could be eligible for compassionate release under the guise of if there was a pandemic or a national natural disaster. So, you don't have-- we don't have the number of how many to date have been released because of the current pandemic that we're having. So, I was going to ask then of those that have been released, have we tracked the number who have been released if they have committed an additional crime since they have been released, but we don't have those numbers. So, I can't ask that.

The second question I had was we talked about, or I heard you speak a lot about harm that one of the criteria would be if somebody is incarcerated that you would, this three-minute member panel would be looking at whether there would be harm to that prisoner staying in prison versus the risk of letting them out of prison. And I'm just wondering how harm is measured.

I think the good Senator Miner had tried to touch on that, but I'm really looking for what is the criteria of harm and who establishes what that harm means because that could mean different things to different people. Is harm catching a virus, is harm perhaps not getting the attention that you would need if you are currently experiencing another disease because the allocation of healthcare professionals within the prison is dedicated to taking care of those who are sick from a pandemic. How is that harm measured? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. I think that the defining of harm is difficult for me to do sitting

here on the policy side of it. I think that the rolls around and regulations around how harm is defined would be put together under lines 126 to 130, where we talk about the establishment of rules and regulations. I think this is a good place to talk about at least clarify a statement that was made that you didn't make about simply closing the doors because we did close the doors during the pandemic, and yet there was still harm if you were, there was still the spread of the virus. And that was because there still, always going to be people who are coming in and leaving that space. And because we're in this enclosed facility where people are close to each other, when people leave and come in and they're in contact with the virus, the virus walks into the present with the staff and other members who worked there. So, no matter what you do with this kind of situation you introduced the harm into the ecosystem that exists. Through your, Madam President.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you. So just to be clear you're indicating that harm will be better defined by this group that will get together to develop the regulations, or maybe they can, they will find a way to interpret what harm is, or they going to put that in like a standard operating procedure or are they going to define that better than just harm? Because it's a subjective word. If that makes sense. I think there's, many of us would like to have a clear definition of harm as how it can be interpreted what the parameters are, et cetera, to be able to move forward. And I didn't know if I'm repeating correctly, what you said that this in the sections of the Bill, it talks about the regulations will be developed, would harm the definition, be included in that? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Through you, Madam President. First the three panel-- the three-person panel would not be determining the rules and regulations. That's the board itself. So little clarity on that. In order for the board to operate, the board has to know how the board looks at harm, right. The whole statute turns on the notion of harm and increased harm to the individuals who are inside of our system.

So, when the board is creating its rules and regulations, they have to know what it is. So, they have to clearly establish what those, what the term means and what the increase in harm means and what the trigger is. So that's what I was saying that when we established the rules and regulations that the board would establish pursuant to the passage of the statute, we would have a clear understanding of how the board looks at it, and I would also suggest it, yes, it is subjective, but it would be subjective thing that is it's clear as any of these things can be because the thresholds would be written into the rules and regulations. Through you, Madam President.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you, Madam President. And because we're talking about a pandemic, would the members of the full board that are creating the regulations of which the three-member board would have to interpret or follow? Is anyone a medical expert that's on the board that could help establish, like what increased

harm means, especially in the time of a pandemic?
Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I don't have the biographies of all the members of the Board Pardons and Parole. And so, I can't off the top of my head answer that question. I will suggest that the Board of Pardons and Parole are as any of us are free to consult with medical experts and would probably be advised to do so. Through you, Madam President.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you. And thank you for that answer. So, under this Bill, I've heard a lot of, you know, I've heard a lot about who would be eligible for compassionate release, who would not be eligible, but it's all sort of running together. So, I was wondering, could you tell me who would not be eligible for compassionate release under this Bill? What kind of crime would you have had to commit to not be eligible for this compassionate release or is any crime or any sentence eligible to go in front of a three-member panel to get compassionate release? Could you clarify that for me. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Madam President. I'm going to assume you're talking about during the emergency portion of the Bill.

SENATOR SOMERS (18TH):

Yes, sorry about that.

SENATOR WINFIELD (10TH):

I just want to make sure I'm answering the question you asked. Madam President, in the Bill there's an exception to the possibility of this type of parole that we imagine here. And the exception are those who are convicted of capital felony, or murder with special circumstances. Those are the exceptions in the Bill. Through you, Madam President.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you, Madam President. So, would someone who has been accused of human trafficking or domestic violence or murder without special circumstances or kidnapping those types of crimes, would somebody who has committed those crimes that's in our prison system, fulfilling their sentence. Would they be eligible for the possibility under a pandemic to go in front of this three-member panel to ask for compassionate release? Through you, Madam President.

THE CHAIR:

Senator Winfield?

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. And as I've suggested it's anyone who was not accepted under those two exceptions, that would be eligible for

consideration under the statute. Through you, Madam President.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Yes. Thank you. I apologize. I don't know all the levels of certain crimes that fall into those categories. I only mentioned these because I have received quite a few calls from my district specifically from women that have been subjected or are the victims of these types of crimes. And they asked me to specifically ask if people who had committed these types of crimes would be eligible for this potential early release under compassionate reasons under a pandemic.

And that's why I asked I, I do apologize. I don't know all the categories of crimes and how they fit. So that's why I asked. And I appreciate you giving me that answer. And through you, Madam President, could you describe who is on this three-member panel? And again, do you know if the, on anybody on the three-member panel has any medical experience to be able to make the determination, whether somebody should be eligible for this release, compassionate release under a pandemic. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. Madam President, first I would say to Senator to Somers, no one ever needs to apologize for asking me a question I'm used to, of standing up here as I'm sure, you know ten, 12, 14

hours, whatever the case may be. So, I'm happy to answer the questions.

In terms of who the-- what the makeup of the panelists are in terms of their background and their professional expertise. It depends on who's currently on the board. So, what I suggest ever that the panel would necessarily have people with a medical background, I would not. The chairperson of the Board of Pardons and Parole gets to choose from amongst the members three persons to make up the panel. So there exists a potential that there are someone with those expertise, but there also exists the potential that there is not. Through your, Madam President.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you for that. So, three-member panel is made up of folks that are on the larger panel of the Board of Parole. Thank you for that. So, through you, Madam President. Is it possible that this, I don't know if this is, it's just a question that I thought of is this three-member panel, if there was a continued pandemic and they have interpreted harm to meet something that they feel it would be appropriate, could they potentially do a mass release of prisoners based on a compassionate release or does the prisoner themselves have to request it? Could they just say there is such-- we believe that there is harm that we've defined? So therefore, we're going to release everybody out of this prison. Is that, is that something that possibly could come out of this? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I don't believe that the statute as it would be written intends for a mass release, as a matter of fact, the way that it's written is in reference to the individual who was affected. And there's nothing that moves the statute away from the individual who's affected as the pen on this in whole actually I can tell you that the intention of the author of the Bill was not to just do a mass release. But certainly, it's not written in that way either. Through you Madam President.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Yes. Thank you for that answer and through you, Madam President. I was just curious, because you could on behalf of everyone who was in a particular prison, decide that the harm reaches a level, depending on your definition of harm, where you could basically list every single prisoner and possibly have a panel. I'm not saying that was the intent in any way, but the way it's written, it leaves that open where the three-member panel could basically just release everyone, unless I'm interpreting that incorrectly. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Through you, Madam President. I don't see how that would happen. So, again, the language here is written for individual circumstances, even when you look at the Chairperson of the Board of Pardons and

Parole, may appoint a special panel to implement the provision, blah, blah, blah, to decide on a request for a compassionate parole. So, it's not as if the panel just says, you know what, it's so bad we move forward, right? There's a, there's an individual request that individual requests gets reviewed and then a decision is made.

So, it was written that way because it just, and I, I know you acknowledged it and it just was not the case that we were trying to, first of all, I've been in this building a long time. So, I think if I wrote that we wouldn't even be standing here right now. But it was written that way so that we could deal with the situation that existed, but not go too far outside of the boundaries of that situation in ways that could be very troubling to people. Through your, Madam President.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

And thank you for that answer to my fellow good Senator. I understand how much hard work you put into this Bill. It was just from reading it, even though it's individual, because it didn't preclude that it could be that and I'm not saying this is the intent, but every individual could just be told, Hey, everybody fill out this form and go in front of this panel. And, you know, this is the, the harm that's been defined, et cetera. So, I just wanted to bring that up, but I appreciate your legislative intent, that that was not the intent et cetera.

My next question is a little bit, probably different than you've been asked today, but I, you know, we focused on prisoners here and in our prison system, but I also wondered whether you had ever considered the people that are at Whiting forensic hospital, they're there because they have committed a crime.

They have been considered not fit to stand trial for reasons of mental illness and et cetera. But it's my understanding, because we used to get updates quite often, almost weekly, that more people caught COVID in Whiting than in our prison system. So, I was wondering if you ever gave any consideration to the folks that are in the Whiting forensic hospital when you developed this particular Bill. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. And thank you to Senator Somers, for the question. I know she's done a lot of work around that particular issue. So, this Bill rose out of much of the interaction I had with members of the public, both in and outside of my district, as you can imagine. And it was specifically about those who are currently incarcerated. I also recognize the fact that yourself and others where we're doing work around Whiting and while I had interest in it, it wasn't directly pertaining to what we were doing here. And so, I waited to see what others were doing on that issue. Through you, Madam President.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

And thank you for that answer. Yeah, one of my concerns is even though Whiting forensic is considered a hospital. When you walk through, it is really very much like a prison that you will visit and you are locked in and the staff was sick very often with COVID and it's the same situation that you're talking about within our prison system. So I

was just curious if there was any consideration given to Whiting.

So, one of the other things I wanted to just touch base on is first of all, our country, our world has not seen a pandemic like we've experienced in over a hundred years. So, I think that it is very unusual circumstances that we have been through over the past year going on a year and a half here. And I do want to say as somebody who worked on the Governor's advisory Committee for vaccines to many people's disapproval prisoners were given priority to get the vaccines, they were given priority over teachers. They were given priority over certain age groups, and they were given priority over folks that were bound. And I think that's important because as soon as it was possible to get enough vaccine here in the state of Connecticut, we were able to vaccinate the prisoners as quickly as we possibly could.

So, I don't want people to feel listening that they were not thought of, or they were sort of considered as an afterthought, especially when it came to the vaccine. And I know that caused a lot of consternation amongst some, but I agreed with that policy because of exactly what you described that, you know, people were in congregate settings, they can't get away, they're in close contact and it's an easy place for a virus to spread.

But I do have to say that I've gotten so many calls from my district, especially from women, women that have been the victims of some really horrific domestic violence crimes. Women mostly that have been victims at the hands of a male person that they were close to at one point in time. And they're very concerned about this and some almost on the verge of, of being you know, really terrified that somebody could request a compassionate release for some of the crimes that we have talked about earlier and possibly get out.

So, in this Bill, is there any way that the victim of the crime that the person is in prison for is notified that they're going through this process. So, they would be at least have some knowledge that somebody might be let out early based on a compassionate release during a pandemic. Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. So earlier the question was asked about actually probably several times asked about notification of victims. And what I said was that in the discussions that have been going on, obviously as, you know, Senator these days don't just take place in the Committee. And when we hit the floor actually this conversation has been going on the whole time the pandemic has been going. And the conversation is that that have been going on, there's been conversation about, should we arrive at this point? What do we need to do? And in the rules and regulations, that would be promulgated.

What I have said is that the conversation has focused a lot on the fact that we hadn't had in the current system we have to think about the victims and make sure that they're notified. And that the conversations are about doing exactly that and putting that into the rules and regulations that we have. And I've suggested that as the author of this and the chair of the Committee of cognizance, that I'm in a hundred percent agreement with that. Through you, Madam President.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you for that. So, through you, Madam President. I'm sorry. I apologize. I didn't hear that earlier. So, I don't mean to repeat the question. So, from what you were saying that the victim notification would be put into the regulations that this board would create, that's what we're thinking about working with, going in the future should this Bill pass. Victims, are they notified just based on like the level of the crime, or is every victim notified? Through you, Madam President.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Again, please do not apologize for asking a question has been asked. I am very happy to answer every question. My intention would be that there's notification to the victims who are connected to the crime for which an individual would be released on this emergency basis that doesn't take into account this crime versus that crime. It just takes into account the fact that the individual, if there's a victim of the crime would be notified. Through you, Madam President.

THE CHAIR:

Senator Somers.

SENATOR SOMERS (18TH):

Thank you, Madam President. So, I've really struggled with this Bill because I understand you know, the idea of being in a very restrictive environment during a pandemic. And then I thought about our long-term care residents who so many died here in the state of Connecticut. They, as you said, experienced the same idea of the door, locking on

them and really not being able to get out of our nursing homes. And, you know, we had more long-term care residents die in the state of Connecticut. Then we did-- we saw in New York, and it's the same idea that those in prison were also locked in. It's my understanding that our prisoners were able to have visitors unlike our long-term care facilities, who were not and they weren't given any kind of compassionate visitation or release. Again, this is in a time of unspeakable pandemic.

And then I also struggle with the idea of an early release, even if it's for a compassionate reason I would like to see the Department of Corrections come up with a really strong emergency plan. Like we've done in the long-term care facilities on how we establish a routine for PPE, you know, the requirements for vaccination whether it's the cleanliness standards, how people move about rather than releasing people that have committed some serious crimes early, based on a pandemic. You know, I have to go back to the tragedy that I had in my district, not too long ago, where someone [Sergio Korea], who actually was released from our prison system early, because he got his GED came into my district and killed an entire family, a triple homicide, a mother, a father, and the son all killed. They were, the name was the Liguist and their brother actually works for OPM here. Horrible, horrible, terrible murder. That is still being adjudicated right now.

And this is someone who was released early from prison who had this very large and long criminal record. And that same three-member panel is the one who said, yes, it's okay, we're going to release him. And so that's why I really struggle with this Bill. Those are that same three-member panel that are gonna make the assessment as to whether the harm that someone is experiencing in prison outweighs the risk of releasing them. And I want to thank you for your hard work, but I really needed more definition of harm. And the idea that the board is going to

create the regulations makes me very uneasy to support this with what I've heard from my district.

So, I would like to see that the Department of Corrections and I have actually through Public Health, we've actually talked to the Commissioner who is committed to coming to Public Health and to establishing along and open conversation about the health and wellbeing and services that we can provide to our prisoners and to make sure that they are safe and that they have the proper access to medications. And should we have a pandemic that we can make sure they have the proper PPE and the vaccines, et cetera, that they would need to be able to be safe and secure in a closed and confined area, just like we're doing for our long-term care residents or just like we're doing for you know, our college Houses or those who live in, you know, group homes, et cetera.

So, I want to thank the good Senator for asking and I'm sorry for answering all the questions that may have been asked before and for your hard work on this. It's just not something that I think I could support at this point in time, but I'm glad that we're having the conversation. So, thank you, Madam President.

THE CHAIR:

Thank you, Senator Somers, will you remark further on the Bill. Senator Sampson.

SENATOR SAMPSON (16TH):

Good afternoon, Madam President, and thank you for the opportunity to be able to speak this afternoon on the Bill before us, which is a Senate Bill 1058, AN ACT CONCERNING COMPASSIONATE OR MEDICAL PAROLE RELEASED BY THE BOARD OF PARDONS AND PAROLES, et cetera. I don't have any questions for the proponent. So, I'll give the gentleman a break. I know he's been up for quite a while and many

questions have been asked and answered on this topic already. But this is really a simple Bill. I know that we can get pretty deep into the weeds when discussing definitions of things like harm, et cetera. But I thought that it might be a good idea to have someone just stand up and kind of explain this Bill in very simple terms. And I want to do that. And I also want to address my concern with it.

The Bill is a few pages long, but the meat of it appears in Section 7. And really what we're talking about is a change to a policy that's existed since 2004, which establishes a system by which we can offer compassionate or medical parole release to inmates of our prison system in Connecticut under certain circumstances.

What's happening in this Bill is a very significant change, however, and it should not be misunderstood or minimized in any way. The change that's happening is to remove some language and replace it with other language. The language that's being removed is the determinating factor in who is eligible for this compassionate or medical release. And the current law says that we limit this only to folks who are physically incapable of presenting a danger to society. I just want that to sink in. We only allow compassionate or medical parole release to folks who are physically incapable of presenting a danger to society. That's what the current law is.

What this Bill proposes to do, Madam President is to take that language out of our current law and replace it with a different standard. And I would say it's an incredibly different standard. It is substantial. The new standard is not someone physically incapable of presenting any danger to society, but rather someone who simply presents a significantly reduced risk of danger to society. Let that sink in for a moment. This is not a subtle change. This is a drastic and significant change in policy.

There's a difference between no risk at all, which is the current standard. Someone who's physically incapable presents no risk or danger to society whatsoever, 0% to someone who presents a significantly reduced risk. And what is significantly exactly, would we say that a dessert would have significantly reduced calories, if it had half the calories we might. This is my main problem with this legislation, Madam President, I'm sympathetic to the intention of the Bill before us.

And I realized that folks that serve in our prison population are human beings and they should be treated humanely. But this change, I believe misses the entire point of why we have a system of incarceration. Of course, people can differ on what they believe the use and value of having a prison system is. And some folks might say that it is a place for rehabilitation and trying to make folks understand their crime and to change their way so that they become ready to reenter society as productive members. But let's not forget that another significant reason for why we have prisons is to protect the public. In fact, I would say that is the number one reason. It's not number two or number three, after the items that I mentioned, it is the number one reason we have prisons because we want to protect the public from people who end up in prison.

I don't want to make any blanket statements about folks that serve prison sentences, but it's not easy to get into prison, these days. The prison population in the state of Connecticut continues to drop and conversations I have with my local law enforcement tell me that they are worried that we are prosecuting less and less crime all the time and a sample of rap sheets, for lack of a better term folks that are serving time in prison. We'll let you know that in general, we are talking about folks that do in fact present a danger to society, and that's the reason why they are there.

This Bill before us makes me question what the other policies that are going through this legislature, what their interaction with those things might be. Folks listening might be familiar with proposed called clean slate or the policies that reduce the amount of background checks that are available to employers and landlords. So, what's happening is we are simultaneously finding ways to let individuals out of the prison system. And we're also simultaneously making the public not only less safe because of that, but less aware at the same time.

There's a provision in this Bill, Madam President that also provides that because of the COVID 19 pandemic on line, 115 in the Bill, it says a compassionate parolees release-- pardon me, to any inmate serving any sentence except the exceptions of a capital felony or murder with special circumstances, which I would know is not every murder. So, some folks that have committed some pretty serious crimes are eligible. And the criteria is that if the panel finds circumstances exist, which pose a higher risk of harm to such inmate, should he or she remained confined? I would just note that nowhere in that sentence is any mention of the public safety mentioned. The only concern there is whether or not that inmate is facing a higher risk of harm. And I won't negate the importance of that. It's certainly important and we should take it into consideration, but it should not be above the point of incarceration. As I already mentioned, which is to provide for public safety.

This type of policy is not new, Madam President. We have had similar policies in this legislature before, and some of them have become law. And the most notable one is the risk reduction credit program. We've had unbelievably long debates, both in the Senate and the House on that subject. And I've been on the radio dozens of times expressing my concerns over it because folks that have followed that program know that there has been results for lack of a better term. And there has been fallout

and by results and fallout, I mean, victims, victims of murder, of rape, of countless other crimes because this body chose to negate the jury's decision, the judge's decision and the sentences we put into statute in exchange for a policy that arbitrarily lets people out of prison early.

It makes me wonder Madam President about the pressure that we're applying, not only to this system, but also the three-member panel, because they will be the ones having to make decisions about who is eligible for this new drastically and radically expanded, compassionate release. I'm just going to ask one question that I want anyone who plans to support this legislation should ask themselves. And I want them to remind themselves that they are also asking the people that work in our prison system to measure this question when they have to make these decisions. And that is can those who support this policy claim that this is not going to result in more victims. And the answer is clearly no, something bad will happen somewhere because of this. We are changing from a policy of zero risk to substantially reduce risk, and I'm not comfortable with that matter President.

And on top of that question, those folks should ask themselves how much responsibility will they take for their vote today? Are they prepared to look in the eye of someone who is a victim of rape or the family members of someone who was murdered as a result of a policy that removed a protection, a valuable protection that we have in our current law. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Sampson, will you remark further on the Bill that is before the chamber. Good afternoon, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Great to see you again. Wow. I never get to sit on this side of the circle. It's nice. Nice to visit. If the clerk please could call LC08312.

THE CHAIR:

Mr. Clerk, and it is beautiful on the left side. Isn't it?

SENATRO KISSEL (7TH):

Oh, well.

CLERK:

LCO Number 8312, Senate schedule A.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. And that was a good one. I ask a waiting of the reading of the Amendment ask its adoption and ask for leave to summarize.

THE CHAIR:

And the question is on adoption and please do proceed, sir.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. This is a very straightforward Amendment. It strikes Sections 1 to 7, leaves the last part of the proposed Bill intact. And what it does is it addresses the concerns raised by several of my colleagues. I'll be at those on the other side of the aisle. But I don't know what the

majority on the other side of the aisle might be contemplating regarding this proposal.

I just have the highest regard for the proponent of the Bill. It's just an immense pleasure working with Senator Winfield. And certainly, I don't consider myself a hard-hearted individual, nonetheless the issues raised by all of my colleagues who have concerns with this Bill, I think are spot on and it would take a while to go through them one by one.

But you know, the concerns raised by victims of crimes as elucidated by Senator Somers, the litany of crimes that this would that an individual will be incarcerated for that still would not prohibit them from applying for some kind of compassionate release or release due to a declared state of emergency as enumerated by Senator Champagne and Senator Sampson clearly stating that we are changing the definitional section which I tried to point out early on this afternoon from one where it's zero threat to society versus a reduced threat.

And I would say what's a reduced threat. Now, obviously the Board of Pardons and Paroles will have to come up with some determinations regarding this, but let's say I'm a kidnapper and I kidnap little kids and I'm serving time and I was able to run a mile and two minutes, I'm just like a world-class runner. And now I can run a mile in three minutes is my threat to society reduced. Well, if you use the fact that I can't run quite as fast, or you could even say as a percentage, a half as fast or third as fast have to work on the math on that one, but clearly less fast. I guess my threat is reduced if running after kidnapping someone is part of my modus operandi as to how I commit the crime.

You know, it's my understanding that the Board of Pardons and Paroles, when they do their typical analysis, they use a risk assessment profile that's been created by experts in the field. You don't, and I, you know, I really hate to go back, but it's so

fresh in everyone's mind, even though a several years ago, the horrible triple murder in Cheshire you wonder why the population of the correction system went up.

We had a period after [Carl Robinson] up in [my neck] of the woods and the town of Enfield. There was a giant riot there. One of the inmates was killed. One of the buildings was burned to the ground and that was at [Carl Robinson]. I remember standing out there with the lake and I would say, great [Jack Bailey]. But yeah, we didn't go into the facility. It was just too darn dangerous. And indeed, the state police that were outside that facility as the riot was continuing to go on, we waited patiently probably at least an hour for cert corrections emergency response team to come marching down the road. And they marched like soldiers. And that was part of how they went about things so that you could hear them from ways away, marching towards the facility to bring order to that facility.

And as a historical footnote, I just want to point out that that was way, way long ago when I was, if not my, I don't think it was my first term may have been my second term. I was informed when I was very first elected back in the day, you have every right to go anywhere in your district if any emergency is occurring. And so, I went to that facility and that's where I think it was the chief state's attorney, if not the Hartford county state's attorney, but [Jack Bailey] was as well, was just he and I outside. There were others involved with the department of corrections.

The footnote, I want to point out is that part of that cert team was [Scott Cymbal], who eventually rose through the ranks to become commissioner of the Department of Corrections who has since retired strange small world. But the point being I understand the goal of this proposal, but I don't agree with the language of the proposal. And I think that using a new line that states that a reduced

risk, as opposed to no risk to society, the free society outside of a correctional facility, I don't find acceptable as well. That's not the direction I want to go in.

We went true after the [Carl Robinson] riots and problems a truth in sentencing phase. And that was the first wave of the increase in population of the correctional facilities. But after the Cheshire, triple homicide then Governor M. Jody Rell, pretty much put a halt on probation and parole. And there was a sort of a log jam at that point in time until there was an assessment as to what went wrong as you-- I hate to say their names, because I don't want to give them any note of rioty, but it's [Commissar Jeffski Haze]. And in particular [Commissar Jeffski] was released. And there a, actually one of the staffers from Senate Republicans back in the day, who's now a judge when [Commissar Jeffski] was found committing other crimes, put it on the record that this person had the potential to cause further crime and to be careful and for whatever reason. And I think it was just a matter of, we were working with paper and that information was in a place not available to the Board of Pardons and Paroles, that they weren't able to take that into consideration.

We've changed all that. I did put forward proposed legislation after that horrible tragedy that burglary would be treated as a serious offense up until that time, it was not considered a serious offense. Can you consider anything that doesn't hurt you physically, but someone invading your home in the dark of night and you're there with your family, your loved ones, how that's going to make you feel for the rest of your life? That's a serious offense. And if someone is brazen enough to go into a home, not really knowing whether it's occupied or not with little kids or your spouse, or just yourself by yourself, that's a serious criminal. Senator Sampson was exactly correct.

I mean, once upon a time and this may seem somewhat in Congress, but I was a special public defender. I defended people, I did my best to keep them out of prison. And as a special public defender for many years, I was assigned cases. I didn't choose them as a private attorney would I did do some private defense work back in those days as well. But a lot of what I learned was as a special public defender, nonetheless, at this point in time in my career, I also see the extreme value in the Department of Correction and keeping the public safe.

