

CONNECTICUT GENERAL ASSEMBLY

SENATE

Tuesday, May 25, 2021

The Senate was called to order at 12:57 p.m., the President in the Chair.

THE CHAIR:

Will the Senate please come to order? Members and guests please rise and direct your attention to Ms. Kathy Zabel of Burlington, who is our repeat guest chaplain to lead us in prayer. Kathy Zabel.

ACTING CHAPLAIN KATHY ZABEL:

We pray for continued blessings and watchfulness over the concerns of this State. Continue to uphold its officials as well as its citizens in the weeks ahead.

THE CHAIR:

Thank you so much. And now I'd like to bring Senator Matt Lesser forward to lead us in the pledge.

SENATOR LESSER (9TH):

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, and good afternoon, Senator Duff.

SENATOR DUFF (25TH):

Good afternoon, Madam President. Madam President, before we begin our business formally, I'd like to yield to Senator Winfield, please.

THE CHAIR:

Good afternoon, Senator Winfield. Do you accept the yield, sir?

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. Madam President, a year ago I think we, as a nation, were confronted with images that made this nation stop. There's been a long-standing conversation in this country about the relationship between police and certain communities, and there's been a lot of discussion about what that relationship is and how we should think about that relationship.

But when we saw what we saw a year ago, I think people who never entered this conversation, people who had thought that people were overexaggerating about the things they were talking about, all of us took some time to stop.

Our streets, our highways, our grains were filled with people who've never come out to protest on anything that even concerned them. And I think it is appropriate at this point that we take a moment to stop here and remember in a moment of reflection.

THE CHAIR:

Thank you. Please join our State Senate in a moment of silence to reflect upon this one-year anniversary of the death of Geroge Floyd. Thank you.

Good afternoon, Senator Patricia Billie Miller.

SENATOR MILLER (27TH):

Good afternoon, Madam President. It's good to see you on the dais today. Madam President, this is a point of personal privilege. Stamford lost an angel last week Mr. Dudley Williams. Dudley was a friend of mine but he was also a friend of the people of this state. Dudley has -- you know, we all go through saying that we want to make a difference. Well, he was one of those people who made a difference. He could actually say that he left the world a better place for so many people.

He was a mentor to many, he sat on -- he was an elected official twice. He was on the board of ED, he was on the board of Finance, he was on Planning and Develop -- Planning Committee. He also sat on a host of nonprofits. The Y, Urban league. He was definitely, he was definitely a person that we could all remember and be a role model to all of us. And especially to the young men and women who've seen him at the helm of helping individuals.

Dudley will truly be missed. I just want to tell a story. In 2016, I became -- I was a substitute teacher. And this young man in the class came up to me, he says, "Hi, I'm Dudley." And he says, "Anything that you want, I can help you." And he was -- I mean, he helped because I was a brand new -- first time substituting. And he was such a young man where he really helped me. And I could see -- once I met his dad 'cause I had met his dad and his mom Juanita James, but I saw where he got that from because he came from a stock of people who believed in not in themselves but in helping others and putting others first.

And so, I want to say that Dudley will be truly missed for the things that he's done, for again, not only for the city of Stamford but for the people of this state. Thank you, Madam President.

THE CHAIR:

Thank you so much, Senator Miller, for those remarks. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I also wanted to rise to reflect on Dudley William's life in Stamford, but not only in Stamford, really in Fairfield County and through the State of Connecticut.

I want to align myself with the comments of my good friend and colleague Senator Miller but also mention that Dudley was someone who, as was said, left the world a better place. Never once did he say an unkind word about anybody and never once did anybody say an unkind word about him. He was somebody who just gave, he served, pleasant, always willing to lend a hand. And I didn't even live in the community he lived in but yet his presence was felt really throughout Fairfield County. His wife Juanita James, who runs Fairfield County Community Foundation and does such a wonderful job. The two of them have done really nothing but serve and give back to their communities their lives.