And as Senator Sampson said, it's very difficult to get into prison nowadays. There's many, many diversionary programs. They have the net result of not creating a record for the perpetrator or the individual. And so, in Connecticut, you get many, many opportunities to have that first bite at the apple. And also, the vast majority of cases are resolved in plea bargaining. I would say far in excess of 95%.

Indeed, when I was in private practice, it was very difficult to get a client to be willing, even in a modest criminal charge to give you the retainer that it would take to bring a case even just before a judge for a half a day. And so unfortunately what we see now is there's not a lot of small firm, medium sized firm attorneys in Connecticut nowadays, as opposed to 40 years ago that I learned from attorneys that I started-- that were in practice when I first started out. There's not the ability to get the experience in court that was available 40, 50 years ago.

And also, just financial pressures and time pressures and other things have brought us to a point where the vast majority of cases are plea bargain for better or worse, but that's where we are right now. And so, what that means is that if you're either a public defender, special public defender or private counsel, you have to earn your keep one way or another. It's very difficult to convince your

client to accept a plea bargain, unless there's some reduction in the charge. It may not be huge, but it's going to be something because very difficult to get a client to accept a plea bargain if there's no change in the charges, unless there's some downside, as far as the facts are just so in controvertible and the circumstance is so egregious that somehow the penalty could be worse, but in a plea bargain, you're going to know what the penalty is.

I mean, occasionally what we would argue for is as a range and to at least get a range, at least you could make an argument but even those circumstances are few and far between because the business has got to move through the court system. So, it's hard, it's hard to land in a prison, even if it's, you know, not the supermax up in summers, which I believe is scheduled to close around July 1st. They only have about, I would say between 60 and 70 inmates there right now. And it's exactly the truth for a variety of reasons.

We do have a I wouldn't say dwindling, but certainly reduced prison populations throughout the state of Connecticut. And if you look at the information regarding the convicts if they are doing any length of time whatsoever in any of our facilities, they have very serious charges on their records. And I think it's quite expected that what they were originally charged with was probably much more serious or certainly was a group of charges substantially with a greater downside as far as sentencing than what they pled out to.

So, this is the population of which we are speaking. And again, some kind of compassionate release for an individual that is absolutely no threat to the free society? That's one thing, a reduced threat? I think that's got a potential downside to people who may end up victims of a second crime and Senator Sampson again, is correct that on the risk reduction program, that in my view unfortunately it was retroactive as far as the accumulation of a quote

unquote good time, which is a term of art, but the time that could be allocated to reduce the sentence of an individual who had here to, for been incarcerated there's people that were killed and hurt and victimized by people that would have still been in incarcerated, if that program didn't move forward, as it was fashioned.

I would never want that to be the outcome for anybody who found themselves victimized by someone released under the Bill that's before us this afternoon, compassionate or otherwise emergency or otherwise. I feel bad for individuals that may have felt that the COVID pandemic was a threat to them inside the Department of Corrections, but this Bill goes far too far, and it's one thing to have medical release. It's a whole another thing to have compassionate release and it's a whole different thing. When you start changing the definition as to what would make an individual be able to avail themselves of such a program, whether it's the Board of Pardons and Paroles, where there's a panel of three, that's doing the assessment because they're not perfect. All they can do is assess the information before them. But if we change the underlying definition, we're in a new territory and in my view, it's frightening territory. It just is.

I'm shocked. Every time I pick up a newspaper or hear on the radio or watch on the news about what one human being can do to another human being. I guess if you live long enough, you might think that you get jaded or get newer to that. But I don't. And you just-- you hope that our policies here in this chamber and down below in the House of Representatives and with the leadership of the executive branch and Governor Lamont and the good Lieutenant Madam President here, Lieutenant Governor Bysiewicz that we make Connecticut and ever safer place to live, work and raise a family.

And so, for that reason, I would urge my colleagues to support this Amendment. It will in effect leave

before us the protections of corrections officers who are considered whistleblowers if they find another corrections officer abusing an inmate, as I I've indicated, I strongly support that provision of the proposal before us. And Madam President, I would ask when this is voted upon that it'd be voted upon by roll. Thank you very much.

THE CHAIR:

Thank you, Senator Kissel, will you remark further on the Amendment that is before the chamber. Senator Winfield.

SENATOR WINFIELD (10TH):

Thank you, Madam President. I rise in opposition to the Amendment. What this Amendment does is strikes Sections 1 through 7 of the Bill, which are the entirety of the Bellwood deal with the issue of compassionate release, which is what the bulk of the Bill is really about. And so, in fact that makes it a wholly different Bill. You know, I think we have lived through this pandemic. We've seen its effects in congregate settings. As I said earlier, I think we thank God, got lucky. But I don't know that if we go through a pandemic again or a natural disaster or emergency that we should be counting on luck. I think we should make sure that the tools are in place to deal with the situation, particularly now that our eyes are open to the limitations of the statute that we have here in Connecticut.

I would also say that this is not about whether you're concerned about victims of crime or not. I would call that a mis-characterization of what this is about. And I would say, as I said, very recently in a Judiciary Committee because given the work that I do in this building that is often something that lands kind of squarely in my lap. But that haven't grown up in the circumstances. I had grown up and been a victim of crime more times than I have fingers and toes. And I've had people who've broken

into my home with the whole family in the House multiple times, I've gotten up for school. And you know, we had a free day off from school because we didn't have a car to go to school multiple times. And I've been confronted directly with people with weapons and on and on and on.

And I think many members of the circle also know that I'm a victim of a sexual assault. I care very much about victims of crime. Everybody that I know is a victim of crime doesn't mean I don't care about the people who are in the prisons, I care about both sides. I think both sides are equally important. I think that's the reason why we made sure that when we wrote this Bill, we said, look, we should establish rules for the way this works. We should do all that. I think that's why the and answer the questions. I was very clear because I just leave intent matters but as the person who wrote this. Right? As the person who was standing up defending this Bill, I think that we should make sure that those protections, the information that goes out to the victims happens.

But the answer here today is not to say so we should do nothing because I don't like the way the Bill is. That's certainly not the answer. And so, I rise in opposition to this Bill and I would ask the members of the chamber to join me in doing so. Thank you.

THE CHAIR:

Thank you. Will you remark further on the Amendment? Will you remark further on the Amendment? If not, there has been a request for roll call votes, so I will open the machines and Mr. Clerk, if you would please announce the roll call vote.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote in the Senator, LCO Number 8312. Immediate roll call vote has been

ordered in the Senate, Senate Bill 1058, LCO Number 8312. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked. Mr. Clerk, would you please announce the tally.

CLERK:

Senate Bill 1058, LCO Number 8312.

Total number voting	36
Those voting Yea	12
Those voting Nay	24
Absent and not voting	0

THE CHAIR:

Amendment fails. Will you remark further on the Bill? Will you remark further on the Bill that is before the chamber? If not Mr. Clerk, the machine will be open. Please announce the vote on the Bill. All right. The machine on the Bill for a vote on the Bill will be open. Mr. clerk, please announce the roll call vote.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Bill 1058. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate-on-Senate Bill 1058. Immediate roll call vote has been ordered in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked. Mr. clerk, please announce the tally.

CLERK:

Senate Bill 1058.

Total number voting	36
Those voting Yea	24
Those voting Nay	12
Absent and not voting	0

THE CHAIR:

The legislation is adopted. Mr. Clerk-- Senator Duff.

SENATOR DUFF (25TH):

Thank you. Madam President. Will the Senate stand at ease for a moment, please?

THE CHAIR:

Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President will the Clerk call the next Bill on the call list, please?

THE CHAIR:

Mr. Clerk.

CLERK:

Page 50, Calendar Number 22, Senate Bill Number 263
AN ACT REESTABLISHING CLUB AND NONPROFIT CLUB PERMIT
as amended by Senate Amendments, schedule a LCO7675,
and House Amendment schedule A LCO Number 7926.

THE CHAIR:

Good afternoon, Senator Maroney?

SENATOR MARONEY (14TH):

Good evening, Madam President. I move acceptance of the joint Committees, favorable report and passage of the Bill in concurrence with the House.

THE CHAIR:

And the question is on passage, will you remark?

SENATOR MARONEY (14TH):

Yes, Madam President. This is a Bill that we had already voted on in the Senate. I believe it was a unanimous vote. It reestablished the private club and nonprofit club permits at a level of \$300 and \$815. Under our 2019 liquor revisions, they had been moved to a combined in with their cafe permit and all this does is it makes it effective upon passage. We inadvertently last time had left in a date of effective July 1, but we need to have it effective upon passage.

THE CHAIR:

Thank you, Senator. Will you remark further? Senator Witkos, good evening, sir?

SENATOR WITKOS (8TH):

Good evening, Madam President. I also rise in support of the Bill that is amended before us by actions taken by the House. I am also aware that many of the folks that are affected by this legislation have received renewal notices by the Department of Consumer Protection already with the increased amounts. So, once we pass this Bill, I would urge the Governor's signature as quickly as

possible. So, we can prevent the going back and forth and have to issue the refunds, et cetera, et cetera. Everybody is anxiously waiting our small business owners, our clubs, our charities to move forward and urge adoption. Thank you, Madam President.

THE CHAIR:

Thank you. And will you remark further on the Bill before us Senator Formica?

SENATOR FORMICA (20TH):

Thank you, Madam President. Good afternoon. I'm wondering if we could stand at ease just for one minute, please.

THE CHAIR:

We could stand at ease.

SENATOR FORMICA (20TH):

Thank you.

THE CHAIR:

Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Did you want to speak again, Senator Formica? I would like to yield to Senator Formica, please?

THE CHAIR:

Senator Formica, do you accept the yield?

SENATOR FORMICA (20TH):

Thank you very much Madam President, and thank you for the few moments that I asked for. Thank you, Senator Duff. I just rise to support of this Bill. This has been a long time coming. I like to compliment the work of Senator Witkos and the other leaders of this Committee, Senator Maroney. Thank you for working together to get this fix for all of the small clubs across the state of Connecticut. So, I'm glad we were able to get here. I appreciate that. And I urge my colleagues on adoption for this Bill. Thank you.

THE CHAIR:

Thank you. Will you remark further on the Bill? will you remark further on the Bill Senator Duff?

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I just rise to once again, support the legislation. I know we had-- there was an error, a drafting error with the date effective date. I want to thank Senator Witkos for his work along with Senator Maroney and the General Law Committee for what they did to bring this issue together and work on a bipartisan basis.

I would just also, it's unfortunate as was said earlier that the Department of Consumer Protection has sent out notices, which will create confusion. After we had indicated that we would get this done this week and that they incurred that expense. And hopefully there's not too much confusion there, but we do like the work that the department does. It's just unfortunate that there were some date mishaps in the legislation. But we hope that now that once this is done, we will immediately transmit this to the Governor. It will be signed and the issue will finally be put to rest. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. And we're going to stand at ease for just a moment because the clerk is having difficulty getting the legislation on the board. So, members stay close and hopefully we'll have an IT fixed shortly. Mr. Clerk.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Bill 263. Immediate roll call vote has been ordered in the Senate-on-Senate Bill 263. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate-on-Senate Bill 263. Immediate roll call vote has been ordered in the Senate, Senate Bill 263. Immediate roll call vote. Immediate roll call vote has been ordered in the Senate, Senate Bill 263.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked. Mr. clerk, please announce the tally.

CLERK:

Senate Bill two 263.

Total number voting	36
Those voting Yea	0
Those voting Nay	0
Absent and not voting	0

THE CLERK:

And the motion and the legislation is adopted, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I move for immediate transmittal to the Governor please?

THE CHAIR:
And so, order.

SENATOR DUFF:

Thank you, Madam President, also, for the purposes of marking, Madam President, if the Clerk can call the three Bills from the Banking Committee in reverse order of what I marked. So, it'd be calendar 174, calendar 121 followed by calendar 173. Thank you, Madam President.

THE CHAIR:

Thank you. Mr. Clerk.

CLERK:

Page 44, calendar number 174, Substitute for Senate Bill Number 971, AN ACT CONCERNING THE ASSIGNMENT OF CERTAIN PROPERTY TAX WATER AND SEWER LIENS.

THE CLERK:

Good afternoon, Senator Kasser?

SENATOR KASSER (36TH):

Good afternoon, Madam President. Madam President, I move acceptance of the joint Committee's favorable report and passage of this Bill.

THE CHAIR:

And the question is on passage, will you remark?

SENATOR KASSER (36TH):

Madam President, this Bill protects homeowners who may have delinquent tax liens, either municipal

property taxes, sewer and water charges. These are often assigned to third parties and who collect on them. And this Bill simply creates more guardrails protections, notice and safety precautions to protect homeowners when their liens have been assigned.

The Bill also establishes that all practices of third-party lien holders must be commercially reasonable and subject them to penalties. If they are in violation of Connecticut unfair trade practices act, the Bill has no fiscal impact and I urge my colleagues to support it.

THE CHAIR:

Thank you, Senator Kasser. Will you remark further? Good evening, Senator Berthel.

SENATOR BERTHEL (32ND):

Good evening, Madam President. Good to see you up there today. Madam President, I rise in support of the legislation before us and I thank the good chair for a good summarization. This by all counts as a consumer-friendly Bill, it's protecting our consumers from what was brought to our attention as some practices that may have been deemed unreasonable or unfair. So again, I urge support and I urge an option. Thank you.

THE CHAIR:

Thank you, Senator. Will you remark further on the Bill? Will you remark further if-- Senator Berthel?

SENATOR BERTHEL (32ND):

My apologies, Madam President, could we do a roll call on this? And I believe we may have another Senator that wants to speak on the Bill, but I would order a roll call please. Thank you.

THE CHAIR:

And the role will be taken by-- we will take a roll call, vote on the Bill and Senator Champagne, will you remark, sir?

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I just have one question for the-- thank you so much, for Senator Kasser If I could?

THE CHAIR:

Certainly, Senator Kasser prepare yourself. Please proceed, sir.

SENATOR CHAMPAGNE (35TH):

Thank you, Senator Kasser, is this just going to negatively affect municipalities across the state that do not sell their liens?

SENATOR KASSER (36TH):

Through you, Madam President. No, I do not believe this would impact any municipalities that do not sell their liens.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. That was the biggest question I had. You know, we just got these Bills today and I'm trying to rush through this one and you know, understand the liens. I think it's a great idea. And I'm going to support this Bill. I just want to make sure that it did not affect you know, the other municipalities that don't sell the liens. So, thank you very much.

THE CHAIR:

Thank you, Senator Champagne. Will you remark further on the Bill? Will you remark further on the Bill? If not, a roll call has been requested. I will open the machine. Mr. Clerk, please call the roll.

CLERK:

Immediate roll call vote has been ordered in the Senate, Senate Bill 941. Immediate roll call vote has been ordered in the Senate, Senate Bill 941. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Bill 941. Immediate roll call vote has been ordered in the Senate, Senate Bill 941. Immediate roll call vote has been ordered in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked. Mr. Clerk, please announce the tally.

CLERK:

Senate Bill 941.

Total number voting	36
Those voting Yea	36
Those voting Nay	0
Absent and not voting	0

THE CHAIR:

And the measure is adopted Mr. Clerk.

CLERK:

Page 44, calendar number 121 substitute for Senate Bill Number 890, AN ACT CONCERNING STUDENT LOAN SERVICES.

THE CHAIR:

Senator Kasser.

SENATOR KASSER (36TH):

Thank you, Madam President, Madam President, I move acceptance of the joint Committee's favorable report and passage of this Bill.

THE CHAIR:

And the question is on passage, please proceed.

SENATOR KASSER (36TH):

Thank you, Madam President. Madam President in 2015, this legislative body had the foresight under the leadership of Senator Lesser, Senator Berthel and others has the time to pass the first student loan Bill of rights in the country. It has since become a national model adopted by many other states and it may become federal law soon.

What it does is recognize the rights of students, students who incur student loan debt and provides them protection from predatory lending practices. Some of us are aware of the fact that a student loan is an obstacle, a severe and massive obstacle to financial independence for many young people and young professionals in this state. In fact, Connecticut has the highest student loan debt per capita of any state.

Therefore, it is a privilege and an honor to introduce this Bill, which reinforces not only the original groundbreaking legislation, but also establishes additional critical components to it. And those components are two. Number one, this

establishes that federal student loan servicers must register with the Connecticut Department of Banking. And two, if federal student loan, servicers violate any of Connecticut's requirements, they will be subject to a private rate of action and potential damages. Madam President, I urge my colleagues to support this important Bill.

THE CHAIR:

Thank you, Senator Kasser. Will you remark further Senator Berthel?

SENATOR BERTHEL (32ND):

Excuse me. Good afternoon again, Madam President. Madam President, I rise and supported the legislation as the good chair explained this Bill brings federal student loan services into a registration agreement with the state so that we can ultimately enforce our consumer protection laws. And as the good chair stated in 2015, Connecticut was the first state in the country to begin regulating student loan servicers. And since then, other states and territories have passed similar laws.

These laws have been challenged in at least two court districts. Each of whom ruled that states cannot require a federal vendor to be licensed in their home state or territory. So, this Bill in order to be able to continue to enforce our consumer protection laws in Connecticut for those Connecticut consumers who hold a federal student loan, we have to make these statutory changes, which will occur with passage of this Bill.

And this Bill would change the licensing requirements for federal student loans to a simple registration with no fee attached. And again, it preserves Madam President, the ability to enforce the important consumer protection laws for federal student loans and makes no changes to those companies who service private student loans.

So, Madam President, again, I rise in support and I urge adoption. Thank you. And if we could have a roll call on this as well, thanks.

THE CHAIR:

Thank you, Senator Berthel. Senator Kasser, We will do a roll call vote. Senator Kasser.

SENATOR KASSER (36TH):

Thank you, Madam President. Madam President, the clerk is in possession of Amendment LCO 8086. I would ask the clerk to please call the Amendment.

THE CHAIR:

And Mr. Clerk, would you please call that Amendment, sir?

CLERK:

LCO Number 8086, Senate schedule A.

THE CHAIR:

Senator Kasser.

SENATOR KASSER (36TH):

Thank you, Madam President, I move adoption of the Amendment and leave to summarize.

THE CHAIR:

And the question is on adoption of the Amendment. And please do summarize.

SENATOR KASSER (36TH):

Madam President. This Amendment makes a slight but important change to the Bill so that if a court

finds that a student loan servicer has engaged in unlawful conduct, the court may award triple damages, not shell.

THE CHAIR:

Thank you, Senator Kasser. Will you remark further? Senator Berthel.

SENATOR BERTHEL (32ND):

Madam President. I rise in support of the Amendment. Thank you.

THE CHAIR:

Thank you, Senator. Will you remark further on the Amendment that is before the chamber? Will you remark further on the Amendment? If not, let me try your minds all in favor of the Amendment before the chamber, please signify by saying aye?

MEMBERS:

Aye.

THE CHAIR:

Opposed? And indeed, the ayes have it. Will you remark further on the Bill as amended? Senator Lesser-- Senator Kasser, sorry about that.

SENATOR KASSER (36TH):

Madam President, the clerk is also in possession of a second Amendment LCO8454. I would ask the clerk to please call the Amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 8454, Senate schedule B.

THE CHAIR:

Senator Kasser.

SENATOR KASSER (36TH):

Thank you, Madam President. Madam President, this Amendment simply corrects an oversight so that private student loan servicers, such as credit unions and banks that are registered in Connecticut are exempt from the private rate of action. This makes that clear in both Sections 3 and 17 of the Bill.

THE CHAIR:

Thank you, Senator. Will you remark further on the Amendment that is before the chamber? Senator Berthel.

SENATOR BERTHEL (32ND):

And again, Madam President, I rise in support of the Amendment. Thank you.

THE CHAIR:

Thank you. Will you remark further on the Amendment before the chamber? If not, let me try your minds all in favor of the Amendment, please signify by saying aye?

MEMBERS:

Aye.

THE CHAIR:

Opposed? The Amendment is adopted. Will you remark further on the Bill? Senator Lesser.

SENATOR LESSER (9TH):

Thank you, Madam President. Madam President, I rise in support of the Bill and want to thank the distinguished chair of the Banking Committee as well as the Ranking Member for their strong work on this important pro-consumer legislation.

And as a Senator Kasser noted, this is an important legislation that restores our ability to regulate student loan servicers, and ensure that they are complying with lending practices. It is a strong pro-consumer Bill that brings Connecticut back into the forefront of the state's dealing with the student debt crisis issue. And I urge all members to support it. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Lesser. Will you remark further? Will you remark further? If not, we will open the machine. Mr. Clerk, please call for roll call vote.

CLERK:

Immediate roll call vote has been ordered in the Senate-on-Senate Bill 890. Immediate roll call vote has been ordered in the Senate, Senate Bill 890. Immediate roll call vote has been ordered in the Senate-on-Senate Bill 890. Immediate roll call vote has been ordered in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted. The machine will be locked. Mr. Clerk, please announced the tally.

CLERK:

Senate Bill 890.

Those voting Yea	36
Those voting Nay	0
Absent and not voting	0

THE CHAIR:

The motion is adopted. Mr. Clerk. The chamber will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the clerk, please call the next Bill.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 13, calendar number 173, substitute for Senate Bill Number 891, AN ACT CONCERNING THE EZEQUIEL SANTIAGO FORECLOSURE MEDIATION PROGRAM AND OTHER ALTERNATIVES TO FORECLOSURE. There are Amendments.

THE CHAIR:

Senator Kasser.

SENATOR KASSER (36TH):

Thank you, Madam President. Madam President, I move adoption of the joint Committee's favorable report and passage of the Bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR KASSER (36TH):

Madam President, the Clerk is in possession of Amendment number H4, LCO Number 8441. I would ask the clerk to please call the Amendment.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO number 8441 Senate Schedule A

THE CHAIR:

Senator Kasser.

SENATOR KASSER (36TH):

Thank you, Madam President. I move adoption of the Amendment and seek leave to summarize.

THE CHAIR:

And the question is on adoption of the Amendment, please proceed.

SENATOR KASSER (36TH):

Thank you, Madam President. Madam President LCO 8441, is a strike all Amendment that extends the Ezequiel Santiago Foreclosure Mediation Program for six years until June 30th, 2029. This program, which is run through the judicial branch is a highly successful proven model. It gives homeowners and lenders the option to mediate and negotiate an outcome that is far preferable to foreclosure.

The program has been in existence for 13 years and has a 91% success rate, which means that 91% of cases. And just in the last six years, there have been 15,000 cases. 91% of cases are resolved. 74% of homeowners are able to stay in their homes and 17%

are able to leave, but without the stigma and embarrassment of a foreclosure.

Due to the COVID 19 pandemic, we anticipate that the number of homeowners who may choose to avail themselves of this program could increase significantly. And we want to be prepared. We want to ensure that Connecticut residents can avail themselves of this proven model of support and assistance in a time of great need.

Many Connecticut residents have lost their jobs because of this pandemic or have significantly reduced income, which puts them in economic stress. We don't want them to lose their homes too. And this program will help prevent that.

The second thing that this Bill does is it expands another highly successful model of assisting homeowners, which is the Connecticut housing finance authorities EMAP or Emergency Mortgage Assistance Program. This Bill extends chief as authority to offer assistance for expenses other than traditional mortgages. For instance, chief, can now offer assistance for municipal taxes for waste and sewer fees and condominium fees.

This expanded menu of assistance will again provide homeowners with a safety net that they will need if they find themselves in hard times. And that is what we were trying to do. This is a significant COVID response Bill to assist homeowners in a time of great need. So, in summary, I would just say the bill extends and expands to proven models of successful assistance to the public, to Connecticut homeowners and the communities that we serve.

THE CHAIR:

Thank you, Senator Kasser. Will you remark further Senator Berthel?

SENATOR BERTHEL (32ND):

Madam President good evening. I rise in support of the Amendment, which now becomes ultimately the Bill as the good chair of the Banking Committee spoke to COVID 19 has presented many challenges to us as a state and a nation. And, you know, we're looking at many, many pieces of legislation before the chamber this session, and I'm sure going on into future sessions, we will continue to have need to address certain issues.

The COVID-19 has presented many challenges with regards to finances, including mortgages and ultimately possibly foreclosures. And, you know, there could be an argument made that while there, while consumers have generally been protected during the last 14 months from foreclosures even through the judicial system, there's been a slowdown and even a stoppage to a certain extent with hearing foreclosure cases.

And even some of the emergency orders that have come out of the Governor's office. There will certainly be situations going forward where this program will help some mortgage holders from losing their homes. And I think that that should be an important charge of the of the Banks Committee and this legislature to preserve home ownership whenever possible, you know, and in Committee, we noted that there are some other programs, actually many other programs in place to assist homeowners. And we also heard testimony both for and against this program in the Committee. But at the end of the day, we heard from lenders credit unions banks that spoke to the value of this program. And they also spoke to us about their willingness as organizations to continue to work with their lenders and try to work things out.

This program provides next step in that if they can't get to that point with the lender and as we've noted some people will probably fall on hard times as we continue to navigate our way out of the COVID 19 pandemic. The addition of the EMAP program, not

to repeat what the good chair already spoke to is a good addition to this program. It puts into play some additional avenues for assistance. And I think that that was a good addition allowing this to not sunset until 2029 it gives future legislatures the opportunity to reassess the ongoing need. We don't know if any of us will be here in this chamber, in this circle in 2029 and between now and then we'll have plenty of opportunity to look at this and see what the ongoing need is.

So, Madam President I urge adoption and I thank the good chair for the opportunity to work together on bringing out a good Amendment today. Thank you.

THE CHAIR:

Thank you. So, the question is on adoption will you remark further Senator Bradley?

SENATOR BRADLEY (23RD):

Thank you, Madam President. So, it was a pleasure to be before you, and to be in this chamber. And I also echo the remarks of my colleagues and commending Senator Kasser and renewing this piece of really a huge landmark of success and a great accomplishment to the late great as Ezequiel Santiago. I wanted to just give it a little antidote in terms of who Representative Santiago was.

When I first came to the city of Bridgeport, I moved to the south end. He was my state Rep and I wanted to get involved in Bridgeport politics. And one of the first places I volunteered was with Representative Santiago. And the reason I decided to volunteer there not was not only was he my state Rep, but I saw him in a city council meeting and he was able to speak to both black city council members and Hispanic city council members and white city council members, and was able to build coalition to get things done in the city of Bridgeport, a city

that oftentimes people know it's not a very easy city to build a coalition and to build consensus.

But he had something about something that was magical, something that was a unifier in terms of being able to push legislation, the city of Bridgeport. And I thought here's a person I could learn something from, and as I knocked on doors for Representative Santiago, I learned quickly that he wasn't Representative Santiago. He was Chucky. And, and a lot of the senior people who lived in our district, a lot of the people who lived along, what used to be the Marino housing projects, that's now been torn down. We're talking about how they were in the Brinks of losing their home and how this program has been helping them. And as an attorney, I was able to be a fly on the wall, although I don't work in the area of real estate or property law, but you hear different cases, foreclosures, et cetera.

And you see how this mediation program was impacting people who had no recourse to hire private counsel, no ability understand or sophistication to understand the legal processes that were going on and oftentimes were forced to sell their homes when there were remedies. And there were other options that were available to them. This program gave them life. And it's so refreshing to see that a Representative not only just gave lip service as he walked through the community, but he took his nickname is Chucky, and he took it to heart and he understood that he fought for people and he passes piece of legislation here and help pass this piece of legislation here by doing exactly what he had the magic to do, to build consensus, to get everybody across the aisles and across racial division and economic divisions to understand what was happening in places like Bridgeport and other communities.

And I think it couldn't have been more eloquently stated that this is something that's going to continue to happen throughout the state of Connecticut. After we look at COVID and yes, we've

been able to freeze it through moratoriums other actions, but we know that those things at one point will be lifted and some people will be too far gone, possibly. And other people might be victims of people who just have unscrupulous practice when it comes to collecting debts that are owed.

So, this legislation is still relevant. Just as though the life of Representative Santiago is still relevant. And I just want to take this moment to remember him and to commend him the spirit of who he was and who he is for all of us and say, thank you, Chucky for fighting for us. And thank you Representative-- Senator Kasser for continuing that fight. And God bless you.

THE CHAIR:

Thank you, Senator Bradley. And we are on the Amendment and Senator Martin, will you mark further on the Amendment that is before the chamber? Okay. So there has been a request for a roll call vote on the Amendment. So, I will ask one more time. Will you remark further on the Amendment? If not Mr. Clerk, if you would call the roll on the Amendment.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. LCO Number 8441 that's Senate Bill 891, LCO Number 8441. Immediate roll call vote in the Senate. LCO Number 8441, Senate Bill 891. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. LCO Number 8441, Senate Bill 891. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked. Mr. Clerk, please announce the vote on the Amendment.

CLERK:

LCO Number 8441.

Total number voting	36
Those voting Yea	34
Those voting Nay	2
Absent and not voting	0

THE CHAIR:

The Amendment is adopted. Will you remark further on the Bill that is before the chamber as amended?
Senator Martin.

SENATOR MARTIN (31ST):

Good evening, Madam President. And thank you for allowing me to say a few words. I was the Ranking Member my first two terms here in Hartford. And this kit Bill came before us and at that time it was meant to, I believe the Bill was a request to extend it. And we had seen data. We had heard testimony from the court system showing the numbers of those that were going through the program. And I thought to myself, gee, this is a good program.

And I still believe it's a good program, particularly because of us going through COVID this year of COVID and maybe a little bit more regarding the consequences of COVID and after dusk, the dust settles. So, to speak, particularly with homeowners and renters and landlords, et cetera I'm rising to speak that this program was intended to sunset. It was never intended to be a permanent program. And I know that the Amendment takes it from the original language and replacing it to a six-year term.

But you have to understand that some of these individuals are repeated individuals. They're not simply people who have gone through hardship once there are individuals that are not meant to own property or have loans. They just don't have the skillset to know how to manage fund money. Unfortunately, and I think some of these individuals end up in this program and I can't say that for sure.

However, you have to understand that some of these problem properties are-- there are consequences, right? They become blighted. They are not well-maintained and the problem just keeps getting worse as time goes on, you know, and that would include delinquent taxes and in particular the valuation or the, the valuation of a property decreases.

I just wanted to, I guess, ask. I know, I thought I read it in the Bill that the requirement for the reporting was going to be eliminated. And through you, Madam Chair could the good Senator and serve that reporting requirement is still in play?

THE CHAIR:

Senator Kasser.

SENATOR KASSER (36TH):

Through you, Madam Chair, the requirement for reporting was eliminated. However, there is more data that has to be accumulated and including data about whether or not other programs related to COVID 19 other relief programs were used or offered. So, there is increased data reporting, but not reporting to the General Assembly.

SENATOR MARTIN (31ST):

So-

THE CHIAR:

Thank you. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. So, if I understand this correctly, the data that we were receiving from the court system that told us the number of applicants that went through the mediation program, we're not going to have that anymore. How can we make it now? It's a six-year period. Now it's a six-year period and I'll stop there.

But let me backtrack when I was on the Ranking Member, that decision and the agreement that we reached was that we are going to have this till 2023. We were going to extend the program to 2023 and all the players would come to the table at that time, or that year we'd come to the table and have a discussion on this particular program, because I've had the discussion with some members of the court system who have great things to say about this. But I also have on the other side of the coin, the lenders who have to deal with these reoccurring mortgages time after time, after time and what it does to them and how they have to handle it and the resources that they have to use.

So here we are, we made an agreement, but yet we're here not even close to 2023, and we're talking about originally making it permanent. So, we will renege on an agreement that we reached because of this legislation that's before us today. I don't agree with that. We need to start as a state to be trustworthy with what we agreed to. And we've broken that promise that we made at the table not long ago.

The reporting is an issue. We need that information by the court system to find out how many people are going through the program. I don't agree that we can simply just disregard it. How are we supposed to make a decision within a six-year period? Listen, in 2008, we experienced the great recession and there

was an enormous amount of people that went through this program or needed to go through this program. But we saw in the reporting that how many were not, or less it had peaked. And then we saw the descending to a point where pre-- great recession, 2008, we were at lower levels when we made this agreement in 2000 and just, I don't know, two years ago, three years ago, four years ago.

So, my point is we need that information. So, I don't know if I can make a motion if I can do this on the floor or not, but I'd like to make a motion that we remove that part of the Bill that eliminates the report. Through you, Madam Chair.

THE CHAIR:

Senator Martin do you have an Amendment that you would like to call, sir?

SENATOR MARTIN (31ST):

I do not Madam Chair. I don't have it. You know, we are, we've been in the other room and we've been handed Bills that are going to be on tonight's calendar. So, we've been doing our best to look up the information that we need so that we can come out here and speak to those Bills. And I just got this, you know, half hour ago that we're going to be talking on his Bill. And first thing that I read was we have a portion that was critical in my opinion, for us to make a decision.

First of all, and second was, we broke a promise. So, I'll accept the fact. We're going to extend this again, given the fact that we are in pandemic and the pandemic sort of period of time in hopes that we can help people stay within our, help them stay in their homes. But as for the reporting, I think it's critically that we have that part removed from the Bill here. Through you, Madam Chair.

THE CHAIR:

Thank you, Senator Martin. Will you remark further Senator Berthel?

SENATOR BERTHEL (32ND):

Yes. Thank you, Madam President through you to my esteemed colleague from the 31st district. Senator Martin, you are correct that the Bill does remove the reporting requirement, but there is still a requirement in the Bill for the mediators to report out. And I don't have the, I have a summary of the Bill in front of me. I don't have the line numbers for you to reference, but I believe that that addresses the large part of your concern with respect to the reporting and the mediator files the report with the court after each mediation session.

So, there is some reporting that still continues and I don't quite honestly, I'm not sure I remember why the reporting requirement was repealed in this, but there is mediator reports that are still there. And I don't know if that helps to satisfy your concern. Through you, Madam President.

THE CHAIR:

Thank you, Senator Berthel.

SENATOR MARTIN (31ST):

Is there a description of what that --

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

I'm sorry-

THE CHAIR:

Yep, Senator Martin.

SENATOR MARTINE (31ST):

So, is there a description of what that report will entail? Will it be identical to what we've been receiving in the past? If that's the case, then I have no problem. That'll give us the information, but if it's different, if it's only a summary again, what is the summary going to be composed of?

Perhaps Madam President, if we could recess for a moment and I'll ask that-- because I don't know what the right procedure is here, but perhaps if we could stand at ease, take a little break and come back. I can work with our staff. And if everyone is acceptable for this being a friendly Amendment, I'd be more than happy to work with them on that. Through you, Madam Chair.

THE CHAIR:

Senator Kasser.

SENATOR KASSER (36TH):

Thank you, Madam chair, I'd like to address my colleague's concerns. Data collection is ongoing. There will be no interruption to data collection. The purpose of the report was to show the general assembly that this, you know, what the program has done and to continually update us on what it has done on its success or lack of success. That report has been generated year after year for 13 years. This is now a well-established program with a long track record of success.

I do agree with you that collecting the data is critical so that we can continue to have transparency on this program. And I assure you that the data collection will continue and it can still be accessed. It's just not a requirement any longer that it be delivered in the form of a formal report

annually to the General Assembly. Through you, Madam President.

THE CHAIR:

Thank you, Senator Kasser. Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. So, I'll take that as a no to my request of reassessing and working on a friendly Amendment where we can require the report or take that portion of the Bill out so that the reporting will continue as we have seen it in the past. Through you, Madam Chair.

THE CHAIR:

Senator Kasser.

SENATOR KASSER (36TH):

Through you, Madam President. That is correct.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Madam President, I'll be voting no on this Bill for the reasons that I've just discussed. Thank you.

THE CHAIR:

Thank you, Senator Martin. Will you remark further Senator Hwang?

SENATOR HWANG (28TH):

Good evening, Madam President. How are you tonight?

THE CHAIR:

Just fine thank you, Sir.

SENATOR HWANG (28TH):

Since we last spoke. Through you. I do have some questions to the proponent of this Bill. I wanted before I start extend my appreciations to the Ranking Senate Member and the good chairwoman for their work on this area it obviously is an important area of concern, but I do have some logistic questions. So, through you, if I may, Madam President.

THE CHAIR:

Please proceed.

SENATOR HWANG (28TH):

Could the good Madam chairwoman, or the Ranking Member explain a little bit what EMAP is all about and its initiation, the original creation of this, which I believe dates back to Governor Rell. And what is it intended to do? What what's the acronym for it. Through you, Madam President.

THE CHAIR:

Senator Kasser, can you respond.

SENATOR KASSER (36TH):

Through you, Mr. President. To my great colleague Senator Hwang. The original EMAP program was established so that a homeowner of a one to four family residential dwelling could avail themselves of emergency mortgage assistance Relief.

This Bill simply expands that program to allow for additional types of relief for other types of liens that a homeowner may incur, including water, sewage,

municipal taxes, et cetera. Through you, Mr. President.

SENATOR HWANG (28TH):

Thank you. And greetings and welcome Mr. President, I guess I would call you -

THE CHAIR:

Good evening Senator?

SENATOR HWANG (28TH):

Good to see you now. Continuation of that line of question is where is the financing for this EMAP program source from, which organization from my reading of the statute, it is the Connecticut housing authority, the CHFA entity, and it kind of, this Bill kind of extends that role of CHFA. One, I just wanted to confirm indeed if it is not, if it is CHAF that is administering this program and two where is CHFA getting these additional funds? Through you, Mr. President.

THE CHAIR:

Senator Kasser.

SENATOR KASSER (36TH):

Through you, Mr. President. Yes. Confirmed. This is a program run through the Connecticut Housing Finance Authority or CHFA. There is no additional funding established because of this Bill. Through you, Mr. President.

THE CHAIR:

Thanks Senator Kasser. Senator Hwang, you have the floor.

SENATOR HWANG (28TH):

Thank you. Just a point of clarification in, you know where is CHFA deriving their resources. And as I have read the Bills fiscal note it has an additional allocation of \$2 million, and I also believe, and the reason I asked that is a point of clarification, it is partially funded through our General Obligation bonds. Our GO bonds has the Ranking Member in the General Obligation bond area. It has an unallocated balance of nearly 5 million specific for that purpose, which has not been allocated.

My question is in reading this fiscal note, they expansion of this program and the additional staffing of ten employees is looking at additional \$2 million. And the point would be just through the good chairwoman to clarify, I think she said that there was no fiscal note, but in my reading of it, it looked that CHFA requiring ten additional employees at a cost of \$2 million. I wonder where that money is coming from. Is that coming from the GO bond, the General Obligation bond, or is it coming through our General Appropriations? Through you, Mr. President.

THE CHAIR:
Thanks Senator. Senator Kasser.

SENATOR KASSER (36TH):

Thank you. Through you, Mr. President. my reading of the fiscal note is that first of all, it doesn't take effect for another two years. And that the fiscal note actually is for the extension of the judicial program, the Foreclosure Mediation Program, not for EMAP where the funds where additional funds might come from for EMAP is not a decision that is made through this legislation through you, Mr. President.

THE CHAIR:

Thanks Senator Kasser, Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Mr. President. And I appreciate that clarification. So indeed, there is a fiscal note. It may not be applicable to CHFA, but through the good chair women's clarification. And I appreciate that there is indeed a fiscal note for the judiciary department to administer this program. And what I've also understood in her answer is the fact that we have not truly allocated the funding for this program should we pass this Bill? I just wanted to ask that for legislative intent and a better understanding. So perhaps as we engage further in Appropriations Funding, that, that we do Lee note that this funding through the passage of this Bill possibly is necessary and a point of consideration.

Continuing on, on that does the good Madam chairwoman know in regards to the status of the unallocated GO bond that is imbalance has a March 1st, 2021, does the good Madam chairwoman know the status through their collaboration, with a ranking and the chairs of the bonding subCommittee where that money status is? Through you, Mr. Chair.

THE chair

Senator Kasser.

SENATOR KASSER (28TH):

Through you, Mr. President, the answer is I do not know the status, but the status of that was not contemplated in this legislation and this legislation does not depend on the status of that funding. Through you, Mr. President.

THE CHAIR:

Thanks Senator Kasser. Senator Hwang you have the floor.

SENATOR HWANG (28TH):

Thank you, Mr. President. I appreciate the good chairwoman's answer, but this funding has got to come from somewhere. And my question is, this is an important plan and it is critically needed. Particularly for residents of Connecticut that will be surviving through nearly over a year of pandemic challenges in not only health, Public Health, but also economic challenges. I think we've had a remarkable stretch in which property and foreclosure notices have been pretty much put on hold.

My extreme concern is the fact that should we release that cap and go to some semblance of a new normal our financial obligations will catch up. And unfortunately for many residents in Connecticut, they will be unable and unsustainable to be able to meet the foreclosure obligations or mortgage applications. So, I rise in support of this Bill, please do not get me wrong. I absolutely rise in support of this because I fully anticipate, and I hope that we are there as a state to help and support individuals and families and children who may run the risk of being foreclosed.

But I'm equally concerned as I ask these questions that we don't know where the money is coming from. It is incumbent on us that as we struggle through the budget allocation process, the revenue gathering process that we are now passing a program that gives out a lifeline a sense of support, which this Bill nobly does, but at the same time through the good Madam chairwoman, we don't know where the funding's coming from.

So, I again ask that before we proceed that we have much greater understanding whether it's allocated GO bonds or through proper appropriations that should we fund this program. And now through this Amendment extended for six more years, that if we make the promises of state for those individuals and families

and children that need this program, that we have the money and the resources to address their need, there can't be anything worse than the over promise and under deliver, with that being said, I am going to vote in support of this, but I want to throw out concerns from a standpoint of where we are in the fiscal responsibility of funding, important programs, such as this.

So, I will close by also mentioning the fact that it's awfully hard to vote against a Bill that has the name of Representative Ezequiel Santiago. I serve in a bordering town with Representative Santiago. I have worked with him at the time of his passing. He was the chair of the Bridgeport delegation, and he was truly effective. He was bipartisan, he was collegial. He was an absolute gentleman and a statesman. He was an individual that cared deeply about his community and also has tremendous pride in representing Bridgeport. I enjoyed working with them, but I also enjoy tremendously in our off time, which I believe in this building, we don't spend enough time talking to our colleagues either within the aisles or across the aisle. I remember him regaling me with the stories of how proud he was of his daughter and showing her dance recitals and her princess costumes and how tremendously proud he was that he was not state Representative Santiago, but that he was the dad of a growing and successful young lady.

So, as much as I may have challenges with this, I think it also reflects that Representative Santiago would have been supportive of this Bill because this Bill would have supported and helped many residents, many families, many children who would under normal circumstances be able to pursue the American dream, but as a result of the COVID pandemic and the challenge that it put forth, that they may need a little help.

And I'm glad we have a program to provide that help. But as I also cited earlier with caution that the

best of intentions without proper thought without proper deliberation, without proper funds is again a challenge because I hate to disappoint people twice. So, with that, I urge support, but I also urge caution. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Will you remark further? Will you remark further? If not Mr. Oh, I do apologize. Senator Kasser I did not realize you would like to comment further.

SENATOR KASSER (36TH):

Thank you, Madam President. I just want to close by thanking my good colleagues for their concerns, for their memories about our esteemed colleague Representative Santiago, who I only had the pleasure of knowing for a few weeks before he suddenly passed away. But in those few weeks, I saw his incredible passion and pride for doing exactly the work that has been described here today. The work of helping people, giving them hope, keeping families intact, helping them stay in their homes, helping them through times of crisis. And I'm sure that he would be very proud that we are joining together to extend his legacy and to extend this program for six more years. Thank you.

THE CHAIR:

Thank you, Senator Kasser. Will you remark further? Will you remark further? If not Mr. Clerk, if you would please call the roll. The machine has been open.

CLERK:

Immediate roll call vote in the Senate-on-Senate Bill 891 as amended. Immediate roll call vote in the Senate, Senate Bill 891 as amended. Immediate roll

call vote in the Senate-on-Senate Bill 891 as amended. Immediate roll call vote.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked. Mr. Clerk, please announce the tally.

CLERK:

Senate Bill 891 as amended.

Total number voting	36
Those voting Yea	34
Those voting Nay	2
Absent and not voting	0

THE CHAIR:

And the measure is adopted. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, we stand at ease for a few minutes, please.

THE CHAIR:

Thank you. Good evening, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, some items to our refer, please.

THE CHAIR:

Yes, please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 45, calendar 222, Senate Bill 893. I'd like to refer that out into the Appropriations Committee.

THE CHAIR:

So, ordered.

SENATOR DUFF (25TH):

Calendar page 23 calendar 279, Senate Bill 683, I'd like to refer that item to the Appropriations Committee.

THE CHAIR:

So, order.

SENATOR DUFF (25TH):

On calendar page 23, calendar 281, Senate Bill 1030, I'd like to refer them to the Appropriations Committee.

THE CHAIR:

So, ordered.

SENATOR DUFF (25TH):

Calendar page 43, calendar 48 Senate Bill 262, I'D like to refer that item to the Appropriations Committee.

THE CHAIR:

So, ordered.

SENATOR DUFF (25TH):

On calendar page 16, calendar 201, Senate Bill 1011, I'd like to refer that item into the Appropriations Committee.

THE CHAIR:

So, ordered.

SENATOR DUFF (25TH):

Calendar page 25, Calendar 296 Senate Bill 1153, I'd like to refer that item to the Finance Committee.

THE CHAIR:

So, ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Will the Clerk now please call the next item on the-

THE CHAIR:

Mr. Clerk.

CLERK:

Page 11, Senate Bill Number 996, AN ACT CONCERNING FUNDRAISING BY THE FOUNDATION OF THE UNIVERSITY OF CONNECTICUT.

THE CHAIR:

Senator Slap. Good evening, sir?

SENATOR SLAP (5TH):

Good evening, Madam President. I move approval of the joint Committee's favorable report and passage of the Bill, please.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR SLAP (5TH):

Yes. Thank you, Madam President. This Bill Senate Bill 996 addresses the operating agreement that the state and that UCONN has with the UCONN foundation. And right now, in state statute, they're essentially kind of a draw down provision that as the university's endowment grows in the first benchmark is as it reaches and pass as \$500 million that the university would be required to decrease its funding that it pays to help not in totality, but, and help partly fund the foundation's budget.

So, what this Bill does is says that that down would not occur if certain condition was met and that's essentially the two-year rolling average of how much the foundation raises in cash gifts and commitments is at least I believe it's a five to one ratio yeah, five times its average compensation from UCONN in that same period.

And I think this makes a lot of sense this Bill and I do want to thank my colleagues, Senator Witkos for his partnership on this and his creative thinking. You know, the UCONN foundation delivers seven, eight, nine to one sometimes return on investment for what the university gives it. It is one of, if you think about it, the few profit centers that the university certainly, and that the state of Connecticut has and it's having just one of its most successful fundraising years in its history. And so, you know, it's a smart investment that the university makes that they invest about \$12 million a year and generates \$80, \$90 million. You know, just this past year, about \$90 million in return.

So punishing success and undermining the foundation's ability to raise money, to help students and to help the mission of the university doesn't make a whole lot of sense. And I think that this Bill helps to remedy that and ensure that the foundation is not underfunded effective July 1. So,

with that, I do urge my colleagues to join me in supporting this. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Slap. Will you remark further? will you remark further? Will you remark further? If not, I will open the vote. Oh, Senator Witkos. Welcome back to the chamber and please remark on the Bill that is before the chamber.

SENATOR WITKOS (8TH):

Thank you, Madam President. I want to thank Senator Slap for thanking me because abstentia was out of the chamber. I hadn't realized we got started so quickly. You know, this Bill is something that the university has requested. It is something that the university needs. Madam President, we all, as members of the circle should be proud of our flagship university.

As a matter of fact, almost every educational institution of higher ed in our state has a foundation that raises money for the college of the university that they represent in all of those monies go towards making a better atmosphere for the students and the faculty alike in the university of Connecticut is no different. I apologize for hearing not hearing or being here for Senator Slap's introduction of the Bill. And I apologize if I may go over some of the remarks that you made Senator. But I wanted the chamber to know that the university of Connecticut started off as an agricultural school, many, many, many years or one of its first in the nation.

And since then, has grown tremendously. When people talk about UCONN, they're often focused on stores where the main campus is, but as we all know here, as members of the circle, they have geographic satellite locations scattered throughout our state, making it easily accessible for students to travel

to a campus. In fact, Madam President, the university of Connecticut has the highest number of applications out of any higher education system in the state of Connecticut hands down. And that's something we should be very proud of. And why does that happen is because the university and the General Assembly invests in the university of Connecticut, and we invest in the university of Connecticut to make it a better place for our students and our future leaders, our entrepreneurs, our engineers.

Most recently [indiscernible 5:27:22] made within the past three, four years, we embarked on a stem program at UCONN where we asked and provided additional dollars. And we actually built dormitories for students that were in a stem program. And the university cannot do all that it does without assistance. Granted, we in the General Assembly, as policy makers give a lot of money to the university of Connecticut, we give a lot of money to the board of Regents. We give a lot of money that is scattered out through a lot of different programs, but the investments that we make are enable university of Connecticut to be rated in the top 25 of public colleges in the country, the top 25 in the country, Madam President.

And we couldn't do that without the assistance of the UCONN foundation. Now I am an alumni of the University of Connecticut, but I'm also an alumnus from the Tunxis Community College in Farmington. And the little small community college in Farmington has an endowment fund where they raise money from alumni and business owners. And anybody who thinks that the programs that are being offered by Tunxis is worthwhile to continue and to help those students.

And let's talk about what the endowment fund does. It provides for things that the university would otherwise have to do. In some cases it provides for a Meredith chair of a school of business. It provides for a capital projects. It provides student

assistance, all the things that the foundation does enables more students to attend the university. Our students here in this state of Connecticut, our sons and our daughters, even our parents, there's no age limit to who goes to school. And I think as myself as a late learner in life, I was one of the students that finished my graduation requirements, but we had a major storm and it was a graduation that never happened. Kind of missed the fact that I couldn't walk down the island at the time was President Hogan. So, I'm dating a long, it took me to finish college, but I'm proud of the fact that I did.

And the fact that this Bill is here before us today to allow the foundation to continue the excellence they did do in the fundraising model. Now many years ago, I think it was 2017. This body came up with some language that said, we understand that the university of Connecticut takes from the block grant that we give them and takes from the money that the students pay to go to that school and give some of that money to the foundation. And we passed legislation that said, well, we get that. But when you start raising X amount of dollars, we're going to start weaning you off of that money. But Madam President, that was years ago, and there's new leadership at the school, new leadership at the foundation. And they've proven time and time again, year after year lately that they've had the best fundraising years to go or yet, and every year exceeds the previous year.

And their ask is very simple this year, Madam President, that they want to utilize the money that they're able to save by putting off the withdrawal or the draw down and hire ten more fundraisers. And those fundraisers will in turn, take those dollars and raise five times that we are putting in state statute that they must raise at least five times. Otherwise, they're going to be the amount of money that the university, the foundation we receive from the foundation over two-year period will be drawn down.