So, I just wanted to take a moment as well, and thank my colleague, Senator Miller, for this point in this moment of reflection for Dudley for such a great job. And yield back to my colleague Senator Miller.

THE CHAIR:

Senator Miller, do you accept the yield?

SENATOR MILLER (27TH):

Yes, Madam President. And thank you to my colleague. And I would just like if we could have a moment of silence for Dudley Williams. I would appreciate it, Madam President.

THE CHAIR:

Yes, indeed. And we will now have a moment of silence to reflect on the passing of this wonderful public servant and leader from Stamford. Thank you.

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Is there business on the Clerk's desk?

THE CHAIR:

Mr. Clerk.

CLERK:

Good afternoon. The Clerk is in possession of Senate Agenda Item No. 1, dated Tuesday, May 25th, 2021.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move all items on Senate Agenda No. 1, dated Tuesday, May 25th, 2021 be act upon as indicated, and that the Agenda be incorporated by reference to the Senate Journal and Senate Transcript.

Senate Agenda
No. 1
REGULAR SESSION
Tuesday, May 25, 2021

**SENATE RESOLUTION FAVORABLY REPORTED - to be tabled
for the calendar.**

APPROPRIATIONS COMMITTEE

SR NO. 9 RESOLUTION PROPOSING APPROVAL OF A TENTATIVE AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE CONNECTICUT STATE EMPLOYEES ASSOCIATION (P-3B BARGAINING UNIT).

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

NO NEW FILE

APPROPRIATIONS COMMITTEE

SUBST. SB NO. 356 AN ACT ESTABLISHING AN ENERGY EFFICIENCY RETROFIT GRANT PROGRAM FOR AFFORDABLE HOUSING.

APPROPRIATIONS COMMITTEE

SUBST. SB NO. 1059 AN ACT CONCERNING THE OFFICE OF THE CORRECTION OMBUDS, THE USE OF ISOLATED CONFINEMENT, SECLUSION AND RESTRAINTS, SOCIAL CONTACTS FOR INCARCERATED PERSONS AND TRAINING AND WORKERS' COMPENSATION BENEFITS FOR CORRECTION OFFICERS.

EDUCATION COMMITTEE

SUBST. SB NO. 288 AN ACT CONCERNING INDOOR AIR QUALITY IN SCHOOLS.

REPORT(S) RECEIVED - to be referred to committee(s) indicated.

Report - University of Connecticut - Connecticut's Annual Report on Procurement Policies and Procedures for 2020 ending December 31, 2020. (Pursuant to Section 10a-151, 10a-151f to 10a-151i of the Connecticut General Statutes) Date received: May 25, 2021. Referred to the committee on Higher Education and Employment Advancement.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. I'd like to mark two items to go, please.

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar page 47, Calendar 267, Senate Bill 658. I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

And on Calendar page 26, Calendar 382, House Bill 6389, like to mark that item go.

THE CHAIR:

And so ordered. Mr. Clerk.

CLERK:

Page 47 Calendar --

SENATOR DUFF (25TH):

Madam President.

CLERK:

No. 267 --

SENATOR DUFF (25TH):

Madam President. I'm sorry. Could we just stand at ease for a moment, please?

THE CHAIR:

The Senate can stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I had stopped the Clerk from calling the first Bill. If you can call the first Bill, and thank you.

THE CHAIR:

Thank you. Mr. Clerk.

CLERK:

Page 47, Calendar 267, substitute for Senate Bill No. 658. AN ACT REQUIRING EMPLOYERS TO RECALL CERTAIN LAID-OFF WORKERS IN ORDER OF SENIORITY. There are Amendments.

THE CHAIR:

Good afternoon, Senator Kushner.

SENATOR KUSHNER (24TH):

Good afternoon, 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 KUSHNER (24TH):

Thank you, Madam President. This is a Bill that really is the outcome of the very difficult circumstances that we have endured since the public health emergency was declared in March of 2020. So many workers were laid off and so many continue to be out of work.