So, we've set the bar at five to one ratio who doesn't like those odds. We're often hear from folks sitting around the circle that the tourism account and for every dollar invested in tourism, you get \$4 back. Well, this is one OPS that not that there are competing, but if let's compare apples to apples, if you invest a dollar and you're getting \$5 back to me, that's a great option. And that \$5 goes directly to the students that goes directly to the university. It goes directly to the alumni to go, to make things better.

And folks may say, well, I think we should take some of that money and use it over here. Or it takes them the money and put it over there. That's not our job. And as a matter of fact, over 98% of the donations made to the UCONN foundation are directed donations or what we like to use the term earmarked. So, you can't use it for whatever you want, nor can the foundation, they are held under strict federal guidelines. If a donor says, Kevin Witkos is donating \$5,000 to the university of Connecticut. And I would like it to go to a program that has to do with social justice. The university can't take that \$5,000 and put it in the basketball program. It's against the law, a directed donation as a directed donation, and must go to the intended purpose.

In every single year, those donors get a statement from the UCONN foundation, telling them where their donation went and how that money was spent. And I will tell you, Madam President, that is money well spent. This is a chance to help our university help our current students and our future students. And I urge the chambers adoption of the Bill to be passed as is. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further? Will you remark further? If not, I will open the voting

machine. Mr. Clerk, please announce the roll call vote.

THE CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Bill 996. Immediate roll call vote has been ordered in the Senate, Senate Bill 996. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Bill 996. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked. Mr. Clerk, if you would please announce the tally.

CLERK:

Senate Bill 996.

Total number voting	35
Those voting Yea	34
Those voting Nay	1
Absent and not voting	1

THE CHAIR:

Mr. Clerk.

CLERK:

Page 14, calendar number 186, substitute for Senate Bill 998, AN ACT CONCERNING THE RECOMMENDATIONS OF THE OFFICE OF HIGHER EDUCATION REGARDING PRIVATE OCCUPATIONAL SCHOOLS AND CLOSURE PLANS OF INSTITUTIONS OF HIGHER LEARNING.

THE CHAIR:

Senator Slap.

SENATOR SLAP (5TH):

Thank you, Madam President, I believe the Clerk is in possession of an Amendment LCO Number 8106. I would ask that that Amendment be called and I believe to given lead to summarize please.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO Number 8106, Senate schedule A.

THE CHAIR:

Senator Slap.

SENATOR SLAP (5TH):

Thank you very much, Madam President. This Amendment is really technical in nature and eliminates some redundancies in reporting requirements that will be addressed in the underlying Bill. So, I would move adoption, please. Thank you.

THE CHAIR:

And the question is on adoption. Will you remark further on the Amendment before the chamber? Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. I also rise in support of the Amendment.

TH CHAIR:

Thank you, sir. Will you remark further on the Amendment before the chamber? Will you remark further? If not, let me try your minds all in favor of the Amendment, please signify by saying aye?

MEMBERS:

Aye.

THE CHAIR:

Opposed? And the eyes do have it. The Amendment is adopted. Will you remark further on the Bill as amended? Senator Slap.

SENATOR SLAP (5TH):

Thank you, Madam President. The Bill really accomplishes four things and it does come from our former colleague Mr. Tim Larson and the office of higher education. And he did pass unanimously out of the Higher Education Committee. The first thing it does is change the threshold for when non-accredited private occupational schools must include certain financial statements in their reporting. So, it changes it from number of students who are enrolled to a total revenue of \$50,000 or less.

There are about a hundred private occupational schools in the state of Connecticut and thousands of students go to them. These private occupational schools are also small businesses. They're not just these schools. And so, I think it's important when we can to reduce the you know, administrative and reporting burden on them. And so, this move makes a lot of sense.

It also allows the office of higher education's executive director to deny a private occupational school's certificate of authorization. If that school is not doing what it's needs to as required by state statute when it comes to their renewal application that measure is going to help protect

students because if the private occupational school is not able to keep up with the paperwork of simple renewal applications that can also suggest that there are larger problems with that school. So, this really gives the director of the office of higher education more tools to really protect students.

It also requires out-of-state private occupational schools seeking to operate the distance learning programs to follow an application process and standards. So that really kind of levels the playing field. And again, offers protection for students in Connecticut.

And then finally it requires them to submit a closure plan by January 1st, 2020, to describe the institution's plans for responding to emergency events and managing student related closure issues. And that's another move that's going to help protect students who are attending these schools. So that's what the Bill does. I appreciate the cooperation and collaboration with Senator Witkos on this. And I would urge my colleagues to vote in favor. Thank you very much, Madam President.

THE CHAIR:

Thank you, Senator Slap. Will you remark further?
Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. Thank you, Chairman Slap, for his work on higher education. He came in at full speed ahead. There was some change in some of the Committee assignments and Senator Slap didn't miss a beat when he joined the Higher Education Committee as its Chairman, it was a pleasure working with him this legislative session.

In addition to the senator's comments. I just wanted to make a comment that, to point out that on the schools that do distance learning, when they submit

their plan, it has to be approved it's granted for a year basis and it has to be renewed every year. And I think that's a good mechanism to make sure that the office of higher education can maintain a, a watchful eye on jurisdictions located outside of the state of Connecticut. To be honest with you, it's a little bit harder when you're doing something online and out of state.

So, it does that and some may foe, some folks may question about the fund as Senator Slap had mentioned as the last point. And we actually had an instance a few years ago where a private occupational school closed and the students you know, didn't know what to do. They were, I think it was a beautician school at the time they were so what am I supposed to do? I've paid all this money. I'm I got, you know, a thousand hours in, out of the 1500 that I have to complete, you know, where do we turn?

So, this closure plan helps students find a new location for where they can complete their studies. Also, there's a monetary restitution or a refund mechanism if they can't find something that is closely line. And lastly, the last point I want to make is folks hear the term private occupation school, but what is that? You know, these as Senator Slap said, these are not only places where students learn, but it's a small business, but these are schools that provide our next generation of electricians, HVACs, barbers, beauticians, a tractor trailer, drivers, you name it. You, you see the commercials on TV. Those are the private occupational schools here in the state of Connecticut.

And I also want to send my congratulatory remarks to commissioner Larson over at the office of higher education. You know, he had submitted four or five different Bills and he did such a fantastic job. He and his staff presenting at the Public Hearing that the leadership of the Committee felt that this is

something that we could all get behind and let's put it into one Bill and move it forward because they did their homework and they did it right. And with that, I would urge the Chamber's adoption of today's Bill. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Witkos. Will you remark further on the Bill? Will you remark further? If not Mr. Clerk, I will open the voting machine and we will have a roll call vote.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Bill 998. Immediate roll call vote in the Senate as amended by Senate A. Immediate roll call vote in the Senate, Senate Bill 998 as amended. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Bill 998 as amended. Immediate roll call vote in the Senate-on-Senate Bill 998 as amended. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked. Mr. Clerk, please announce the tally.

CLERK:

Senate Bill 998 as amended.

Total number voting	36
Those voting Yea	35
Those voting Nay	1
Absent and not voting	0

THE CHAIR:

And the legislation is adopted. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I'd like to mark some items for our **Consent Calendar**.

THE CHAIR:

Please, proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar, page one calendar 555, House joint resolution 367. Like the place that item in to **Consent Calendar**.

THE CHAIR:

So, ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. Calendar page one, calendar 350-- I'm sorry. Calendar page two, calendar 357, House joint resolution 369. I'd like to place that item on our **Consent Calendar**.

THE CHAIR:

So, ordered.

SENATOR DUFF (25TH):

On calendar page two, calendar 358 House joint resolution 370, I'd like to place that item on our **Consent Calendar**.

THE CHAIR:

So, ordered.

SENATOR DUFF (25TH):

And calendar page 21 calendar 258 Senate Bill 102,
I'd like to place that item on our **Consent Calendar**.

THE CHAIR:

So, ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. Will the Clerk call the
next Bill?

THE CHAIR:

Mr. Clerk.

CLERK:

Page 18, calendar number 225 Senate Bill Number 850
AN ACT CONCERNING VARIOUS REVISIONS TO THE HIGH
EDUCATION STATUTES.

THE CHAIR:

Senator Slap.

SENATOR SLAP (5TH):

Thank you, Madam President. I believe the Clerk is
in possession of an Amendment LCO Number 8139. I
would ask the Clerk, call the Amendment. I'd be
given permission to briefly summarize. Thank you.

THE CHAIR:

Mr. Clerk.

CLERK:

I'm sorry Madam President.

THE CHAIR:

Please go ahead, please. Please proceed.

CLERK:

LCO Number 8139, Senate schedule A.

THE CHAIR:

And Senator Slap, please proceed to summarize, sir.

SENATOR SLAP (5TH):

Thank you. This is a strike all Amendment. So, I could speak briefly on the Amendment and then I'll speak more on the underlying Bill that was for you. Thank you, Madam President. So just very briefly this Amendment requires training for members of the board of trustees for at the university of Connecticut and for the board of Regents. And the other part of this Amendment is it changes essentially the budget reporting. So adds a line item for the central office for the board of Regents. And again, once the assuming that the Amendment passes, I could speak a little bit more on the underlying Bill. And once again I do want to thank my Ranking Member, Senator Witkos for his partnership on this, as well as a Representative Elliott and Representative Haines. So, thank you very much. And with that, I move for adoption.

THE CHAIR:

Thank you. And the question is on adoption of the Amendment. Will you remark further on the Amendment Senator Witkos?

SENATOR WITKOS (8TH):

Thank you, Madam President, I support the Amendment. We'll speak later on the Bill.

THE CHAIR:

All right. So, will you remark further on the Amendment before the chamber? Will you remark further on the Amendment? If not, let me try your minds all in favor of the Amendment, please signify by saying aye?

MEMBERS:

Aye.

THE CHAIR:

Opposed, and the eyes do have it. Will you remark further on the Bill as amended, Senator Slap?

SENATOR SLAP (5TH):

Thank you very much, Madam President as I was saying earlier, this Bill, the Amendment, which is now the underlying Bill it's pretty simple and straightforward. It does two things. And the first one I'll focus on briefly is the training for people who come forward to serve on the BOT which is called in the board of Regents. And the training is for people who are for the first time on the board. And it's really to make sure that they have the training and the nuance and the background and the understanding when it comes to not only the financial complexities of the institutions that they're representing but the legal ones, the ones related to privacy and to all the different issues that institutions of higher education have to deal with.

And I think that this would go a good long way towards helping to strengthen confidence and faith that folks who go to school at these institutions and who work there have in the governing bodies. It would be kind of an understatement to say that right now, there is some strain in that dynamic and that's not going to be fixed in just this one section of

one Bill, but the training part is I believe an important step forward.

The second part is really addressing budget transparency and making sure that everybody in the state can very clearly look at the central office, the board of regents and see what is the budget, how much money is being allotted and appropriated to the board of regents as compared to the campuses and the schools and colleges.

And this again is a step forward in hoping to strengthen the relationship. And you know, as we go forward with you know, some reforms and you know, there's a lot of controversy around these reforms and that is not part of this Bill. It may be part of future legislation, but right now, what we're focused on is ways to improve transparency and accountability with the board of regents. This Bill will do that. The budget transparency piece is an important part, coupled with the training.

Again, I do want to thank Senator Woodcote, Representative Haines and Representative Elliott. We worked very collaboratively on this legislation and I would ask my colleagues to support it. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Slap. Will you remark further?
Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. I just wanted to add a couple of comments to the comments made by the Chairman of the Higher Education Committee. And those are that the training piece for members of the board of Regents and the board of trustees or for new members. Okay. If you've, if you are a current board member on either of those two boards, you're not required to attend the training, even though I

think it's a good thing and you probably should, because why should we single out just the newbies, but the legislation before I says, it's just for new members and they have to obtain that training within the first year of their appearance on the board.

And I had a similar training, you know, my, I cut my teeth in politics on my local board of education. I had no idea what I was doing other than I went to school and I had kids in the school and, you know, it's a local office, a lot of folks get elected to the local boards and the superintendent of schools at the time, hosted a training for board members and how to be a better board member. And I thought it was fantastic. It was a wonderful idea. We talked about concepts from that are similar to what's involved in the legislation that is being contemplated for a vote tonight.

And I think it's a good idea for board members to get a full understanding of their responsibilities and their roles as board members. Into the second part of the Bill. You know, we've heard a lot of issues regarding what's going on at the board of regents. And if this helps bring transparency as Senator Slap said, it's a good thing. Nobody's hiding anything over there. You have to do some homework to get some of the information out, and I'll give you the folks around the circle and example, you may add last for attorney's fees. Well, central office may have one number, but they have to divvy that up into each of the 12 community colleges, each of the four CSU, the charter ropes.

So, it's not a very clear picture, especially if you're having to accommodate all of those different entities into one. So, if this makes the picture a little clear that they're not hiding anything over there, but if this makes it clearer and more transparent then so be it no resistance from the board of regents, they're happy to comply. It was sad that we have to put it in state statute, but that's okay because I think nobody would disagree

that as policy makers, we have a responsibility and as the board of Regents and the board members, they also have responsibility in a fiduciary responsibility.

So, let's make sure that we're, we understand our roles and our roles are very clear in what we're presenting to the students and the staff, the public in us as policymakers are as clear as can be. I urge adoption. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Witkos, will you remark further on the legislation that is before us? Will you remark further on the legislation? If not, I will open the vote. Oh, I do apologize. Let's take that back. Okay. Wait, hang on one second. Senator Slap. I do apologize.

SENATOR SLAP (5TH):

No, my apologies. Sorry for the late call, Madam President, if there's no objection. I would ask that this be placed on the **Consent Calendar**.

THE CHAIR:

Was that an objection, sir? I didn't hear. Yes, we need, I will go ahead and open the vote. Mr. Clerk.

CLERK:

Immediate roll call vote in the Senate. Immediate roll call vote. Senate Bill 850 as amended. Immediate roll call vote in the Senate, Senate Bill 850 as amended. Immediate roll call vote in the Senate, Senate Bill 850 as amended. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked. The machine is closed. Mr. Clerk, please announce the tally.

CLERK:

Senate Bill 850 as amended.

Total number voting	36
Those voting Yea	36
Those voting Nay	0
Absent and not voting	0

THE CHAIR:

And the legislation is adopted. Mr. Clerk.

CLERK:

Page 18 calendar number 224, Senate Bill number 193.
AN ACT CONCERNING WORKFORCE DEVELOPMENT ISSUES AT
PUBLIC INSTITUTIONS OF HIGHER EDUCATION RELATED TO
THE INSURANCE INDUSTRY.

THE CHAIR:

Senator Slap.

SENATOR SLAP (5TH):

Thank you, Madam President. I move adoption and the joint Committee's favorite report and passage of the Bill.

THE CHAIR:

And the question is on adoption. Will you remark further?

SENATOR SLAP (5TH):

Yes. Thank you, Madam President. There are few people who would argue that the insurance industry

is a very important industry in the state of Connecticut, many thousands of jobs and of course, tax revenue and quality of life and all the things that the insurance industry provide. So I think it makes absolute sense for our institutions of higher education, the board of regents and the board of trustees at the university of Connecticut to assess whether the curriculum classes and the resources that are being invested at these institutions of higher education are doing the job and are meeting the needs of the insurance industry to make sure that that pipeline is strong and that we're producing graduates from these colleges and universities who can go on and work in the insurance industry.

So that's what this Bill is going to do. It's going to create, essentially a taskforce come up with a study that they're going to work on and report back to the Higher Education Committee I believe in January of next year. And that will only help us then do our job to align again, the resources and what the university of Connecticut and the board of regents and our schools, colleges are doing with, you know, the needs of the insurance industry and the economy.

So, I think it's, this Bill is gonna make our state economy stronger. I want to thank Senator Kelly for his leadership on this Bill and Senator Witkos as well. And I would urge adoption. Thank you very much, Madam President.

THE CHAIR:

Thank you, Senator Slap. Will you remark further?
Senator Witkos.

SENATOR WITKOS (8TH):

You know, Madam President, when we heard the Bill at the Public Hearing, that week I was watching TV, just kind of chilling at home. And I was watching a

movie that I like, and I've seen this several times The American President, I don't know if you know that movie. And there's a scene in the movie where [Michael Douglas], who was the President is playing pool with [Martin Sheen] who is his chief of staff. And they're having arguments about whether they should have won reelection, if his wife hadn't passed away. And they got on an argue about something and Michael Douglas throws his pool cue on the table and says, ah, Hartford, Connecticut, the insurance capital of the world. And that's all like was going through my head when we heard this Bill at the Public Hearing.

And, but we've heard that many times in this circle that we are the insurance capital of the world, because we have some of the giants in the insurance industry right here in Hartford. But what better way? We're always talking about let's prepare our workforce for the next need of our employers. Well, we can guess what those needs are, but they're ever changing.

I mean, today's workforce is a lot different than the workforce from four years ago. So as the good chair of the Higher Education Committee said, this Bill will allow us to have a task force to work with the insurance industry. You need actuaries, you need IT texts. You need, I don't know, what you need? That's what they're going to find out. And then they're going to come back and report back to us. But, you know, we can't capitalize on something unless we know what it is that we need. I'm urging the Chamber's adoption on the Bill and support.

THE CHAIR:

Thank you, Senator Witkos. Will you remark further on the Bill? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President, I rise in support of this Bill. I want to commend the Chair and the Ranking Member of the Higher Education Committee on addressing and recognizing the important role of the insurance industry in the state of Connecticut. And as a member of the Governor's workforce council, we have explored and recognize the insurance industry's vital cog in our economic vitality, in the state of Connecticut.

This is another recognition of creating a workforce that will meet the insurance industry's needs and employing nearly 28,000 people in the state of Connecticut as well has millions of tax revenue and business revenue, and ancillary revenue to the state of Connecticut and employing many of its Connecticut residents.

I stand in rise and support of this Bill and recognizing the important part of the insurance industry and indeed giving a worldwide recognition that Hartford and Connecticut is indeed the insurance capital of the world. So, I urge support and I want to thank the leaders of the Committee for proposing and advocating this. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not, the machine will be open, hang on one second. Senator Slap.

SENATOR SLAP (5TH):

That's all right. We'll get this.

THE CHAIR:

Yes, we will.

SENATOR SLAP (5TH):

Yes, we will.

THE CHAIR:

Yes, we will.

SENATOR SLAP (5TH):

No, worries. So, if there is no objection, I would ask that this Bill will be placed on Consent.

THE CHAIR:

Senator Witkos, would you like there to be a roll call vote, sir?

SENATOR WITKOS (8TH):

Madam President, I objected to the consent as for a roll call vote. Thank you.

THE CHAIR:

All right. In that case, we will go back to Mr. Clerk, calling a roll call vote. I will open the machines.

CLERK:

Immediate roll call vote has been ordered in the Senate-on-Senate Bill 193. Immediate roll call vote in the Senate-on-Senate Bill 193. Immediate roll call vote in the Senate, Senate Bill 193. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate-on-Senate Bill 193. Immediate roll call vote has been ordered in the Senate-on-Senate Bill 193. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked. Mr. Clerk, please announce the tally.

CLERK:

Senate Bill 193.

Total number voting	36
Those voting Yea	36
Those voting Nay	0
Absent and not voting	0

THE CHAIR:

And the legislation is adopted. Mr. Clerk.

CLERK:

Page one, calendar number 356, House joint resolution number 368, resolution confirming the nomination of Bert J Hunter of Greenwich to be a member of the board of directors of the materials, innovation and recycling authority.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President and good evening.

THE CHAIR:

Good evening.

Madam President, I move acceptance of the Committee's favorable report and adoption of the resolution.

THE CHAIR:

And the question is on adoption. Will you remark, sir?

SENATOR DUFF (25TH):

Thank you, Madam President I'm at a present is a four-year term to be on MIRA as it's called people who know Bert Hunter know of him through his work on as the EVP and CIO of the Connecticut Green Bank. He's been a fixture there since the Green Bank was created and has also been face here at the state Capitol as well. And certainly, believe that he can do a great job at MIRA and brings a lot of skill energy and dedication to an area that is certainly one that needs a lot of attention right now.

So having somebody from the green bank, which was by the way, the first in the nation of Green Bank I think will move this issue forward. And he'll be a great voice for the people that say to Connecticut and working to solve our, some of our solid waste issues that we have here in our state with that Madam President, I move of the resolution. Thank you.

THE CHAIR:

Thank you. Will you remark further? Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President, you know, I rise for a discussion point of the nomination resolution before us today. Senator Duff had mentioned that Bert was one of the first members of the Green Bank. And I will say that was one of the proudest pieces of legislation that I had the opportunity to work on with Senator Fonfara and many years ago when we created the Green Bank and it's done tremendous things for our state, but the job that we're appointing Bert Hunter to do is the issue that I

have because the MIRA plant is being ignored by this administration.

The MIRA plant serves over 70 towns in the greater central Hartford region, 70 towns. That is where all of the solid waste goes, Madam President, I understand that the Mayor of Harvard doesn't want it in his community. He wants to be able to develop that parcel of property. I also understand that the commissioner of the Department of Energy Environmental Protection thinks that there's a better alternative, but I say shame on the environmentalists in this state for not rising up because the alternative is to take our solid waste and ship it out of state to be buried in somebody else's property, shame on them because I haven't heard one thing. And to think that we can offer programs like pay as you throw and let's take the food out of the waste cycle that that's going to get us to the amount of waste that we can manage it. The MIRA plant, no way, no way.

I tell you the fees that I pay in my hometown have escalated over the past few years. And they're only going to rise higher and higher and higher. Now we had a plan from the MIRA board who said, give us \$330 million. We can extend the life of this plant for at least a decade. And we choose to do nothing. This administration chose to do nothing, and that is wrong. Where is the garbage going to go? How much is it going to cost? And to what degree you think we can build these anerobic digesters having sited up and running in less than 10 years? No, we should be doing investing in the MIRA plant putting it back to its full use. At least to give us a little wiggle room to figure out the problem.

We haven't even gotten an environmental cost of the remediation to clean up the plant. If it was to revert back to the city of Hartford, millions. You know, we spend anywhere from \$300 to \$400 million a year on school construction projects, but we can't spend \$330 million to cover 70 towns and

municipalities. I hope Bert Hunter takes the administration to task. It changes the mind of the DEEP commissioner and puts his foot down and works with everybody and says, we need to do something because the current plan of closure isn't going to work.

I support the nomination of the resolution, confirming bird hunter as a member of the board of MIRA. And I hope he hears this message and carries it forward because the time for action is now Mr. President. Now. Thank you.

THE CHAIR:

Thank you. Thank you, Senator. Senator Duff.

SENATOR DUFF (25TH):

Yep. Thank you, Mr. President. Good to see up there this evening, Mr. President, there is no objection. I'd like to move this item to the Consent Calendar.

THE CHAIR:

Seeing no objection. This item will be placed on the Consent Calendar. Mr. Clerk.

CLERK:

Senate Agenda Number 1, House Bill Number 6686, AN ACT CONCERNING THE DECLARATION AND RENEWAL OF CIVIL PREPAREDNESS AND PUBLIC HEALTH EMERGENCIES BY THE GOVERNOR.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Good evening, Mr. President.

THE CHAIR:

Good evening, Senator.

SENATOR MCCRORY (2ND):

Mr. President, I move acceptance and passage of the emergency certified Bill in concurrence with the House of Representatives.

THE CHAIR:

Questions on acceptance as a passage. Would you care to comment?

SENATOR MCCRORY (2ND):

Yes. Thank you, Mr. President. Mr. President, what this resolution will do where the emergency certified Bill will authorize the Governor to renew the Public Health and Civil Preparedness Emergency Declarations through July 20th of 2021. So, it is an authorization for a two-month extension beyond the current expiration date of May 20th, which of course will be next week. Thank you, Mr. President.

THE CHAIR:

Thank you. Senator Looney, would you care to comment on the Bill before us care to comment. Senator Kissel. Senator Duff.

SENATOR DUFF (25TH):

Thank you very much, Mr. President.

SENATOR KISSEL (7TH):

Thank you-

THE CHIAR:

Senator Kissel, I'm gonna recognize Senator Duff for a moment.

SENATOR KISSEL (7TH):

Oh, I'm sorry.

SENATOR DUFF (25TH):

Thank you, Mr. President, I request the Senate to stand at ease, for a moment.

THE CHAIR:

The Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Mr. President. Mr. President, I'll yield to Senator Kissel.

THE CHAIR:

Thank you, Senator Duff, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Mr. President, and again, great to see you up there. Who's on first. I don't know who's on second. Hi, Madam President. Great to see you up there.

THE CHAIR:

Hell?

SENATOR KISSEL (7TH):

Okay. I stand in opposition to this resolution. I certainly have the utmost respect for Governor Ned Lamont as well as Lieutenant Governor, Susan Bysiewicz and to a great extent, many people here in the state of Connecticut have evinced their belief

that in many respects, they believe that Governor Lamont and his administration have done a very able job in dealing with some of the ramifications of the COVID 19 pandemic.

And when you look at other states, it's my belief that we've done a pretty darn good job here in the state of Connecticut in many respects. Indeed, some of my colleagues have pointed out whether it's in relation to other Bills or just as a general observation, that it appears that Connecticut is if not at over the 50% vaccination level and in many respects, we're moving towards a period of normalization. And I got to be honest for the vast majority of my constituents. It just can't happen soon enough. I really hope there's no increase in cases going forward as we move into the summer months. One can't predict the future. I don't have a crystal ball, but fundamentally this is an extension to July 20th of the Governor's executive authority.

And I have to say that many of my constituents have been frustrated by this. It's not that they believe that the Governor has done a bad job or the administration has done a bad job. But they've come up to me and they've said, listen, we didn't elect a king, no one should have this unilateral authority. Where does it end? At what point is something, some sort of executive order that touches remotely on the pandemic, but really is not spot on. And I have a very difficult time answering those questions because I'm not in the inner circle. I am not consulted when it comes to executive orders at the height of the pandemic, they were coming out fast and furious and very difficult for myself and my constituents to get our arms around on a day by day basis. And some businesses opened up with a certain expectation only to have that change like within a week of when they may have opened up or been able to do their business in a certain pattern and they may have expended funds and it may have put them in financial distress or danger.

We had problems with the department of labor. I don't want to pick on any individuals there, but they were in the midst of a computer change around and Boyle boy, my office. And I don't know about any other Senators in the circle, but had real problems with unemployment and benefits and just trying to get through a system that just wasn't really prepared for the pandemic in many respects.

We are here in the Senate ready to do business. We've got about four good weeks ahead of us. And you know, I certainly don't hope for a special session by any stretch of the imagination, but if there's some huge unfinished business, we have that ability as well. We are the elected Senators and Representatives here in the legislature of the people of the state of Connecticut. We have meetings, we have hearings, we debate Bills. We vote on Bills and I'd like to believe we're not just a rubber stamp. I'd like to believe we're thoughtful. We may disagree on any number of things. We may disagree on every single issue. I've never seen that. Today go back, we have a **Consent Calendar**. We have things we agree upon. We may debate on the floor of the Senate and yet a matter still gets moved to a **Consent Calendar** in many years.

And Senator Looney has probably about six weeks of seniority in the Senate on me. He got elected in a regular election and I had to win in a winter special election. And he certainly has many, many more years when you add in his time in the House. But over that period of time, I think it would be fair to state that we probably agree on more things than we disagree on. Of course, the media, whether it's newspapers or radio or television or any number of forms of communication, they tend to gravitate towards the areas where we're at odds or we disagree, or there's fundamental philosophical differences between the parties or even between individuals.

I get that and that's good for readership or viewership or you know, the entire media. I believe that's the fourth estate in any event, if you really drill down deep though we agree very, very often on any given day. We can do the business of government. I actually believe if I can go into a restaurant and after I get the popcorn or the appetizer, I can take off my mask and enjoy a meal with my son or someone else. My wife, my friends, why can't we do that here in the Senate circle? Why can't we do it in the House? I was of the belief that we were trying to shy away from having the House and the Senate in session in this building at the same time. Well, that's happened today. There's good things around on the horizon for the state of Connecticut when it comes to Public Health.

I mean, I hope I'm not proven wrong as time goes forward, but I think we've weathered the worst part of the storm. Now, granted, I'm a hopeless optimist, but I think the people of Connecticut are commonsensical and resilient. And I think we're ready to do the people's business here in this chamber, in the House. I think we're ready to open up some of our institutions. And I think it's time to move in that direction full steam ahead. That doesn't mean don't take precautions. Maybe we're not ready to let 36 individuals in the Senate chamber without masks, but I'd like to think that maybe we could start getting more people in this chamber with masks.

I'd like to think that we can do more business in the chamber the way we used to before the pandemic. And I fundamentally believe that that's the way our government should function balance of powers, three branches of government, and those whom have been elected by the good people of the state of Connecticut performing their duties as the people expect of us. And that would mean that I don't believe it's necessary to extend the executive authority that the Governor has used to enormous extent. Another 60 days to July 20th, there may be

some of my constituents that disagree with that position, but I fundamentally and firmly believe that the vast majority of people in the seventh senatorial district up in north central Connecticut would like to see us do our jobs to the best of our ability in a free and open forum. And that that they also believe that the Governor no longer needs those almost limitless powers given to him through executive orders.

That does not mean that I want to tie the hands of the executive branch, the executive branch way before the pandemic has vast amounts of power. They have commissioners over a variety of departments, some large, some small, I mean travel any given day on a highway in Connecticut in the midst of the pandemic, you will see Department of Transportation workers hard at work, doing their jobs, the Department of Revenue service doing their job. I could go from department to department to department, they're doing their jobs and they be in a more limited capacity, but the business of government continues to move on.

And so, the executive branch continues to have vast amounts of power over the people of state of Connecticut to execute public policy and create initiatives, proposed legislation, to be in rooms with leadership from both sides of the aisle, negotiate Bills right up until we say Sine Die. And I'm not calling that by accident. That would, that would be crazy.

But you know, those folks are Representatives of the Governor's office are here in this building discussing Bills. We've got the good Lieutenant Governor with us, and she is here many, many hours into the wee hours. She's here. The executive branch, even in the midst of the COVID has been inaction. So, the Governor's office and Governor Lamont and all the folks around him and our good Lieutenant Governor, Susan Bysiewicz they continue to have vast amounts of power as intended by our

founding fathers. And those who created our wonderful state government here in Connecticut, the constitution state. And I think that we should hue back to what made us so great in the first instance.

And for that reason I will be opposing this resolution. I don't think it's necessary at this point in time, but I also think it doesn't unnecessarily by not allowing the Governor to continue in this manner. It doesn't tie his hands or the executive side's hands whatsoever. And I would expect all of those folks and the executive branch to be active partners with us for the next four weeks.

And guess what? We're a part-time legislature when we adjourn and we say, we've done our business. We don't come back till next February, unless there's something like a Committee, like perhaps legs review that meet on a monthly basis or something like that. There may be hearings by different Committees, but the regular major business of the legislature concludes on certain regular cycles, long session and the short session, which isn't all that short February to may. And this is the long session January to June, the executive branch, the executive branch operates all the time.

I mean, I have stated earlier today, for example, the Department of Corrections, those inmates don't go anywhere 24 hours a day, 365 days a year, day in and day out that job doesn't end. When we end as a legislature, the judicial branch, those judges, men and women hardworking Superior Court judges, juvenile court judges, Appellate Court judges, Supreme Court judges. Yes, they take work home in the evenings and they work tirelessly, but access to the court so on relatively regular basis, regular business day.

I mean, occasionally things can get done in different times if restraining orders are necessary or some kind of special order, you know, police

officers can go knock on a judge's door and say, can you sign this? We got to do this search warrant, or I don't know any other manner of business, but that's the exception, not the rule. And if you're a member of the public and you're accessing our judicial branch, you could probably rely that it's going to be a Monday through a Friday, not a holiday, and that there's going to be relatively regular hours.

So those things continue at pace. We as Legislators have a narrow window, it's just that long sessions, short session for our regular business. And to a great extent through the executive order process, the Governor has wielded almost limitless power with a very laudable goal, but I think it's time to go back as much as humanly possible and as safely as possible to a position of to normalcy. And I urge my colleagues to embrace that concept. And I firmly believe, as I stated earlier, that the vast majority of my constituents want us to go back to normalcy. And while they respected, admire in many respects, the authority exerted by Governor Ned Lamont and his team, I believe they want us to go back to normalcy as well. And that's why I urge all of us to vote against this resolution, extending the powers of the Governor for an additional 60 days. Thank you very much. Madam President.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further on the legislation before us? Senator Berthel.

SENATOR BERTHEL (32ND):

Good evening, Madam President. I would like to align my comments with that of Senator, those of Senator Kissel and I do in opposition to the to the Bill before us at this moment. I have also seen a significant amount and heard a significant amount of frustration from individuals from constituents individuals business leaders in my district. And I

think just to echo what Senator Kissel said, I think it's important to give credit where it is due in terms of some of the action that needed to be taken in the very earliest days of the COVID 19 outbreak and the pandemic outbreak in Connecticut in March of last year.

And I remember very succinctly the Governor coming onto the, the evening news right as things were beginning to, you know, descend upon Connecticut and that we had received a hundred test kits from the CDC. And I was like, wow, a hundred. I hope we don't need a hundred. And here we are with millions of tests later. So, you know, I understood as a Legislator and as a citizen, I understood the need for that initial state of emergency. And I think I understood some of the continuation forward as we move through last year.

We needed to have the ability for the Governor to exercise his authority as the Governor and through you Madam President, as our Lieutenant Governor as well, to be able to respond to things that were happening in a very fast manner, you know, but as we have come through the last few months in particular with vaccines beginning at the, you know, the very start of the year we can say in Connecticut that we have the highest, unless something has changed since I looked in the last day or two, we have the highest vaccine rate in the country.

We are one week from today on May 19th, we are reopening nearly completely in full our state with the exception of some limited application of, you know, masks indoor mask use and whatnot. The Governor today was in my district a couple of hours ago at a quasi-amusement park, talking about how we're reopening and getting people out to enjoy. And I'm very biased obviously, cause that's a great little place to visit in my district, but to get out and, and start, you know, getting back to normal, if you will.

So, it seems to me at this moment in time that we've kind of gone past the need for having to continue this extension of the state of emergency and the subsequent executive orders and this authority. And I think that, again, echoing some of what Senator Kissel said a moment ago, we need to allow the government to get back to functioning as designed, you know, we have been here in this chamber since January 6th, you know, we had had some historic moments in this session where we were sworn in outside on a 30-degree day in front of this beautiful building. We've done a lot of things that we never thought we would have to do.

I think if we had gone back a year ago and or two years ago and said, Hey, you ever think we'll have a day when it'll be the first Wednesday after the first Monday in January and a long session and we'll get sworn in outdoors. I don't think we ever could have predicted that, but we've been here working since January 6th. And we have demonstrated despite the fact that this circle, which we're also honored and humbled to serve in is generally empty right now, because we're still saying that we want to appropriately so maintain some social distancing and be safe. But the reality is that even with all of that, we are able to function as a legislative body and we're able to bring Bills forward. We're able to do things with an absolute certain amount of expediency when necessary.

And I think in my humble opinion, that as we continue to keep the extension of the orders and the authority in place, that we disrespect the process of, of this part of the government, you know, the legislative body, we are the lawmakers, we are the individuals that are all the voices of all 3.6 million residents. And, you know, each one of us in the circle represents 101,000 people in our respective districts. And I think that we disrespect that process when we continue to allow these orders to stay in place and the authority to stay in place when we have demonstrated for the last five months

that we are very functional and we can be functional.

So, Madam President, I believe that this might be a little unusual, but I do have a question for the President pro tem through you, if I may.

THE CHAIR:

Yes, Sir. Senator Looney, prepare yourself, please proceed.

SENATOR BERTHEL (32ND):

Thank you, Madam President through you to the President pro tem, Mr. President, given the reopening of Connecticut next Wednesday, the progress we have made with respect to these incredibly high vaccine rates, the stability that we continue to see in the infection rates and hospitalization rates. And we see a lot of really good news coming out of our great state. I'm wondering, sir, if you could just help me to understand what the justification is for the extension at this point in time, it seems like we're ready to, to not need this anymore. And I'm hoping that you can help me understand that through you, Madam President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY (11TH):

Yes. Thank you, Madam President, and through you to Senator Berthel and I think we differ on our premises here. I think you were somewhat more optimistic than the sentiment in this emergency certified Bill reflects. I think we still are in a dangerous pandemic. I hear from my constituents, I have many constituents in New Haven who are medical practitioners or medical researchers or Public

Health researchers, or activists associated with Yale university who are very reluctant to see the broad scale reopening occur. That's going to occur next week. They think it's too soon. They think that to be absolutely safe, we should have more restrictions lasting longer.

So, there is I think a difference of opinion. They said, for instance, their view is we shouldn't really do anything until we reach the point of the low level of cases that we saw in late July and last August last year as the first wave petered out and before the second wave began, if you recall, at that time, we had some days where the infection rate was below 1% of those tested. And they said, well, we should wait till it's below 1%. And they were under a hundred people in the hospital and they said, we should wait until they're below a hundred people in the hospital. And we were down to the point where we were seeing, there were a few days where there were no deaths and they were saying, well, we should wait until they were single digit deaths a week, not just single digit deaths a day.

So there is I think a current of opinion that says that we're too optimistic and not reckoning with the, with the varieties of this virus, the other strains that can occur the fact that while we have made great progress in one of the states that has the highest rates of vaccination, it seems now at the point where the vaccination has hit a plateau, it's somewhat frustrating that younger people are not getting vaccinated at the rate that we hoped and expected they would, and that older people already have.

So, for those reasons, I think that this resolution is appropriate. And also because of the fact, there are certain things that can only be done by the executive. The executive inherently has the authority to react quickly to a circumstance. We are a deliberative body that takes some time to move into action. The executive can respond to quickly

developing fact and can do something immediately or overnight if necessary.

So, if there's a sudden spike and the Governor has to rescind an order of opening, he can do that through an executive order. He can say that social distancing should be retained again, or that indoor eating ought to be suspended again for a while. If there's a sudden spike, that's beyond the capacity of the legislature to react quickly enough to. And I think for that reason, it's prudent to have this two-month extension Madam President.

There is obviously we don't talk about Bills or not before us, but there is a companion Bill to this that was also passed in the House that we will be, that we will be taking up to deals with protocol to improve legislative oversight of executive orders in the future. In many ways, that's in response to some of the observations that were made by chief, by justice McDonald in his recent opinion, we're in a couple of footnotes. He pointed out that it is inconsistent for different legislative oversight to exist regarding civil preparedness emergencies versus Public Health emergencies. So, we're in that other Bill, we'll be looking at appointing a study commission to look at standardized and regularize that whole process of legislative oversight. But for now, Madam President through you, we believe it's prudent to have this two-month extension. Thank you, Madam President.

THE CHAIR:

Thank you. Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Madam President and Mr. President, I appreciate your answer too, and your answers to my question. And I guess my only comment back would be this and I don't think this is a question that you or I can answer necessarily because we are not the

executive branch and we're not the Governor, but if we believe that we are such, we're instilled such a high state of danger, if you we are and I believe that was part of what your response was then. I guess it should bring into question. Why are we moving ahead with some of the reopening aspect and again, that's not a question, sir, to you. I don't think you and I are qualified necessarily to answer that question, but I do appreciate your responses.

So, Madam President, you know, I'll stand by my comments earlier. I think that based on what we have seen from science and we've seen data and we've seen good things happening in Connecticut, that we are more than ready to get the function of our government back to normal, as designed and intended from, you know, the original creation of our government many, many years ago. So, Madam President, I remain opposed to this legislation. I think it's time to get back to a normal functioning of the legislative process and the rest of the government. And I would urge my colleagues to reject this legislation. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I'm still opposed to this Bill and I'm going to do it by the numbers. I did this once before on May 4th, I recited the numbers and I'm going to bring those numbers right back today again. On May 4th, there were 1.4 million people that had been vaccinated fully. That number today is 1,636,981, eight days over 200,000 people. On May 3rd. We were at 1.99 million people that haven't had at least one shot. That number is up to 2,058,000. That's an increase of 60,000.

Today the numbers released was a 1.05% positivity rate. On May 3rd, that number was one point-- I got it here. I'll talk about that in a second. Once I get to it. But the point is that these numbers are getting better and better every single day. And I could go through the whole list that I did the other day. I'm not going to do that. The positivity rate is dropping significantly. The amount of hospitalizations are down to 243 people and continually dropping every single day. We are the lowest we've been for the positivity rate well over, I think it's eight months now.

And I think within the next two weeks, it's going to be determined that that positivity rates going to continue to fall well below 1%. If everything continues to work itself out within just a couple of weeks, I think we're going to be over definitely over 70% of our population vaccinated, but we're having a hard time because there are some people that just aren't going to do it and the young people, but the people that are in most that are mostly in danger are those that are the older people, not the younger people.

And I think that's why there's hesitation. And if you drive around and you watch the younger people, they've been out playing basketball, they've been doing that for a year. They never stop they're out playing with their friends, they're out totally exposing themselves. Yet we're not seeing this massive infection amongst our youth. And even if we do what we are seeing is that it's minor reaction. Sometimes they don't even know they have it. Thankfully the adults, like I said, are fully vaccinate or becoming fully vaccinated.

What are the important things I want to point out is something the Governor said, Lamont said the state's vaccination progress and continue low infection rate, reinforced the decision to fully open without restrictions. The Governor said that May 3rd, and

that was posted in the Connecticut post. So, it's funny how we're differing in this chamber, from what the Governor himself said, the Governor himself again, said that the low infection rate reinforces the decision to fully open can things change? Yeah, they can change.

But he numbers if you've been watching them and paying close attention to them. As I have over the last month, these numbers are looking great and they're only going to get better. We had a walkup clinic yesterday, just set it up in the front of our town hall and the town of Vernon and 34 people just showed up people walking by didn't realize we were having one and walked over. We had five vaccination clinics today. We're having another tomorrow, another to the next day, all over the region they're having them.

These numbers are just going to continue as the more we move forward. So, I guess I'm going to ask-- I'm going to ask one question through you, Madam President to the proponent of the Bill. Good President pro temp.

THE CHAIR:

Please proceed. Senator Looney, prepare yourself.

SENATOR CHAMPAGNE (35GTH):

My question is, at what vaccination percentage are these all going to end? Through you, Madam President.

THE CHAIR:

Senator Looney.

SENATOT LOONEY (11TH):

Madam President, thank you through you to Senator Champagne. I don't think that that is answerable. I

think that will be the Governor obviously is of the opinion that we should move toward opening as soon as the health circumstances justify. And he believes that what exists now justifies the reopening that he has proclaimed for May 19th. But I don't know if there is an absolute benchmark because we know what the volatility of the circumstance you could reach that benchmark one day and have a spike starting in the other direction the next.

So, I think setting some sort of benchmark would be unreliable if everything were to be pegged to one or two statistics without taking a much longer trend into account.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam-- through you Madam President. One more question have in the past 30 days, have we seen a spike in Connecticut at all?

THE CHAIR:

Senator Looney.

SENATOR LOONEY (11TH):

Madam President, the last 30 days there has been, there've been up and downward movements in the number of people hospitalized. The general trend has been downward. There've been up and downward days in terms of the percentage of positive tests among those tested. But the general trend has been downward. There still has been a steady consistent number of people dying every day. There are anywhere from three to seven people dying every day. So, the general trend has been positive, but the persistence of the pandemic I think is still sobering.

THE CHAIR:

Thank you, Senator. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I was just wondering if the President pro temp has an answer to another question for me and that is whenever the state issues, these positivity rates and everything, they always talk about these probable cases of COVID. Do you have any idea what that means?

THE CHAIR:

Senator Looney.

SENATOR LOONEY (11TH):

Madam President, No. Other than that, there are some cases where they are suspected to be COVID because of symptoms, but apparently not documented to the medical extent to be enough, to be designated as official, but beyond that, I don't have any knowledge of the scientific basis for making that designation as opposed to making a definite as opposed to probable.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And thank you, sir. You know, right now there's \$13 million out there that was given to 27 local health districts to reach that the hard-to-reach populations. And one of the things that I'm looking at when I see this as, you know, somebody had talked to me about this, and they said that if the Senate, or if the legislatures in process, this is going to be carried on for two months. And if we're not, it's going to carry on for

four months. And at that point, I don't see the legislature being able to step up and take a vote and say, hold on a second. You know, we don't need this extra four months. Right now, I don't see the numbers in front of me. I'm a numbers person. And I like to look at them and I don't see these numbers wanting to take any further than the end of this month because of the positivity rate, the decline that's been happening, and everybody else is here has been to Walmart to target, to home Depot. You can go to the movies, restaurants were more open than we were last year. And these numbers keep dropping.

When you look at Florida, Florida, completely open, and I don't hear the numbers going up there. If we're this open, when we were completely closed last year, and the numbers continued to decline. Now, we're almost completely open with all these businesses open. I've been to restaurants now, I've been out shopping on a regular basis. I've been around people more heck we had the Senate and the House in session today. And the numbers keep dropping, a spike is when you have this normal abnormal amount going up. But again, when you look at May 3rd, compared to today, you know, there were 300 and something on May 3rd in the hospital. Now we're 200 and something, and these are positive signs for Connecticut, but to justify another two months with the Governor's orders, I think it is going beyond what, what normally should be. I'm going to end one more time with the Governor's own words. Lamont said the state's vaccination progress and continued low infection rate reinforce the decision to fully reopen without restrictions. Thank you, Madam.

THE CHAIR:

Thank you, Senator Champagne. Will you remark further? Senator Hwang. Good evening, Senator Anwar. You will be followed by Senator Hwang.

SENATOR ANWAR:

Thank you, Madam President. Hope you're having a good evening. Madam President, I rise to support HB 6686, AN ACT CONCERNING THE DECLARATION AND RENEWAL OF CIVIL PREPAREDNESS AND PUBLIC HEALTH EMERGENCIES BY THE GOVERNOR. Before the beginning of the session, as every one of us reflect on what would be the decisions we would be making during the session. This was one of the decisions that I was assessing and contemplating, what do I do? How would I look at this? And as some of my colleagues have said that we as a state have done reasonably well. And actually, we have done very well with respect to some of the numbers, but, and I thought if we continue on this trajectory and the rest of the world was in good shape, we will be able to say goodbye to the state of emergency. And that would have been a great, amazing opportunity and success that we would have had.

But Madam President, I would like to say that, I'm sorry to say that I don't believe what I had said before the session. I believe that we need to continue this. And you know, who has convinced me, my colleagues across the aisle have convinced me that we need to continue this state of emergency for healthcare emergency. Why? A few days ago, we spoke for five hours, five hours arguing how to protect the children from suicide in a pandemic. We argued for five hours not to allow the children to be able to get healthcare for medical reasons. And then when you think about this, that we might my colleagues prove to me that this is not possible to make a very basic, how can taking care of a child who is suicidal, a child who needs mental health, be a controversial issue to speak in the middle of the night for five hours. And that is what is where we are at.

Today, when we're talking about compassionate release of prisoners, we spoke for another five hours and in a state of emergency, we have to make

decisions to save lives every few minutes, because there's so much that needs to be done. And if we cannot make decisions in an organized manner, in a bipartisan manner, in a matter of few minutes, understanding what is at stake, we are incapable of managing a disaster because we have dysfunctionality and I'm speaking as a Legislator, but also as a physician who deals with disasters and critical care management.

So, my colleagues convinced me that we are not capable of managing this because we can't even agree when a child is suicidal to save their lives. And then we want this to go away and we will manage this ourselves. We can certainly, we will be very thoughtful and we will be organized and manage the decision that we have to make. I rest my case. Madam President.

THE CHAIR:

Thank you, Senator Anwar. Will you remark? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President seems like we go with every two, three years, three-hour cycles. Good to see you again. Now, before I begin, I want to acknowledge before Senator Anwar leaves the circle. I want to acknowledge him. And so many of our other frontline healthcare workers for what they've done to keep us safe. And indeed, Public Health is incredibly important. And we have done a good job in Connecticut. I applaud the Governor. I applaud the citizens of this state. I applaud our frontline workers. I applaud the many businesses that have struggled. And made investments in sacrifices to ensure a safe environment to open up properly.

And as we begin this conversation, I am touched by the irony that has been mentioned so often in this conversation today about the fact that the state of

Connecticut through the Governor and through the announcement that May 19th, we're going to open up for a new normal. The Hartford yard goats are going to play baseball game, and we're going to have fans going to concerts. So, we're going to go to a new normal because we're balancing living life and engaging with the need to begin a new normal. And I applaud that.

And I know for us, as I've debated across with my colleagues in the circle, that I am thrilled to be here taking every precaution that we need to, but we are here in the circle, debating deliberating, whether it be for 10 minutes, 10 hours, we have an opportunity to debate the merits of these Bills and to get engaged in representing the government. And it's important to note that freedom and Representative government is so fundamental to this country. So fundamental to the American values. And sometimes, sometimes we take it for granted. The freedoms that we have has messy and as uneven has emotional, has we get democracy allows for deliberate ration debate and engagement.

And the reason why I value that so much is has a first-generation immigrant, growing up in a parliamentary democracy in Taiwan, we were thriving. It was an economic engine. People were engaged. We were competing in a marketplace. It was a flourishing parliamentary democracy. Least that's what I thought when I lived in it up until the age of nine, going to school being taught and being indoctrinated in the values of democracy fighting against communism.

I believe that I lived in a fantastic democracy. Then I immigrated to America and what I found because we had the freedom to debate, the freedom to have information, the freedom, to have a truly Representative government. Did I realize that I had been living in a parliamentary democracy that was run by martial law, in which the government, by the merits of emergency denied the Representative

government that it purports itself to be. We had a parliament that retained members back from the original election nearly 30 years ago, because under martial law, we have relinquished the executive power and the legislative power and the will of the people to the presidency and to a government that was frozen in time because of an emergency, a crisis in which martial law was imposed.

Now, I'm not saying what happened in Taiwan with the martial law that existed for 38 years measures up to what we're dealing with right here in the state of Connecticut. My goodness, we've been only living under the executive order, relinquishing our legislative equal branch of government for just 15 months. What's another extension of another 60 days? That's the problem I have 60 days becomes two years. And then all of a sudden people in government get very comfortable. People get very comfortable and we go on as business as usual because we're doing a great job, because we're no longer engaging in dissension. We're no longer engaging in a process in which Representative government that is potentially messy. That is potentially combative. That may take ten hours of debate.

But as I remember it, and as I value every moment that I have for these debates, I remember when we didn't have it. And right now, under the current executive order, even though we have been meeting since January through zoom, we have seen examples of a lack of true Representative engagement and transparency. We've had debate limited in Committees for 24 hours. We've had nearly 70% of people's voices not being able to be heard. That's not democracies as I know it, that's convenience. That's everything wrapped up in a nice little neat package and say, we're your Representative government.