During this time, businesses have begun to recover but we know for some, it could be a long recovery. And while we want the best for all of the people of Connecticut, we also understand that some communities have been hit disproportionately harder than others.

And I think it's particularly important to recognize the comments made previously today by my colleagues, particularly, Senator Winfield, and his remarks about the death of George Floyd and what it's meant to our nation and to our state and to our communities. And today's Bill that we are discussing largely impacts people of color, black and brown workers who work in low-wage jobs, women who work in low-wage jobs, and unfortunately, so many of them lost their work during the pandemic.

So this Bill seeks to find a remedy for those workers by requiring employers to recall workers in order of seniority in certain industries. And we think in doing it in this way, that it will ensure that workers are treated fairly and that no employer might seek to take advantage, save the bottom line a bit by hiring a new worker or a less senior worker who might not be making just quite as much money as a more senior worker.

So that's the purpose of this Bill. And Madam President, the Clerk is in possession of LCO No. 9247. I ask that the Clerk please call and I be given leave to the Chamber to summarize.

THE CHAIR:

And Mr. Clerk. If you could please call LCO 9247.

CLERK:

LCO No. 2 --9247, Senate Schedule "A".

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. This strike-all Amendment narrows the jurisdiction of the Bill to certain sectors of employment, building service enterprises, the hospitality industry, hotels, lodging, food service contractors, and it also increases from the original Bill the number of employees that are required to be employed to 15 or more employees.

The Bill provides the outlines by which employees would be recalled, provides for notice to all the employees when there's a position that is being filled, and it also lays out in penalties if an employer were to fail to recall in accordance with the law and were to -- there was retaliation for -- against an employee for asserting their rights under this new act.

So with that, Madam President, I move adoption of the Amendment.

THE CHAIR:

Thank you, Senator Kushner. And the question is on adoption of the Amendment. And good afternoon, Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I'm gonna reserve my remarks mostly for after we vote for the Amendment

but I will just stand up and oppose the Amendment on the grounds that it may in fact be an improvement from my perspective over the underlying Bill but it is again, a strike-all Amendment, which means that I would be therefore voting in favor of the entire contents of that documents and I am very much opposed to it.

So I'm gonna encourage my colleagues if you did not like the underlying Bill, chances are you won't like this Amendment, which is a strike-all Amendment that makes some minor changes, and I encourage my colleagues to vote no on it. Thank you.

THE CHAIR:

Thank you, Senator Sampson. Will you remark further on the Amendment before the Chamber? Good afternoon, Senator Formica.

SENATOR FORMICA (20TH):

Good afternoon, Madam President. I rise in opposition of this Amendment, and I have a question for the proponent. Through you, Madam President.

THE CHAIR:

And please proceed. Senator Kushner, prepare yourself.

SENATOR FORMICA (20TH):

Good afternoon, Senator Kushner. With regard to the change, the change limits businesses and industries that were impacted by the original Bill? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. That's correct.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. And thank you, Senator Kushner. Would also this target hospitality once again? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. The definition of enterprise includes hotels and lodging-houses.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. So hotels and lodging-houses would be hospitality. It's basically that industry that we're targeting? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. Through you, this Bill does require employers in the hotel and lodging house industry and it defines also food service and building services.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Would the good proponent please explain to me the reason for targeting just these industries and no other industries? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. Through you, through our discussions, we came to understand that these are three industries that employ large numbers of low-wage works who have been impacted by the pandemic and we sought to address the recall rights to those workers.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator Kushner. And this then limits, or this Bill attempts to limit the scope to the pandemic response? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

This Bill seeks to address people who've lost their jobs during this period of time, as articulated in the Bill, and protect their recall rights for the duration of the Bill that the Bill covers.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. So that's truly my question I'm trying to get at. If we're protecting pandemic-related instances, why are we extending the Bill out a number of years and why not contain it to those impacted during the pandemic, pandemic by all, almost all legislative factions is about declared over or waning down to the end. And this Bill carries us out to 2024 if I believe I'm correct. Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

This Bill covers a time period until December 31st, 2024, and the reason is because the pandemic has had serious impact on our businesses and on our works on the state, and we believe that the impact of that is ongoing.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Ongoing, this is 2021, we're talking about ongoing for three and a half years more -- am I doing that right? Two and half years more.