And that's just simply my opinion. I know there may be people who object and disagree vehemently, but for me, democracy truly engages in equal branches of government, the executive, the legislative, and our

judicial, and for the last year and potentially three months. And now potentially another 60 days, we as a legislative body will vote to relinquish that power again, I'm troubled by that because based on the irony that we are now opening up the state for business, the most important facet of a Representative government is still not open for business truly.

Now I want to go through a cycle and I might miss some dates on this, that in, I believe March, 2021, the COVID pandemic struck. And we had to make some decisions, the Committee of Public Health Emergency based upon the statute that's cited in this proposed Bill 6686, that said Section 19A-131A, a declaration of a Public Health emergency by the Governor. I will not read through the statute, but through you Madam President to the proponent of this Bill, the good President pro tem of the Senate, I would like to get a point of clarification of the statute and what the role of the Committee that was formed by this statute had in regards to the Public Emergency Announcement? Through you, Madam President.

THE CHAIR:

Senator Looney.

SENATOR HWANG (28TH):

Thank you, Madam President through you, section 19A-131A, President pro tem talks about the declaration of Public Health Emergency by the Governor, in which this statute Bill number 6686 is based upon. Talks about the Committee's role in declaring emergency preparedness through you, Madam President, has this Committee met and make those determinations since the original meeting in March of 2020 through you, Madam President.

THE chair:

Senator Looney.

SENATOR LOONEY (11TH):

Yes. Madam President through you. First of all, the invocation of that section at the beginning of the Bill, it says notwithstanding the provisions of that section 19A-131A and of 28A-9, which deals with the civil preparedness emergencies. This legislation will carry forward. It notwithstanding the content of those two statutes. However, the Committee, the so-called Committee of ten that had statutory existence prior to this pandemic. But it never met, did meet in March and did meet again in September. It was authorized if it chose to in effect override, cancel Vito the Governor's declarations that had been issued and they were required to meet within 72 hours of that declaration did so twice and chose to allow the Governor's emergency powers to go forward.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President, and thank the good chair, the good President pro tem for his answer, and absolutely understand the language is notwithstanding, but given his clarification of meeting in March and in September, we've had concurrent votes, or rather in January of 2021, when the new General Assembly gathered, there was no vote that took place. And in March of 2021, there was a vote, but this Committee did not convene.

So, before this statute that addressed notwithstanding. Did we comply with the requirements of section 19A-131A in not convening that group? And in fact, if I may, the fact that has a new general assembly has started, I took a quick agender of the Public Health Emergency Committee membership. And in the website, we have not even bothered to update the membership of that Committee.

So, with the non withstanding language of this Bill, are we now saying that these Public Health emergency declarations now need not be declared with our commissioner of Public Health, with the chairs and the Co-Ranking Members of the Public Health Committee with a Committee of cognizance related to Public Health? Are we saying that this Committee should not even exist because we haven't even bothered to update the membership of that Committee since January of this year? Through you, Madam President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY (11TH):

Yes. Madam President through you, we are moving beyond those statutes and their requirements about the Committee of TEN to have a stronger legislative oversight, namely what we're doing tonight, passing a statute. And when we meet next to presumably pass the statute that the House has taken action on House Bill 5653 of which will set up a whole new mechanism involving full legislative action to review Governor's declarations and to allow them to go forward or not.

So, we are going to be stepping up our degree of legislative oversight recognizing the points that were made, I think properly by justice McDonald in his decision where in footnotes 11 and 13 upholding the powers and the Governor's exercise of those powers saying that it would make sense to standardize legislative review because there was a different standard governing a Public Health Emergency, as opposed to a Civil Preparedness Emergency.

We were about in that other legislation that won't talk about in great detail. So, we'll be take it up, but we'd be setting up a commission to study exactly

that question. So, we are in the process of strengthening legislative review and not relying on the ad hoc nature of the Committee of ten or the leadership Committee that would be authorized under certain circumstances. If you had a manmade disaster under the Civil Preparedness Emergency. So, in effect we are transcending that more limited degree of legislative oversight to have full action by the General Assembly.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President, it is always terrific to engage in conversation and learn more about the process from truly the Dean of these circle. And I think he said something very interesting to me, and that's important. What we're saying is we're moving beyond the statute. We're moving beyond the composite of Committee members that was carefully drafted in section 19A-131, which recognized the Public Health nature of this pandemic declaration, because we respected the Committee of cognizance, the chairs and the ranking of Public Health, the commissioner of Public Health. And I don't recollect let's see, but nevertheless, what I'm hearing right now is we moved on to another facet. Another level in which now legislative leaders are making the determination of what is a Public Health Emergency.

I may somewhat disagree with that simply because I would rather defer to the medical experts, the people that understand the Public Health pandemic and the vast and the potential risk of it all, and not always defer to political legislative leaders. So, with that, I may disagree and I hope that we will not put aside this important declaration of Public Health and the Committee of cognizance to be able to offer some advisory role to this.

As I move on, I simply want to go back to the irony. As I said, again, we're looking to go to a new normal on May 19th, but at the same time, we're saying that governing has to have a higher threshold. That governing has to be restricted. And therefore, we seed our equal role in governing that to me is something I cannot accept. But that being said, another form of irony is the fact that we're not raising a Bill, but the House did indeed raise up that the fact that we see fit there is another Bill that, and it may not be germane to this, but I think about it in the sense that at the same time, we may be considering a Bill that says, even though we're going to give the executive powers and continue it for another 60 days, but you know what we want to say in the budgetary process and what to do with the money and allocation from the federal funds that we have to the appropriations-- in that area, we're going to step up as a legislature and claim our role.

The inconsistencies are too numerous to mention, but those are points that I'm raising as a point of concern. If we're going back to a new normal for the rest of Connecticut, we're going to extend the executive power because of the potential health concerns of the General Assembly and the powers we're going to cede to the executive branch. Again, interrupting the co-equal branches of government that is foundational to the state of Connecticut.

But at the same time, we're going to flip flop back and say, whoa, when it comes to the budgeting and how we spend the money of the state of Connecticut, along with our federal money, the legislature has to have a say, so I say, which one is it? Which one is it that we want to be consistent to? I don't know for me, I rather we choose one way and be consistent so that we do not continue to confuse and to fog up the legislative process in our important role of representing the people of Connecticut.

So, I asked that perhaps we should reevaluate a greater level of consistency as we applied these statutes, as we apply and see the important and balanced power of governing and for the legislative branch to represent the people of Connecticut as equal branches of government. So, I hope, and I urge rejection of this, and I hope that we reflect and reconstitute a new consistency on how we apply these statutes and how we govern the state of Connecticut, because unfortunately in some parts of the world, for those that purport to live in democracy, but never experience it, they think it is democracy. For me, I lived under martial law and because I didn't have a chance to see the real display of democracy, I believe it was democracy. And it was a Mirage. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further? Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you, Madam President. You know, it's getting late and I wasn't going to speak on this matter. And I was going allow my colleagues to the voice, the concerns of my constituents as we talked about this earlier. But I felt it was necessary to come out and touch on a few things that I heard on the floor. We did a good job in Connecticut and the numbers show that and where credit is due. I think it's necessary that we pay attention to that. And we did a good job. And the citizens of Connecticut and residents made a lot of sacrifices to make sure that the numbers went down and people were safe, whether it was businesses or high school students that are weren't able to finish out their senior year of baseball or whatever sport, they worked 12 years to get to that point.

There was a lot of sacrifices and when I'm in district and I'm talking to individuals just today,

this morning, somebody asked, when is he going to get back to normal? And I couldn't give them an answer. And that's a problem. It's a moving target. The numbers are going down and we need to realize the sacrifices that are being made. There needs to be transparency, and what's going to happen when you hit these goals. And my constituents are telling me that they don't think that that's happening. And this is a great example of that. The numbers are going down and they're going to be extended for two more months. And what's going to stop that from happening again in two months.

And when my constituents asked me, I don't have a good answer. And I think that that's not acceptable. I think that everybody wants to get back to a sense of normal and us as leaders need to start that process and lead by example with transparency and follow through. There was some comments on the floor that really encouraged me, or I felt it was necessary for me to come out and say something. A colleague made a statement that we as Legislators cannot make the decisions and communicate with each other, for the benefit of the residents of Connecticut and our constituents.

And I believe they refer to a few Bills that we spoke on over the last couple of days in session. And one was a youth suicide prevention Bill. That was the point of the Bill, which I'm sure every person around this circle would do anything in their power to prevent youth suicide. But the debate wasn't about youth suicide and how to continue that journey down the right road of minimizing the loss that these families will face.

The debate was taking away parental control. So, when we speak of transparency and us as Legislators and leaders make comments there's consequences for those comments and for the residents of Connecticut, think that we as elected officials can come here and work together for the greater good. I think that that's not an accurate statement because if the

Bills that were referenced regarding compassionate release and children's suicide were germane to those topics, I think that it could have been a very short conversation. But there was many pieces that we could have all agreed on, but I think it's our job on both sides to point out the things that may not be best for our constituents.

So, I just thought that I should point that out, that I think that we all want what's best for the residents of Connecticut. And I think we should get back to a sense of normalcy where we as Legislators could start to make those decisions for the people that we see in our districts. So, we could get back to a sense of normalcy. And for that I stand in opposition of the renewal of these orders. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further? Good evening, Senator Formica.

SENATOR FORMICA (20TH):

Good evening, Madam President. Thank you. I rise to speak on this Bill and a little bit about how we got to the point of this Bill, if I may. And I have one question for the Senate President who is the proponent of the Bill.

THE CHAIR:

Please proceed, sir.

SENATOR FORMICA (20TH):

Thank you, Madam President through you, Mr. President, Good evening. The last time that I recall we were here some 30 or 60 days ago about extending the powers of the Governor at that time, the conversation seemed to focus on the need for federal funding release and that we needed to be in a state

of emergency. So, through you, Madam President, would that be the case today or has that issue been resolved Mr. President?

THE CHAIR:

Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. Senator Formica, I believe there are still some existing questions about the broad range of federal aid that a state may or may not be eligible for depending on whether it is still within a declared state of emergency.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Mr. President, through you Madam President is that I'm wondering if that is the main reason that we're going to try to continue this executive emergency powers for the Governor for the next 60 days? Through you Madam President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President, Legislators may have different reasons for supporting or opposing a Bill. My own is not the issue of whether or not federal aid is contingent upon it, but my own ongoing concern about a possible resurgence of this highly volatile and dangerous condition that we're facing in the pandemic. And despite the recent evidence of positive trends, I believe that we still need to

have the Governor vested with emergency powers. Should it become necessary for him to use them should something unexpected happen between now and July 20th.

And obviously many of the initial, the executive orders that he issued since last spring have since been rescinded or rendered obsolete or were taken by others. I believe that they're really only two substantive ones that are likely to continue after May 19th. And that is the use of indoor masks and also safety rules for schools and childcare. And that there was sort of a bare bones level of existing executive orders still persisting after that date.

But I think it's prudent for us to continue to have the possibility still vested in the Governor to respond should an emergency develop that requires the kind of speedy executive action that the General Assembly is not set up to provide. Thank you, Madam President.

THE CHAIR:

Senator Formica

SENATOR FORMICA (20TH):

Madam President, thank you. Thank you, Mr. President. I appreciate the reply. Moving forward, I understand, and I thought I heard President Looney speak of a Bill coming forward in the next day or so that might alter or change or adjust the foundational voting of how the Governor is awarded his emergency powers. And I'm not sure that I've seen that, but Madam President, if I may ask the good President, if that was the Bill that passed unanimously in the House recently as a special act?

THE CHAIR:

Senator Looney.

SENATOR LOONEY (11TH):

Madam President, if the Senator would restate the question, I missed part of it at the beginning.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Of course, Madam President. Thank you. Yes, sir. You mentioned, I thought earlier in the conversation, I believe with Senator Hwang, that there was a Bill coming forward to us that would address fundamental changes in how emergency orders are granted. The Governor is that the Bill that went through the House voted unanimously without changing?

SENATOR LOONEY (11TH):

Through you, Madam President. I believe that is correct. I believe the Senator is referring to a House Bill 5653, the strike all Amendment on that Bill had bi-partisan sponsorship, including and the speaker, the majority leader Representative Fox, but also Representative Candelora and Representative Mastrofrancesco. So, it was a bipartisan Amendment to the Bill that passed in the House. And as I was referring to it in discussion earlier with Senator Berthel about provisions for future legislative oversight of the, Governor's say use of executive powers.

THE chair:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President, thank you, Mr. President, and not having become familiar with that Bill yet. And I'm sorry that I was caught a little

flat-footed by it, but is the language in the Bill and the process that was unanimously voted on in a bipartisan way in the House more cumbersome than the current way that we here in the legislature provide emergency powers to the Governor through you, Madam President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY (11TH):

Through you, Madam President, I believe the word cumbersome implies a value judgment, and without getting into too much detail on the concept. But one of the things in the Bill is establishing a bipartisan commission to study the way in which both civil preparedness and Public Health emergencies are reviewed by the legislature. And I might quote the language of a Bill not before us and to make recommendations of how said section should be amended to provide greater legislative oversight of declarations of Public Health and civil preparedness. And so it is exactly in line with what the tenor of the discussion has been this evening about finding a way to extend and make more rigorous legislative oversight about civil preparedness emergencies and Public Health emergencies pursuant to the guidance and recommendation given us by justice McDonald and his recent decision of upholding the Governor's use of his executive authority, but citing the anomaly of the fact that we have different standards of review currently for civil preparedness emergencies versus Public Health emergencies. And in fact, point us in the direction of remedying that by creating a single standard.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Mr. President. I appreciate that. I didn't want to belabor the circle here by me looking that up and holding us up for a moment to try to read that Bill. So, I appreciate you summarizing it for me. Thank you very much. Madam President, it seems to me that when we needed the Governor to have emergency powers in the beginning of this pandemic, the process to do so was through the leaders of the Public Health Committee. They were convened rather quickly, and they were able to determine whether they were going to vote or not on giving the Governor's emergency power. And it seemed happen relatively quickly.

I have no problems with a majority of the way that Governor Lamont handled this last year. Having been serving as a first selectman in the town of East Lyme for seven years, and one of those years we had two hurricanes hit our state. We got hit pretty hard in East Lyme and we were under a state of emergency for without power for seven days, nothing like the pandemic that we're facing, but I understand a little bit about what leaders must have to do in order to maintain calm, maintain composure, and maintain a sense of place for the residents of the state of Connecticut or the community in which they reside so that they can move forward through the public emergency and do their best to come out the other side with solutions that keeps everybody under their charge.

So, I applaud Governor Lamont in many ways for what he has done moving forward here with this pandemic. And I think that extending the powers along the way made a lot of sense. I think the federal legislation that helped speed the vaccine development was a result of that same type of work. People on the national level of seeing a problem, trying to expedite a solution as best as we possibly can, especially a problem that we have not seen the likes of in our lifetime may not hopefully see the likes of in our children's lifetime.

So now the vaccine is here. We have extended the Governor's powers for the reason that we've heard this evening about the intention of this Bill here in front of us, but we extended the Governor's power in many ways so that he could react quicker than this circle and the House would certainly react. And I agreed with those times, I had some questions about earlier this year, and I think that our caucus talked about many in our caucus. I'm not sure if everybody, but many of our caucus agreed with moving forward for a short period of time, given certain restrictions that were released. We were not able to really be part of that discussion, but as a result of moving forward for the 30 days, some of those restrictions were in fact released that we had recommended.

So that doesn't change where we are. And I must take exception to some of the comments that I heard earlier in the circle by people that I respect greatly in their profession and here as members of the Senate circle, indicating that we, the other side is the reason that they were convinced that we have to continue these particular emergency orders, because we had the audacity to question a Bill for five hours. You know, I would say I would be happy to vote for many pieces of legislation. If the pieces of legislation in the Bill were specific to a subject in the Bill that was referred to earlier this evening about the five hours and indicated simply that we couldn't even get agreement on children's suicide.

Well, Madam President, and I submit that that was not the only portion of that Bill and that I don't know about anybody else around the circle, but I received stacks of postcards from teachers who were worried about children's health in their classroom. As they try to balance watching zoom of some children being taught from their homes while they were trying to manage children, sitting at their desks. And as I listened to a zoom of nearly 50

teachers talk about the impossibility of that action and the detriment that it's having on children's health, I was struck by the fact that that was in the Bill. That's what I could not support and that suicide of which my family knows all too well. And my work in my community to support suicide awareness and the great organizations that are led by people who have suffered through that and are working very hard to raise awareness so that it doesn't happen to other people.

I would support that. And then the other comment about the release of prisoners of serious crimes, Madam President, those are Bills that we can argue about. I imagine we might have the same type of argument about a budget 1600-line items in a budget. We might have an argument about four or five hours, but I would submit to anybody who's listening today, Madam President, that if we had a true health emergency, such as what we're facing, and we needed action, we would not be 24 and 12 in here. We would be 36 and we would be able to rise to the occasion and talk about that and be able to come together and make a decision.

But that decision would be singular, a purpose, not a mixture of many things in a Bill that you end up tossing a ball in the air to decide which one of that, which part of that Bill are you going to support? So, I take exception to that characterization of our character, Madam President. And I know that's a bit far field of where we are today, but I think it's germane in the sense that we're talking about extending for yet another 60 days beyond the end of the session, beyond the end of the long session, the first year of a two-year session, this is a long session where we serve from January to June, next year, we serve from February to may, and then that's the end of our term net of constituent work.

I wonder how many people in this room, Madam President had been vaccinated today. I know that I

have, and I thank you. I see that you have how many other people have been vaccinated in this room. Almost everybody, a hundred percent people in this room have been vaccinated against the virus that is causing the emergency in our state, this pandemic. And it led rise to the emergency order. We all wear masks, except maybe when we're speaking or having a drink. We're here at 50%. Not quite yet of capacity around the chamber. Senators are forced to sit in that room and in this room and their offices throughout, because we still haven't yet been able to come to full capacity here.

But as I think, as we heard before, we can go into Lowe's or home Depot or to value or stop and shop or, and have people come up against us, as they are. Are there hundreds of people we're working toward this here. And I appreciate the conversation I had earlier today about perhaps incremental steps of allowing Senators back in not allowing of having Senators back into this chamber, into this circle. And we're all vaccinated, which is supposed to protect us. And yet here, we're still talking about extending for 60 days in emergency power.

Madam President, I know that were vaccinated to almost 70, 75% in the state with at least one soon to be two. And I can tell you that through the last year I operated a business that is a people business that we had to work on, making sure that our staff was protected, that our customers were protected, that our vendors were protected. And there were a lot of people. There were a lot of industries that suffered. There were a lot of families that suffer, and I have a lot of people coming. Fortunately come into my business each and every day. And I have the greatest staff in the business. That's why they're all vaccinated.

We have air filtration systems in our business that kills 99% of virus. Many businesses have that. We had trouble with a positive test in October in our business. And we had to close. We had to get

everybody tested 43 employees. And we closed for four days. Lost a lot of product cost, a lot of money, but I was lucky. A lot of people, a lot of businesses had worse, but this is last October. This is when vaccinations were more of a thought more of a goal. This is when we were limiting people to come in. Now, here we are. It's after the turn of the year, people are vaccinated. Conditions are changing. Opportunities are different, and I'm grateful that Senator Looney is advising me that there's a Bill coming forward. That's going to look and create opportunities for a new way to look at civil preparedness and emergency orders. And I welcome that discussion. I think that's great as a by-product of what we've been through the last year, we're seeing a lesson and we're trying to learn from it.

But Madam President, I believe we've gone through a very difficult period and we're coming out of it and to extend these powers for another 60 days through the end of this session, I just think is almost more detrimental to our way of government than it is to dealing with the pandemic, because I think we all know what we're dealing with. And I think what's left for the Governor to decide is how many more people we can vaccinate. And if we get a few more percentage then we're at herd immunity, and then I wonder where the emergency is.

So, Madam President, I understand the, the thought I disagree with the timing. I know that each one of us here around the circle stand ready to do whatever we can do. However, we can do it to make our constituents and the people in the state of Connecticut and beyond as safe as we possibly can be. I know that, I know it wouldn't matter whether we were Democrat Republican green party unaffiliate we would stand together and work to try to get things done.

So, thank you very much for the opportunity Madam President. Thank you, Mr. President, for your kind

answers to my question, but I wholeheartedly disagree with the need for moving this forward. Not that the Governor couldn't still be involved there, wouldn't still be involved because of course he would, but so should we thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I rise in support of the emergency certified Bill and certainly understand comments on I think the fatigue of where we are at this moment with the COVID pandemic that we've all been living through for more than a year now. However, fatigue should not allow us to let our guard down nor should it allow us to make decisions because you want to get back on with our lives and back to normal. And back to maybe plans that we had had that we now, that we've had to cancel since last year, we're not done yet. Unfortunately, we're not done yet, and it's not only that we're not done yet. The virus isn't done yet.

And so, we have to, once again, work on legislation that helps to keep our state safe and healthy and our residents safe and healthy so that we can continue to bring down the numbers that we've seen over the last few months while certainly knowing that not every day is continuously a lower number. Some days we go up and some days we go down, which means to me that we need to continue our vigilance. We need to continue to work hard to do the things we've done over the last year or so.

It's been frustrating. It's been very frustrating for the people of the state of Connecticut. But yet we have worked together to come through this crisis, I think better than most, if not all states across this country. We were one of the first states to

take this virus very seriously. We shut down schools and other places and have people work remotely and had children go to school remotely in order to save lives. And since then, we've been able to slowly and gradually work our way back to what is a more normal life. But that doesn't mean that we then stop and flip a switch and say, well, today's the day we're now going to end any kind of actions that we all have as residents of the state of Connecticut.

So, to me, it's important that we work gradually especially as it relates to our safety and measures that keep us safe, that we work to meet the needs that are out there at this very moment. That we're able to allow schools to make certain decisions or pharmacies to vaccinate on an emergency basis, or make other types of decisions that need to be done in a rather quick manner than a deliberative manner. That results sometimes from the legislature having to act.

Senator Looney said it correctly earlier when he says we need the nimbleness of the executive branch to make quick decisions, to protect people rather than a slow deliberate process that the legislature undertakes, which is what we're designed to do we're designed to be slow and deliberative. And that is a good thing. It's just not a good thing during a pandemic when we need that nimbleness in order to be able to keep those protections for our residents.

So, Madam President you know, as we, as we continue to debate these, these measures, and we continue to think about where we are right now, I'm glad of the fact that we celebrate the fact that our numbers are way down, that our vaccinations are positive. Numbers are down, our vaccinations are way up that it looks like we're at the, you know, we see the light at the end of the tunnel though. We're not through that tunnel yet. We're probably a little bit further ahead than we were last time. We debated a similar piece of legislation, but we're getting there. So, we need to get there prudently and

judiciously and get there in a way that maintains the work that we've done.

And I think everybody does certainly credit Governor Lamont his administration, Madam Lieutenant Governor, your work, the work of the legislature and others, who've all come together to send very strong messages to the people of our state, to work, to keep them healthy. People say so glad they live in the state of Connecticut that values science and health and others. Other means that have been able to keep us healthy. So, we can't stop right now. And again, it's not an on and off switch. We gradually got to move these.

And I think I know the Governor is very aware of that. And he has been very judicious about the powers that he has and not over extending himself or his authority. So, I feel confident in the fact that the legislature is meeting today, we are voting on this legislation that we are using our co-equal powers that we have as outlined in our state constitution working with the Governor and negotiating legislation and showing the people of the state that we are working with the Governor on these very important issues. We are working to keep people safe. We're going to continue to put their safety first and that we will stay at this for the time being so that we can get those vaccinations continuing to go up. Our positivity rates come down, our hospitalizations come down, death rates come down and that families are able to come together again.

Lastly, I'll just mention, this is it was so great, this Mother's Day. I know for me and for so many others, to be able to see our families and sometimes for the first time, in a long time, to be able to embrace them and, and do so in a safe manner. And I think that's all we're trying to do is be able to say we still have work to do, there's that light at the end of the tunnel. We're going to continue to hone in on this and get the job done until we know

that we can get on with back to life as normal as we knew it. Thank you very much, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further? Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President and good evening. I've had many conversations over the past couple months. I've had a few with Senator Looney on just issues of how similar people can look at the same issue and come down with different opinions. And this is a long and storied tradition in the philosophical area that reasonable minds can look at the same set of facts and come to two distinctly different perspectives.

Before I get to the executive order issue, I was taken aback by some of the comments that were offered on this Bill, that the Senate has this functionality because we don't agree. And I find that somehow hard to believe that someone that is involved in this area of politics could actually believe that because people don't agree on an issue or two that they're somehow dysfunctional.

Then the issues that were offered as the root cause. Number one, teenage suicide, I do not believe there is one person in this Senate that believes or wants one more teen suicide. We all recognize that teen suicide is wrong. It's it needs to be addressed. And I think we all want to address it. The question isn't on teen suicide, the question was whether or not a loving parent should be involved in that teens life. The examples offered the night that we debated that Bill were all horrendous. They were awful stories. And under the current law, those parents would not be involved in that child's life. And a counselor could continue to counsel that, that teen

on whatever the issue was that that teen was dealing with.

I believe reasonable minds can disagree on whether or not a loving parent should be involved. We believe the loving parent should be involved. The majority came down to a different conclusion. We voted and it went differently. That to me, wasn't dysfunctional. That was just differing opinions. The same is true on the compassionate care Bill that we dealt with earlier today. I don't think anyone in this circle believes in compassionate care. At least I hope not. I think the issue there, and it's an issue that in this case, the Connecticut coalition against domestic violence testified against the Bill predominantly because victims weren't going to be notified.

We believe victims should be notified so that if a person was being released in the standard was changed from no risk to a reduced risk and that the victim should be notified and given an opportunity to know what risk is out there. If we want to talk about compassionate care, let's talk about raising the personal needs allowance. \$60 for individuals in nursing homes with no other assets or income. We're getting Billions of dollars from Washington. And we can't chisel off a million dollars for people to afford maybe a cell phone or a zoom license so that they can then communicate with their families because they can't go into nursing homes. Let's talk about compassion and dignity, Billions of dollars coming from Washington, and you can't chisel off a million dollars to provide dignity to seniors in nursing homes.

That doesn't mean have dysfunction. It means we have a disagreement on what the policy of the day should be. Turning to the executive orders. I don't believe anybody disagrees that an executive has the authority to declare emergencies. We see it time and time again, whenever we have a hurricane, a tornado, a snow storm, when there are issues that are in emergency state, the Governor is the executive and

can move quickly to protect our community. I don't think that's in dispute, but where we are today in month 15 of a pandemic, and we're in a drastically different place than we were in March of 2020. We are one of, if not the most vaccinated state in the country.

And while the legislature is a deliberative body, we are now 15 months down the road with 15 months of experience. And the fact remains that the people's voice, the legislature needs to be part of the process. Our government is not wired for one person rule and that the people's House and the people's building needs to be a separate, but co-equal branch of government.

Last week, we codified tele-health which demonstrates that we can legislate and can bring to an extent the people's voice to the equation. This is something we've been arguing for since January and in January, we lost that fight and it was extended till April. And then in April, once again, we're saying, why can't we codify these executive orders? Look at the executive orders we like codify them. Maybe not pursue the ones we don't like and maybe amend the ones in between. And it got pushed out for yet another month here we are in May. And once again, we're asked to extend for another two months. A month-to-month patchwork hotspot strategy to manage a pandemic is no way to move forward. We have many, the example was pharmacists and a vaccine program, but to only give the providers that are delivering this to the public only a month or two months opportunity to deal with this is not a way to manage this.

We should be giving them more reliability and certainty as to whether or not this is going to continue. And these are things that the legislature could do. If it would only pick up the role and move that forward. We believe the legislature should act. So, the issue once again, is that the Governor keeps getting these month-to-month extensions, but we're

not in the same place we were in March and the people need to be brought into this equation. And given more of a voice it's time, Madam President it's time for the people to have more control over what is going on.

We all take this virus very seriously. I don't think that's an issue, but I believe we need to take more management of the pandemic serious. I think this body needs to be more involved in that process and to take governing more seriously so that we get the people's voice back at the table. That's what's essential, that's what's needed. And this Bill does not do that. What this Bill does is it continues to extend the Governor's authority and doing so in once again, a patchwork quilt rather than a consistent policy, that would be more, I think, effective at handling the pandemic. For those reasons, Madam President, I would urge that my colleagues vote, no thank you.

THE CHAIR:

Thank you, Senator Kelly. Will you remark further?
Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President, speaking for the second time in support of the emergency certified resolution will urge the chamber to pass it this evening. Madam President, the very fact that we have been here today and been here many days during the session debating and voting on legislation from a variety of Committees on a variety of subjects, I think is a direct refutation of some of the comments made earlier in this debate that the legislature has not been vigorously pursuing its responsibilities and obligations, we have been, and we are, and we continue to do so. And that in no way has that power have been in any way limited or compromised by actions of the, of the Governor. We fully expect, we'll have a lot more vigorous disputes over issues

related to, to the budget and other things going forward. So, I think it is needlessly alarmist to say that we have given over our authority what we have tried it.

And I also, I vigorously dispute the assertion that was made, that we're not serious about governing. The very fact that we recognized in an emergency that the executive needs to expanded powers is being serious about governing and is being serious about recognizing what needs to be done in an emergency. The executive, the use of the Governor's powers has ebbed and flowed. Over the past 14 months, there were many executive orders that were issued that are no longer in the fact we anticipate and we hope, and certainly pray that fewer executive orders will be needed if the trends continue in the positive direction that they, that they have been. But in the meantime, I think we have to have the authority in place. And I think generally the Governor's use of that authority has been praised. He is not, he's not overreached.

The Republican party has not seriously challenged any of the individual executive orders or sought to repeal any of them in particular. They've objected to the fact that the Governor has exerted executive authority in general, but no one has found the use of that authority to have been abused. The Supreme court upheld the Governor's use of that authority. So, he has been very judicious in the use of that Madam President. And that's something I think we need to recognize as a responsibility that he is continuing to use judiciously, and that we have to closely supervise the extent of the authorization. And that's why it is only two months, but there were many executive orders. If we were not allow the emergency powers to stay in place and had to do everything by statute, we would be constantly coming in and adopting statutes and then having to come back in to repeal them when they were no longer needed, everything would be ad hoc.

And it's not good to legislate in a way that's ad hoc legislation is supposed to be on something of a more permanent policy basis, or at least for the duration of that session. And perhaps the issue might be addressed again, two years later in the next session, by the next general assembly, but legislatures are not set up to legislate on something that may only be needed for 30 days, 60 days, 90 days, six months. And there are many executive powers. So, for instance, the pharmacists who are now gearing up to vaccinate younger people, people under 16 years of age, would not be able to do that without an executive order. That's in place. DMV's ability to issue duplicate licenses without people coming in person is another one nursing homes, ability to hire people in an emergency situation who are licensed outside of Connecticut.

Now that's something that it was, I think, judicious and prudent to do given the fact of the pandemic, but it might not be something we would want to authorize in an open-ended way. And at some point where we to grant that authority legislatively, we would probably want to come in again and repeal it.

Meanwhile, the Governor can just terminate the executive order on any given date when the emergency passes. So, I think that those are some examples of the kinds of things done, judiciously executive order of limited duration that would be awkward for us to do first. We would, it would take us more time to do it, to get the General Assembly in both chambers to vote, and then perhaps having the general assembly come in and revoke that power only a short time later as, so I think that would be an awkward as a response to the pandemic and that the General Assembly would be not doing a service to the people of the state, because it would be looking to act in a way where its powers and its traditions of deliberation are not the most appropriate response in an emergency.

But the executive authority to act very quickly is. I remember one day at the beginning of 2019, Madam President, when we all came together or most of us did anyway, in support of the Governor's proposal to deal with the problem created by the federal government for a potential shutdown and people being without jobs and without benefits and Governor Lamont showed leadership and saying, well, let's have a point where we try to get a consortium of banks in Connecticut to give low-income loans, to people, to no income loans, to people. And then the general assembly added to that. While at the same time, let's then try to suspend the statute that requires late payments or an interest to run on taxes that aren't paid in the month of January. So, we came together in a consensus way to do that with only one or two objections.

And one of the Governor's staffers came to, one of them, came to our chief of staff and said, okay, we've got an agreement. Can we vote it tomorrow? To which my chief of staff said, tomorrow, we have a handshake today. We don't have a Bill. First of all, the speaker and the President have to ECERT a Bill. Then it has to be drafted by LCO. It has to be reviewed by caucus council has to make sure that it actually does what we intended to do. We can't just vote a concept and a general idea. It has to be the consensus language. So, and then it's such an important Bill that we want to make sure that we get all of our members here to vote on it. So, we wouldn't want to have people miss a vote. If we try to schedule it in a way that doesn't allow people to accommodate coming in.

So, if everything falls into place, it's probably something we could get done within a week, but it's not something we can get done tomorrow. And that's just an example of the legislature, even. And I remember saying to the Governor at the time, you got to remember that the executive is like a nifty sailboat, that it can turn quickly because one person is making the decisions, but the General

Assembly is an institution, but 187 members. And it turns more like a battleship rather than a sailboat. So, we have to take that into account and we have to take it into account every single day during the pandemic. And that's why I think Madam President, that it's prudent to have this two-month extension. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further? Will you remark further? If not, we will open the vote and Mr. Clerk, please call the roll.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate, House Bill 6686. Immediate roll call vote has been ordered in the Senate on House Bill 6686. immediate roll call vote in the Senate.

SENATOR DUFF (25TH):

Calendar Page 22, Calendar 276, Senate Bill 1016, I'd like to mark that item go. On Calendar Page 24, Calendar 285, Senate Bill 1013, I'd like to mark that item go. On Calendar Page 20, Calendar 245, Senate Bill 904, I'd like to mark that item go. On Calendar Page 9, Calendar 145, Senate Bill 711, I'd like to mark that item go. On Calendar Page 17, Calendar 220, Senate Bill 936, I'd like to mark that item go. On Calendar Page 45, Calendar 202, Senate Bill 916, I'd like to mark that item go. And on Calendar Page 17, Calendar 217, Senate Bill 970, I'd like to mark that item go. Thank you, Mr. President.

THE CHAIR:

Thank you, Mr. Majority Leader. Mr. Clerk.

CLERK:

Page 21, Calendar No. 262, substitute for Senate Bill No. 983, AN ACT CONCERNING SLOWING DOWN FOR SERVICE VEHICLES.

THE CHAIR:

Senator Haskell, the distinguished Chair of the Transportation Committee.

SENATOR HASKELL (26TH):

Good evening, Mr. President, it's good to see you up there this evening.

THE CHAIR:

Good to be seen, sir.

SENATOR HASKELL (26TH):

Mr. President, I move acceptance of the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

Thank you. The Bill has been moved. Will you remark? Senator Haskell.

SENATOR HASKELL (26TH):

Yes, thank you, Mr. President. I will remark further on the underlying Bill, but first, I believe the Clerk is in possession of an Amendment, LCO No. 8369. Will the Clerk please call that Amendment?

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8369, Senate Schedule "A".

THE CHAIR:

Thank you, Mr. Clerk. Senator Haskell.

SENATOR HASKELL (26TH):

Thank you, Mr. President. I move adoption of the Amendment and I move to waive reading. I would seek leave of the Chamber to summarize.

THE CHAIR:

Please proceed, sir.

SENATOR HASKELL (26TH):

Thank you very much, Mr. President. AN ACT CONCERNING SLOWING DOWN FOR SERVICE VEHICLES is exactly what it sounds like. We recognize that operating a service vehicle in the state of Connecticut and across the country is a very dangerous, dangerous job to hold. And today, we are specifically looking out for those who collect garbage, those who operate agricultural equipment like tractors, for example, at the suggestion of Senator Miner, which I think improves this Bill, those who deliver packages, groceries, mail. Quite frankly, Mr. President, these folks were our heroes during the pandemic and we certainly should not turn our back on them now.

What this Amendment seeks to do in Section 1 is expand the definition of vulnerable user to ensure that in the tragic event where they are struck by a car -- a motor vehicle, I should say -- that there are protections in place and a violation would be made. In fact, the operator of that motor vehicle would be fined not more than \$1,000.

And then in Section 2, Mr. President, we are specifying what exactly it looks like to pass a

service vehicle safely. We already have safe passing statutes on the books as they pertain to bicycles, and this would simply expand that existing statute to service vehicles.

THE CHAIR:

Thank you, Senator Haskell. Will you remark further? Will you remark further on Senate Amendment Schedule "A"? Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. I rise in general support of this Amendment. It'll make things safer on the roads. I do have a little bit of an issue with part of this as being hard to enforce. And so I'm going to -- I am still in support of it but I would like to ask questions to the proponent of this Bill.

THE CHAIR:

Sir, please stand ready.

SENATOR CHAMPAGNE (35TH):

(INAUDIBLE) Amendment, which is a strike-all? Okay, I'm in here as a temporary, so thanks.

SENATOR HASKELL (26TH):

Yes, thank you, Mr. President. Through you, the Amendment is effectively a strike-all and we are on the Amendment. Happy to answer questions or do my best.

SENATOR CHAMPAGNE (35TH):

Okay. I'm going to ask it because it is a strike-all and it's actually on the entire Bill. In this, you say that a vehicle approaching shall overtake and pass completely but this Amendment actually fixes that. So I guess my question, this is the

first time I saw your Amendment, so I'm going to switch what I said. I'm just going to say I support this and I want to thank you for bringing it forward.

THE CHAIR:

Thank you, Senator Champagne. Would you remark further on Senate Amendment Schedule "A" LCO 8369? Would you remark further? Would you remark further? If not, we'll try your minds on the Amendment. All in favor of the Amendment please indicate by saying aye.

MEMBERS:

Aye.

THE CHAIR:

Opposed? The ayes have it. The Amendment is adopted. Will you remark further on the Bill as amended by Senate Amendment Schedule "A"? Senator Haskell.

SENATOR HASKELL (26TH):

Yes, thank you, Mr. President. I don't think that there's any need to say more. I think my friend Senator Champagne said it perfectly. I would ask that perhaps this item be considered for our Consent Calendar.

THE CHAIR:

The item has been moved for consent. Is there objection? Senator Formica has requested a roll call. A roll call will be ordered. Mr. Clerk.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered

in the Senate, Senate Bill 983 as amended.
Immediate roll call vote has been ordered in the
Senate, Senate Bill 983 as amended. Immediate roll
call vote has been ordered in the Senate on Senate
Bill 983 as amended. Immediate roll call vote in
the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators
voted? The machine will be locked. Mr. Clerk,
please announce the tally.

CLERK:

Senate Bill 983, as amended:

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

THE CHAIR:

(gavel) And the measure is adopted. Mr. Clerk.

CLERK:

Page 18, Calendar No. 223, substitute for Senate
Bill No. 895, AN ACT CONCERNING CHANGES TO VARIOUS
PHARMACY STATUTES.

THE CHAIR:

Good afternoon. Good afternoon -- good evening.
We're all getting a little tired. Senator Maroney.
Would the Senate please stand at ease. Senator
Maroney.

SENATOR MARONEY (14TH):

Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

And the question is on passage Will you remark?

SENATOR MARONEY (14TH):

Madam President, the Clerk is in possession of an Amendment, LCO 7129. I ask that the Clerk call the Amendment and I be given leave to summarize.

THE CHAIR:

Mr. Clerk.

THE CHAIR:

LCO No. 7129, Senate Schedule "A".

THE CHAIR:

Senator Maroney, please proceed to summarize.

SENATOR MARONEY (14TH):

Thank you, Madam President. This Amendment simply changes the effective date of Section 5 of the underlying Bill to July 1st of 2022. The reason is in that section, we are asking the OTP, or the opioid treatment programs, to report to the prescription drug monitoring program. Currently, no other states do so and so the first state that does add that will be responsible for paying the cost for upgrading the database. So all this does is pushes us out a year, as several other states are looking at doing this and it eliminates the fiscal note.

THE CHAIR:

Thank you, Senator Maroney. Will you remark further on the Amendment? Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. I rise in strong support of the Amendment. It makes sense that while we'd like to be sometimes first, Connecticut be the pioneers, in this case it's going to cost us a lot of money. Other states are willing to do it. Let them take on that cost and we'll piggyback onto them. So I support the Amendment as presented. Thank you.

THE CHAIR:

Thank you, Senator Witkos. Will you remark further on the Amendment before the Chamber? Will you remark further on the Amendment? If not, let me try your minds. All in favor of the Amendment, please signify by saying aye.

MEMBERS:

Aye.

THE CHAIR:

Opposed? And the ayes have it. The Amendment is adopted. Will you remark further on the Bill as amended. Senator --

SENATOR MARONEY (14TH):

Thank you, Madam President. I just want to briefly summarize the Bill. In Sections 1 and 2 of this Bill, it allows for automated prescription dispensing machines in nursing homes. They're currently being used in emergency rooms, but they're not yet authorized for use in nursing homes.

Section 3 allows for a pilot program, the New Haven Syringe Services Program, which is run by their

community health care van. It would allow for an automated dispensing of up to 10 hypodermic needles at a time, they are secured in a vending machine. Each patient would have either an RFID card or an individual number so it can be tracked to that patient. There would also be a locked box there for dispensing of used syringes.

And so what they had seen is actually there are several benefits for this. One, during the -- it reduces direct contact, which is something during COVID that we've seen is important to reduce direct contact as much as possible. And unfortunately, they've also seen during the pandemic a 17% increase in an opioid overdoses, as well as in HIV infection. So, this will help to hopefully stem that problem. It's one of two ways within this Bill we're looking at attacking the opioid problem.

In Section 4, this allows for pharmacists who are practicing under a collaborative agreement to report 30 days. Currently there's an outdated requirement, they have to report back to the doctor, the APRN, every 30 days. This simply changes and states that if they do meet with the patient, they can put it in a shared electronic chart. It does not -- so it does not change the scope of practice for pharmacists, it simply updates the statutes.

And then in Section 5, it allows patients to opt in to having their -- if they're receiving treatment at an opioid treatment program, to have their methadone reported into the prescription drug monitoring program. There are a few advantages to this. In the federal registry commentary, SAMHSA indicated that allowing OTP reporting to the prescription drug monitoring programs helps prevent prescription drug misuse and opioid abuse. It also gives a better picture to the doctor so they wouldn't prescribe potentially a drug that would have a potentially harmful interaction with the methadone.

Further in Section 5, it removes the obligation for veterinarians to report on when they prescribe insulin to pets from the prescription drug monitoring program. And then Section 6 through 12 merely make technical and conforming changes.

THE CHAIR:

Thank you, Senator. Will you remark further?
Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. I want to thank Senator Maroney for the excellent summarization of the Bill. The only point I would add is for the dispensing of the medication in the nursing home facilities, it's limited to a certain license classification so it restricts access to I think it's APRNs and RNs, so not, you know, a nurse's helper or something like that doesn't have access to it.

The veterinarian piece was originally part of this, but monitoring, reporting into the prescription drug monitoring program, I think it was an oversight years ago when it was put in there so this corrects that. And this is the Department of Consumer Protection's request for the Bill. I support it in its entirety and urge the Chamber to do the same. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Witkos. Will you remark further?
Senator Maroney.

SENATOR MARONEY (14TH):

Thank you, Madam President. I also wanted to thank Senator Witkos for his input into the Bill, in particular with Section 3 of the Bill and strengthening that section, as well as thank the ranking Republican, Representative Rutigliano, who

worked very hard on the piece regarding the methadone in the opioid treatment programs. If there's no objection, I would ask that this be moved to the Consent Calendar.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you very much. Thank you, Madam President. If I may ask for a roll call vote on this particular Bill. Thank you very much.

THE CHAIR:

And a roll call will be ordered. Will you remark further? Will you remark further on the Bill? If not, I will open the machine. Mr. Clerk, kindly announce the roll call vote.

CLERK:

Immediate roll call vote has been ordered in the Senate, Senate Bill 895 as amended. Immediate roll call vote has been ordered in the Senate, Senate Bill 895 as amended. Immediate roll call vote in the Senate, Senate Bill 895 as amended. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? The machine will be locked. Mr. Clerk, announce the tally, please.

CLERK:

Senate Bill 895 as amended:

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	36

Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

(gavel) And the legislation is adopted. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Will the Senate stand at ease for a moment.

THE CHAIR:

The Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. The Clerk can call the next Bill.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 22, Calendar No. 276, Senate Bill No. 1016, AN ACT CONCERNING MUNICIPAL ETHICS.

THE CHAIR:

And good evening, Senator Flexer.

SENATOR FLEXER (29TH):

Good evening, Madam President. Nice to see you this evening. Madam President, I move for acceptance of the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR FLEXER (29TH):

Yes, Madam President. Madam President, the Bill before us today represents a great effort by our Office of State Ethics that does wonderful work, leading our state to having strong laws with regard to ethics. And this legislation before us has been before us before. It represents, again, good work on the part of the Office of State Ethics and compromise with the Connecticut Conference of Municipalities in Connecticut and also with cost, and I urge my colleagues to support this measure. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further on the Bill that is before us? Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Madam President, I rise for a little bit of conversation on this Bill while we're waiting for the Ranking Member to make his way down from his office.

THE CHAIR:

Certainly.

SENATOR FORMICA (20TH):

I yield to Senator Flexer.

THE CHAIR:

And Senator Flexer. Do you accept the yield?

SENATOR FLEXER (29TH):

Yes, I very much appreciate the yield. Thank you, Senator Formica. The Bill before us, as I mentioned, was initiated by the Office of State Ethics and many folks who had come both to the Office of State Ethics and to the Government Administration and Elections Committee about the issue of municipal ethics and I'm proud to report that this legislation before us had bipartisan support this year and it's had bipartisan support in the past.

The Bill, again, it helps the municipalities in the state of Connecticut that don't currently have municipal codes of ethics. When the Committee and the Office of State Ethics had initially begun the conversations with regard to a Bill like this, there were almost half of our municipalities did not have their own independent codes of ethics. And through the conversation that's been led by the Office of State Ethics, and again, the strong collaboration that's taken place with the Connecticut Conference of Municipalities and the Connecticut Council of Small Towns, we have this Bill before us today.

This Bill will have those three entities working together to develop and publish a model municipal code of state ethics. It will ensure that no matter what town you live in, in the state of Connecticut, you'll know that your municipality has a code of ethics, and there are certain guidelines that your elected officials have to follow. It will apply to anyone who serves in those municipalities and I think this measure, again, had passed this Chamber before.

Two years ago, this this measure passed the Chamber unanimously, I think, because of the strong compromise that was produced by the Office of State Ethics and by the Connecticut Conference of Municipalities, the Connecticut Council of Small Towns. They had done wonderful work to find consensus and to find a way that every town, no matter your size, no matter the level of expertise

you might have in your actual town hall, that they could find the resources that are being developed in cooperation with the Office of State Ethics, CCM, COST.

And in just a few short years, we can have great confidence that all municipalities in the state of Connecticut will have a strong code of municipal ethics. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer and good evening, Senator Sampson.

SENATOR SAMPSON (16TH):

Good evening, Madam President. I want to just very briefly say that I appreciate the hard work that has gone into the legislation that is before us. I have great respect for the Office of State Ethics, they do a tremendous job. And this is a Bill that's come before the Government Administration and Elections Committee several times in the past few years, and we've always run into a bit of a roadblock, simply because while this is a well-intended piece of legislation that will improve the quality of ethics on a municipal level, it is also a municipal mandate. It putting on our cities and towns a requirement to do something that I believe should be left up to them.

Last year, this Bill was a little bit more onerous when it came before the Committee. It required that cities and towns adopted a code of ethics, number one, but it also said that they must follow a certain set of guidelines. We came to an agreement to limit that substantially but it still remained a municipal mandate.

Ultimately, I voted for this exact same language, I believe, last year, but -- and I'm confident that this Bill is going to pass. But today, I just feel

like I've made a commitment to the towns that I represent that I will not support legislation that requires them to make changes without their consent. And as a result, I'm going to remain a no, but I did want to get up and just express my serious respect for this office and the hard work that they do. I probably have more respect for the Office of State Ethics than any other state agency, and that says a lot. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further on the Bill before us? Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And I rise almost the same as what Senator Sampson said. You know, ethics is important. It's important for every town. But to force a town to do something, the mandate shouldn't be taking place from this office. It should be taking place from the voters in those municipalities. The municipalities should be in control of their local government and it's important to understand that. Anytime we step in and we want to take things away from our local government, I think we are overstepping. Just the same as the municipal government shouldn't be doing anything to the state. They're two separate bodies.

So, I'm not going to support this. I hope that all municipalities, at some point, do adopt municipal ethics but that's on them. It should not be a forced mandate on them. Thank you.

THE CHAIR:

Thank you, Senator Champagne. Will you remark further on the legislation? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I'd like to be associated with the remarks of Senator Sampson and Senator Champagne. Due to our crack team of attorneys, I was provided a list of all the municipalities in Connecticut that don't have a municipal code of ethics, and none of my towns are on that list. So I don't speak from a position where one of my municipalities just hasn't done this, they all have, but they all did it on their own. There's nothing on the books right now requiring them to do so, they did it on their own.

And that's how I feel government should operate. That government is best at its smallest, closest to the people, able to act nimbly, and actually effectuate the will of the people of a municipality to the extent possible. Unfortunately, I don't know if in part due to the pandemic and the COVID-19 virus, or other factors, just a change in civilization and progress of society but there seems to be more of a disconnect between people and the communities that they reside in. It's harder and harder to get people to volunteer for volunteer fire departments and things like that. And so it's hard for municipalities to actually get people to want to participate in their local governments, especially if they're small communities. And having some kind of code of ethics may just not be necessary in a particular community and might actually cause individuals to even take a second look at just trying to help their town.

So, you know, I do have the utmost faith in the men and women that reside throughout the state of Connecticut. They'll know if they want a municipal code of ethics and they'll know when the appropriate time is, and when the critical mass has been achieved to pass something. And the first thing they'll have to do is find out how they want to create it, whether it'll be a panel of volunteers, a volunteer attorney, you know, maybe even the State Department of Ethics would help them out, or they could look to other communities that have passed

similar ethics codes, from communities of similar situated size.

There's any number of ways to go down this but, you know, there's plenty of stuff on our plate this year, in a variety of areas. And I think requiring municipalities to do this is yet another unnecessary burden on them if they don't choose to go in that direction. Not that the goal is not laudable, it's certainly laudable and I definitely respect and admire the Co-Chair of the Government Administration and Elections Committee, the folks that work in the Department of Ethics. And I also very much respect the opinions of my Ranking Member on the Government and Elections Committee as well. And so, not even reluctantly, but just philosophically, I'll be voting no on this Bill. Thank you very much.

THE CHAIR:

Thank you. Will you remark further? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. And I rise in first offering that the concept of municipal ethics and Office of State Ethics does indeed do a tremendous job, and it brings a conduct and a respect for the unique position that we have in elected office. But as some of the opposition to this Bill have cited is the fact that unique municipalities for the state of Connecticut, which has 169 towns, offering unique perspective and differences, in many ways reflecting the founding of this country of local control.

And, obviously, we have a report from the Office of Legislative Research that says currently there's about 31 towns in the state of Connecticut that do not have a municipal ethics board. And what this Bill would in essence do is mandate that you would need to have one. And obviously, I believe there's many effort put into this process and I'm very appreciative that CCM and COST has stepped up and

offered a perspective and lessons and education programs to provide these type of opportunities to address the mandates from our state.

But who's to say that COST and CCM is the arbiter of state ethics, municipal ethics? Are we not possibly looking at other third-party entities to be able to offer a perspective, an objective analysis? Why have we not looked to create a curriculum that is independent of these entities that have specific interests?

I have great fondness and great respect for CCM and COST, but we have also seen examples that I will not cite here, of many municipalities disagreeing with CCM recommendations. CCM's process in how certain aspects of their decision making and their recommendation is reflected from their executive board, and does not always incorporate the entire body of the representative membership. So who's to say that COST and CCM is the arbiter to be able to teach municipal ethics?

But nonetheless, in this Bill, we have now mandated for these 31 towns, to follow the curriculum and the design by those entities. Again, it follows the fact that the state is saying we have well-intentioned ideas. But nevertheless, we know better than you on local governmental impact.

So for me, it's important. I would absolutely encourage all of them to explore and do their own due diligence, and have local leaders and local communities be able to pursue the municipal ethics integrity that's necessary and important for the public trust. But nevertheless, who is to say that the state knows better than the local municipalities? It is yet another example where the state is saying, we know better than you in local government. And that, to me, is inconsistent with the collaborative manner of government that we should espouse. So I urge for us and all the 31 towns to pursue the municipal ethics bodies and get

the resources and education that they need. But nevertheless, they should do it with a collaboration with state government, not a mandate. Through you. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further?
Senator Formica.

SENATOR FORMICA (20TH):

Thank you once again, Madam President, and good evening, once again. I too rise in opposition to this mandate. As I've said earlier this evening, I had the great pleasure of being the First Selectman of the town of East Lyme for seven years. It's a wonderful job and was probably the best I've ever had. I enjoyed working with the community, I enjoyed working with other towns, the Council of Small Towns, we were a member, the Connecticut Conference of Municipalities we were a member.

And we were also a member of the Council of Governments. Where at the time, we had 22 towns come together and this issue came before us way back when. I've been here seven years, probably three or so years, maybe four before that. So a decade ago, we had a conversation about how best to implement a municipal code of ethics. And one of the conversations revolved around the possibility that the Council of Governments would be involved.

That is, Madam President, a group of the executive CEOs of the communities, mayors and First Selectman, form the Council of Government. And we had a long debate over a period of months on how best to try to implement this, and would it be possible if the Council of Government had a municipal code of ethics that would apply to municipalities and be then more or less populated by members of the Council of Governments, the CEOs and the mayors, perhaps on a rotating basis? And we thought that might be the

best opportunity, Madam President, because it would have given the opportunity for a non-involved, a non-connected municipal CEO to sit on an ethics board and then have an issue that may come before them from a town that was not theirs. We thought that might make the most sense, to have a kind of an opportunity for a completely new look, you know, a look that wouldn't be biased in any way because they were a part of the community.

Because that was, quite frankly, the issue with towns that were concerned about people being able to serve on this board of ethics in each community. So, that didn't work. The idea of the Office of State Ethics working in conjunction with CCM and COST, I think that makes some good sense. My issue was in Line 3, as spoken by other Members this evening around The Circle, where it says "the municipality shall adopt". When you move down further, there is a "may" and I really think that there should have been another "may" here in Line 3 to give the opportunity for the municipalities to do this.

So because of that mandate, I stand in opposition of this Bill, but I am in support of the idea. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further? Will you remark further? Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. Speaking in support of the Bill, I wanted to commend Senator Flexer and the Government Administration and Elections Committee for bringing this forward. It's important legislation in building public confidence. And there are many areas that that may be properly left to municipal decision-making, but on an issue of whether or not to have an ethics code, this is

really something fundamental about building trust in government. And it is, this is an appropriate area for the state to legislate. It's not any kind of a burdensome mandate. It's not an overreach, it's an issue of fundamental accountability, and that's something that no municipality should be excused from just because it decides locally, not to adopt an ordinance or not to adopt a code.

It's important to remember that we are elected up here to represent the people, and not the municipal entities in which they live. We all live in the state of Connecticut. And it's important to recognize that there are certain areas where it is proper for the state to impose a standard and that's not a burdensome mandate at all. It's just, it's good government and it's a recognition that we have to have certain structures in place to try to inspire public confidence and to provide recourse at the local level if people believe that things are not being done properly. Thank you, Madam President.

THE CHAIR:

Thank you so much, Senator Looney. Will you remark further? Will you remark further? If not, I will open the voting machine. Mr. Clerk, please do announce the roll call vote.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Bill 1016. Immediate roll call vote has been ordered in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked. Mr. Clerk, please announce the tally.

CLERK:

Senate Bill 1016:

Total Number Voting	36
Necessary for Adoption	19
Those voting Yea	27
Those voting Nay	9
Those absent and not voting	0

THE CHAIR:

(gavel) The legislation is adopted. Mr. Clerk.

CLERK:

Page 24, Calendar No. 285, Substitute for Senate Bill No. 1013, AN ACT CONCERNING THE LEGISLATIVE COMMISSIONER'S RECOMMENDATION FOR TECHNICAL REVISIONS TO THE GOVERNMENT ADMINISTRATION AND ELECTIONS STATUTES.

THE CHAIR:

Senator Flexer, good evening.

SENATOR FLEXER (29TH):

Good evening, Madam President. Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR FLEXER (29TH):

Yes, thank you, Madam President. Madam President, the Bill before us this evening, represents the Legislative Commissioner's Office's annual recommendations for technical revisions to the sections of our statutes that govern government

administration and elections. This is their annual or biannual Bill that does such a cleanup and it received bipartisan support in the Committee, and I'm hopeful that it will receive similar support in the Senate Chamber here this evening. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further? Good evening, Senator Sampson.

SENATOR SAMPSON (16TH):

Good evening, Madam President. I'm feeling like my breath is caught up, unlike the last time I stood up a few minutes ago. I just want to support the Bill before us. The good Chairman of the GAE Committee did a great job describing this Bill. It's just a technical Bill that affects the Legislative Commissioner's statutes, and I am in full support. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Will you remark further? Will you remark further? If not, Mr. Clerk, I will open the vote -- will you remark further? Senator Flexer.

SENATOR FLEXER (29TH):

Madam President, if there's no objection, I would move that we place this Bill on our Consent Calendar.

THE CHAIR:

Seeing no objection, hearing no objection, so ordered. We will put that item on Consent. All right. We will add that item to the Consent Calendar. Mr. Clerk, kindly call the next item. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. The Senate will stand at ease for a moment.

THE CHAIR:

The Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the Clerk call the next Bill, please.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 20, Calendar No. 245, substitute for Senate Bill No. 904, AN ACT CONCERNING THE EXECUTIVE DIRECTOR OF THE LABOR DEPARTMENT'S EMPLOYMENT SECURITY DIVISION.

THE CHAIR:

And good evening, Senator Kushner.

SENATOR KUSHNER (24TH):

Good evening, Madam President. I want to move acceptance of the Joint Committee's Favorable Report and passage of the Bill, and seek leave to summarize.

THE CHAIR:

And the question is on passage, and please do remark.

SENATOR KUSHNER (24TH):

Thank you, Madam President. Senate Bill 908 is a Bill that will provide that the Department of Labor can create a position of executive director that will be in the classified service and shall devote full time to the duties of his or her office.

THE CHAIR:

Thank you, Senator Kushner. Will you remark further? Will you remark further on the Bill that is before us? Please continue, Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you. The Clerk is in possession of an Amendment, it's LCO No. 8455. I ask that the Clerk call the Amendment and I be given leave to summarize.

THE CHAIR:

Certainly. Mr. Clerk.

CLERK:

LCO No. 8455, Senate Schedule "A".

THE CHAIR:

And please do summarize the Amendment.

SENATOR KUSHNER (24TH):

Thank you, Madam President. This Amendment would be an add-on to Senate Bill 908, and it would provide that there would be an increase in the amount paid to arbitrators within the Department of Labor from a current payment of \$150 to \$325. And at the conclusion of each executive panel session, instead of receiving the \$150 that is in current statute, it would be raised to \$200. And I would like to say a few comments about this Amendment.

THE CHAIR:

Please do proceed.

SENATOR KUSHNER (24TH):

Thank you, Madam President. This Amendment is something that is very dear to me and to many Members of the Chamber. For many years, we had a wonderful man who came and talked to us about being an arbitrator for the Department of Labor, his name was Ray Shea. And Ray Shea brought to our attention a number of years ago that we had not raised the fees for arbitrators since 2006. And this year, Ray called me and he had missed the deadline to get that Bill before me, and with all of the things that were going on around COVID I had not remembered that last year we had unanimously passed this out of Committee.

And I felt so terrible and I had it in my phone to do something about it and to call Ray Shea every day, and then I heard that Ray Shea had died suddenly and it was very sad. And I felt that we had an obligation not just to do this because it's the right thing to do for the arbitrators, but also to do this for Ray Shea and in memory of Ray Shea. So, you know, this is something that should have been done a long, long time ago, but with Ray in mind, I hope we'll vote positively on this Bill and do the right thing for Ray and for all of the arbitrators that serve the State of Connecticut.

THE CHAIR:

Thank you, Senator Kushner. And will you remark further on the Amendment? Good evening, Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. It's a pleasure to see you there tonight and I'm hoping that we get done before early morning, so I'm going to make this very brief. I would like to rise in favor of the Amendment and in clear support of the intention of this Amendment. And in the name of Mr. Shea, I would just like to say that this was a gentleman beyond compare, who would come and talk to many people about the issues of labor, the labor force arbitrators, and was just one of those quintessential wonderful people who could cross all sides of partisan divide, did not believe in not talking to people, was just a wonderful man.

He and his daughter, Patty, were icons here in the General Assembly and were fast supporters of the process, and I think that this is a wonderful piece of legislation to put in Ray's name. I want to thank Senator Kushner for bringing this forward and I look forward to its passage. Thank you very much.

THE CHAIR:

Thank you, Senator. Will you remark further on the Amendment that is before the Chamber? Senator Sampson, and take a deep breath, sir.

SENATOR SAMPSON (16TH):

Thank you, Madam President. You have to forgive me, I was not aware of the Amendment that is before us. I've been listening to the conversation but I had printed this Bill earlier today and had found the file copy but no Amendments on it, so it's news to me and I will have to do a little review before determining whether or not I will support the Amendment and I will be back on the Bill. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the Amendment before the Chamber? Will you remark further on the

Amendment? If not, let me try your minds. Senator Kushner.

SENATOR KUSHNER (24TH):

Madam President, I would like to request a roll call vote on the Amendment.

THE CHAIR:

And indeed, there will be a roll call vote on the Amendment. So will you remark further on the Amendment? Will you remark further on the Amendment? If not, we will open the machines. Mr. Clerk, could you call for a roll call vote on the Amendment.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote in the Senate, LCO No. 8455. Immediate roll call vote in the Senate, on LCO No. 8455, Senate Bill 904. Immediate roll call vote in the Senate, Senate Bill 904 LCO 8455.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? Have all the Senators voted? The machine will be locked. And Mr. Clerk, would you please announce the tally on the Amendment?

CLERK:

Senate Bill 904, LCO 8455:

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

THE CHAIR:

And the Amendment is adopted. Will you remark further on the Bill as amended that is before the Chamber? Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. I would just ask that we stand at ease just for a moment until we get things sorted out over there, and then we'll be right back, if that's possible.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Yes, can the Senate stand at ease, please?

THE CHAIR:

And the Senate will indeed stand at ease. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you for the courtesy of the small break to get things together here. I guess there's been some disagreement in the process of how this Bill came forward as amended. And I guess there's nothing left to say on this Bill, and we'll continue to move forward. But I thank you for the opportunity for us to talk about it. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Will you remark further on the Bill as amended? Will you remark further on the Bill as amended? If not, I will -- Senator Kushner, would you like to remark on the Bill as amended?

SENATOR KUSHNER (24TH):

Thank you, Madam President. I would like to encourage passage of this Bill. I think it's good for the state of Connecticut and I would urge adoption and ask for a roll call vote.

THE CHAIR:

Thank you, Senator Kushner. We will have a roll call vote. Will you remark further? Will you remark further? If not, I will open the voting machines and Mr. Clerk, please announce the roll call.

CLERK:

Immediate roll call vote has been ordered in the Senate, Senate Bill 904 as amended. Immediate roll call vote has been ordered in the Senate on Senate Bill 904 as amended. Immediate roll call vote in the Senate, Senate Bill 904 as amended. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked. Mr. Clerk, please announce the tally.

CLERK:

Senate Bill 904, as amended:

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

THE CHAIR:

(gavel) And the legislation is adopted. Mr. Clerk.

CLERK:

Page 9, Calendar No. 145, Senate Bill No. 711, AN
ACT CONCERNING COVID-19 RELIEF FOR SMALL BUSINESSES
AND REQUIRING FEDERAL REGULATORY ANALYSIS FOR
PROPOSED STATE REGULATIONS.

THE CHAIR:

Good evening, Senator Hartley.

SENATOR HARTLEY (15TH):

Good evening, Madam President. Hopefully it'll be a
short evening after this. Madam President, I move
acceptance of the Joint Committee's Favorable Report
and passage of the Bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR HARTLEY (15TH):

Yes, thank you, Madam President. There is an
Amendment, Madam President, it is LCO 8236. I ask
that the Clerk please call it and I be granted leave
to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8236, Senate Schedule "A".

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

Madam President, I move adoption.

THE CHAIR:

And the question is on adoption. Will you remark further?

SENATOR HARTLEY (15TH):

Yes, thank you, Madam President. Madam President, this is a strike-all Amendment, and we've had much discussion in the Chamber and in the General Assembly this year about the effects of COVID, individually, on our families, our communities, our way of life, and on our business sector. And in particular, Madam President, on our small businesses.

This Amendment becomes the Bill and it recognizes that our small businesses are indeed the backbone of the Connecticut economy. In fact, over 90% of our businesses in the state of Connecticut are small businesses. And of that, close to 50% of our workforce is employed by small business.

And during this past year, we've all witnessed the struggle that they have had to keep the lights on, to keep their employees on the payroll, to keep their businesses safe, and most importantly, to keep their employees safe. So, this proposal recognizes that, in so trying to keep the lights on, keep their businesses safe, and most of all their employees safe, that they have incurred significant costs at a time when they, quite frankly, are least prepared to be able to absorb those additional expenses.

So, the Amendment, Madam President, simply exempts the small businesses from the sales and use tax for their purchase of personal protective equipment, PPE, for a defined period of time that is to coincide with the biennium from July 1, 2021 to July 1, 2023. And Madam President, we are defining PPE

as that equipment that is used to protect the eyes, the face, the head, the extremities, protective clothing, shields and barriers and also disinfectant products used for the prevention of COVID-19 as identified by the CDC. Madam President, once again, I urge adoption.

THE CHAIR:

Thank you. Senator Hartley. Will you remark further? Good evening, Senator Martin, close to being good morning, here.

SENATOR MARTIN (31ST):

Good morning, Madam President.

THE CHAIR:

Good morning, sir.

SENATOR MARTIN (31ST):

Madam President, I rise to support the Amendment, as well as the underlining Bill. The Bill establishes simply a sales and use tax exemption for the small businesses, for the personal protection equipment used or worn to prevent COVID-19 infection transmission, so I urge passage of the Amendment and the Bill. Thank you.

THE CHAIR:

Thank you, Senator Martin. And the question is on adoption of the Amendment. All in favor of adopting the Amendment, please signify by saying aye.

MEMBERS:

Aye.

THE CHAIR:

Opposed? And the Amendment is adopted. Will you remark further on the Bill as amended? Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Madam President. And Madam President, I would just like to at this time recognize my colleagues who really were the originators and worked on this proposal. That is Senator Cohen, Senator Needleman, Cassano, Osten, and also my ranking Member, Senator Martin, who himself is a small business person, and has been so helpful in the promotion of this Amendment. Thank you. And if there is no objection, Madam President, I would --

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH)

Thank you, Madam President. Would the Senate stand at ease for a moment, please?

THE CHAIR:

The Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I would like to refer this item to the -- now that it's been amended, to the Finance, Revenue and Bonding Committee.

THE CHAIR:

And it will be so referred, sir. Mr. Clerk.

CLERK:

Page 17, Calendar No. 220, substitute for Senate Bill 936, AN ACT CONCERNING REVISIONS TO CERTAIN ECONOMIC AND COMMUNITY DEVELOPMENT RELATED STATUTES.

THE CHAIR:

Good morning, Senator Hartley.

SENATOR HARTLEY (15TH):

Yes, indeed, it's morning. Yes, good morning, Madam President. Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

Will you remark? The issue is indeed on passage.

SENATOR HARTLEY (15TH):

Thank you, Madam President. Madam President, this proposal is an agency Bill, and it simply makes a series of technical and conforming changes, amongst them increasing, for example, terms of the members of the State Historic Preservation Board. It makes updates, changes to our dry cleaning remediation fund. And it also makes changes to the annual reporting for the Department of DECD, eliminates other boards and commissions that are essentially defunct, and it also adds language which allows the Commissioner of DECD or CI, in the event of a state assistance program, to have discretion regarding the relocation clawback for certain categories, small business and those businesses that have received assistance up to the amount of \$50,000. Or, in the instance if it is money that is totally awarded through federal funds.

Madam President, there is another cleanup Amendment and the Clerk is in possession of LCO 8233, and I would ask that the Clerk please call and I be granted leave to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8233, Senate Schedule "A".

THE CHAIR:

And will you remark on the Amendment?

SENATOR HARTLEY (15TH):

Yes, indeed. Thank you, Madam President. I move adoption.

THE CHAIR:

And the question is on adoption.

SENATOR HARTLEY (15TH):

Thank you, Madam President. And so this is yet a further clarification regarding of the Department of Economic and Community Development, which adds CI, Connecticut Innovations, to their reporting requirements, their annual reporting requirements. And it also clarifies the date on which the Committees of cognizance will hold their annual public hearing. And lastly, provides clarifying language regarding the return of unexpended funds to the tourism fund. Thank you, Madam President, and I move adoption.

THE CHAIR:

Thank you, Senator Hartley. Will you remark further on the Amendment before the Chamber? Senator Martin.

SENATOR MARTIN (31ST):

Good morning once again, Madam President. I rise to support the Amendment as well as the underlining Bill. And as my colleague defined parts or sections of the Bill, it does address the various parts of our economy here in the state. The first two parts increase the board's membership term lengths and shortens the required notice the board must provide to municipalities.

The third section is critical. It makes several changes affecting the fund's dry cleaning establishment remediation fund. That's been on the checklist of DECD for a while. It also eliminates several boards, as my colleague mentioned also. There's a lot of reports that are required by DECD that they need other agencies help in getting information in order for them to supply that report, and they are just not getting it. So, this Bill sort of eliminates that requirement.

This aspect, Section 17, regarding the tourism, the returning of funds that are issued to each of the three tourist districts that we have in the state. Basically, it's if, you know, those funds are there for them to use and to market their areas, part of the state. And if they're not going to use all their funds the way they're supposed to, then it's simply, this Bill allows DECD or instructs DECD to request those funds to be returned back to them. And I think that's important for those -- so that we can actually use those funds the following year, in the hopes that we can continue marketing the state.

So Madam President, I rise in support of this legislation, I urge adoption of the Amendment as well as passage of the Bill. Thank you.

THE CHAIR:

Thank you, Senator Martin, Will you remark further on the Amendment that is before the Chamber? Will you remark further on the Amendment? Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. I rise for a question for the proponent of the Amendment.

THE CHAIR:

Senator Hartley. Senator Hartley, please proceed, Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator Hartley. A quick question, I know you've done a lot of hard work on this Bill. This Amendment with the tourism fund does not decrease the amount of funding that's allocated to the tourism districts in any way. I believe they're getting \$400,000 for each of the districts. They're allowed to provide matching grants within each of their districts with the community, I think up to \$25,000, if I'm remembering correctly. This just specifically says should you not spend any or all of that \$400,000 it reverts back to a line item in DECD. Through you, Madam President.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Madam President. And through you and to Senator Formica, who in my eyes, in many ways, is the father of tourism. I should say that no, in no way does it deplete our allocations to the regional districts. They are very important to us in getting the word out about tourism. And as we know, we may be a small state, but we are diverse and so each of the regions has their own flavor. And so this is very important.

And to your point, we were very careful to be sure that any dollars that were unexpended but unencumbered would go back into the statewide tourism district dollars. But in the example, as you point out, where we have now allowed them to raise private money and do a state match, we in no way want to jeopardize that. So those dollars would be viewed as being encumbered and would not have to go back into the line item for statewide tourism fund. Through you, Madam President.

THE CHAIR:

Thank you, Senator Hartley. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. I'd like to thank the good Chairman for her kind words, and also for her work on this Bill. Thank you on the clarification. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Formica. Will you remark further on the Amendment? Will you remark further on the Amendment? If not, let me try your minds. All in favor of the Amendment please signify by saying aye.

MEMBERS:

Aye.

THE CHAIR:

Opposed? The ayes have it, the Amendment is adopted. Will you remark further on the Bill? Senator Hartley.

SENATOR HARTLEY (15TH):

Madam President, if there is no objection, I would ask that this be put on the Consent Calendar.

THE CHAIR:

Seeing no objection, it will be placed on the Consent Calendar. Mr. Clerk.

CLERK:

Page 45, Calendar No. 202, substitute for Senate Bill No. 916, AN ACT CONCERNING FEES FOR CERTIFIED COPIES OF VITAL RECORDS SOUGHT IN CONNECTION WITH THE SOLDIERS, SAILORS AND MARINES FUND.

THE CHAIR:

And good morning, Senator Cabrera.

SENATOR CABRERA (17TH):

Good morning, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR CABRERA (17TH):

Thank you, Madam President. This is a really good Bill. It was introduced to waive the fee for certified copies of vital records for veterans. Under current law, municipalities may charge a fee for individuals to obtain a copy of vital records, and veterans that apply to the Soldiers, Sailors, Marines Fund when they are experiencing financial hardship, but are required to submit vital records along with their application. This Bill would waive that fee, so that requiring needed documentation does not create an additional financial burden.

And our veterans, as you know, Madam President, have served our state in our country. It's the least

that we can do, especially during the time of this pandemic where people have been struggling, have various hardships. It came out of Committee with strong bipartisan support, as well as the support of the Connecticut Town Clerk's Association. I move adoption.

THE CHAIR:

And the question is on adoption. Will you remark further? Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you, Madam President. I also would like to stand in support of this Bill. As the good Senator stated, this is a bipartisan Bill that will help the veterans that are in need in these most uncertain times. And it makes sense that when they're seeking aid, especially financial aid, they're not going to be burdened with any additional costs for the documents needed to apply for said resources. So I just wanted to stand in support of this Bill. Thank you.

THE CHAIR:

Thank you, Senator. Will you remark further on the Bill? Will you remark further on the Bill? Senator Cabrera.

SENATOR CABRERA (17TH):

Thank you, Madam President. I thank the good Senator for his comments, appreciate the support. This is a good Bill and I urge adoption.

THE CHAIR:

And would you like to put that on the Consent Calendar, Senator?

SENATOR CABRERA (17TH):

Yes, ma'am. I'd like to put that on Consent.

THE CHAIR:

And seeing no objection, we will move that item to the Consent Calendar. Mr. Clerk? Excuse me, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, for purposes of markings.

THE CHAIR:

Proceed.

SENATOR DUFF (25TH):

The next two items I'd like to mark PR, please.

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

The next two items I'd like to mark PR, please. Next two Bills, they were marked go. I'd like to mark them both PR, please.

THE CHAIR:

I see. So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, would the Clerk now call the items on our Consent Calendar?

THE CHAIR:

Mr. Clerk.

CLERK:

Consent Calendar No. 1, Page 1, Calendar 355, House Joint Resolution 367; Page 2, Calendar 357, House Joint Resolution 369; Page 2, Calendar 358, House Joint Resolution 370; Page 21, Calendar 258, Senate Bill 102; Page 1, Calendar 356, House Joint Resolution 368; Page 24, Calendar 285, Senate Bill 1013; Page 17, Calendar 220, Senate Bill 936; and Page 45, Calendar 202, Senate Bill 916.

THE CHAIR:

And Mr. Clerk, we have all the items listed on the Consent Calendar, and if we could kindly call the roll, I'll open the machine.

CLERK:

An immediate roll call vote has been ordered in the Senate on Consent Calendar No. 1. Immediate roll call vote in the Senate, Consent Calendar No. 1. Immediate roll call vote in the Senate on Consent Calendar No. 1. Immediate roll call vote in the Senate, Consent Calendar No. 1. Immediate roll call vote in the Senate on Consent Calendar No. 1. Immediate roll call vote in the Senate, Consent Calendar No. 1. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the Senators voted? The machine will be locked. Mr. Clerk, please announce the tally.

CLERK:

Consent Calendar No. 1

Total number voting	36
Total number voting Yea	36
Total voting Nay	0
Absent and not voting	0

THE CHAIR:

And the measure passes unanimously.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, that concludes our business for today. We will reconvene tomorrow at noon. I would also tell Senators to hold Friday open as well. And with that I move that we adjourn subject to call of the Chair.

THE CHAIR:

Go forth and govern.

(On the motion of Senator Duff of the 25th, the Senate at 12:33 p.m. adjourned Sine Die.)