Would you help me -- through, Madam President, through you. I'm sorry. I'm getting tongue-tied here because I just can't understand at all why we're pushing it out two and a half more years on a pandemic situation that is getting to its end. Businesses are trying to get people back to work, nobody is really talking about laying off people to work. So it would seem to be excessive to me, Madam President, that we go two and half years from now with some of the restrictions and requirements in the Bill.

And that's what I'm having trouble understating and I'm wondering Senator if you could help me understand that. Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I hope the good Senator is right that we're not going to see more layoffs but I believe that -- and if that were the case, then we wouldn't have a problem with the Bill because it's about recalling people who are laid off. So if the good Senator is correct, we may be in a situation where this doesn't impact any businesses. However, we strongly believe that unfortunately, we will see more layoffs, that we will see more business struggling to recover, and that unfortunately, even if the health emergency ends, we may not see the complete recovery for some period of time, which is why this Bill goes to December 31st, 2024.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you. Thank you, Madam President. Thank you, Senator, for the answer. I don't think that I could disagree with you more on some of these pieces of legislation that you're putting back in at a time where businesses are struggling to regain their footing. This is not the recovery, in my view, of 2008, nine, and ten where the economy underlying was in very difficult condition. We have a very strong underlying economy here and --

Madam President, I don't have any further questions at this time. We're on the Amendment, the Amendment becomes the Bill -- Madam President, I'd just like to say that the job of government is to set the table, not be the ones that continually force feed what happens at the table. And businesses are trying very hard to come back to a point where they cannot get the amount of people to work for them now that they need to sufficiently operate their business.

There are people that are giving up time and other pursuits to sit back in their business and areas that they've not had to participate in some years because, one, they're recovering from the pandemic, two, workers are not coming back because now we have an extra kicker for unemployment. A \$300 dollar kicker of unemployment, which is going to end in a few weeks. And we'll see people start to come back to work once that extra money that allows them to make equal to or more sitting at home, when that runs out, then people are gonna start coming -- looking for work.

So I disagree with the premise of this Bill. I understand we need to protect the people that got hurt in the pandemic, but I believe the federal government has provided direct dollars, I believe the unemployment has risen to compensate, we have eviction moratoriums, there have been so many opportunities to protect workers and anybody who wants to work in this day in age, in this industry, which for some reason, the majority party in this

building likes to target the hospitality industry as if it's an easy target. To me, it doesn't make any sense, Madam President. We're now offering a thousand dollars to come back to work, while we're giving \$300 dollars extra in unemployment to stay out of work.

I'm not sure that I understand the purpose of this Bill. I disagree with it 100%. I think it's time to let business do the job that they've done for centuries and that is the premier job producers in this state and allow them to move forward. I understand protecting people of the problems of the past but to extend it forward for two and half more years, seems to be something that I certainly can't support. And I thank you, Madam President.

THE CHAIR:

Thank you. Senator, will you remark further on the Amendment? Will you remark further on the Amendment? If not -- Senator Kushner.

SENATOR KUSHNER (24TH):

I'd like to ask for a roll call vote on the Amendment.

THE CHAIR:

And a roll call vote has been requested. So I will open the voting machine and Mr. Clerk if you will 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. This is Senate Bill 658, Senate Amendment "A". Immediate roll call vote has been ordered in the Senate, on Senate Amendment "A", Senate Bill 658. Immediate roll call vote has been

ordered in the Senate on Senate Amendment "A", this is Senate Bill 658.

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THE CHAIR:

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

CLERK:

Senate Bill 658 Senate Amendment "A":

Total Number Voting	30
Necessary for Adoption	16
Those voting Yea	18
Those voting Nay	12
Those absent and not voting	6

THE CHAIR:

The Amendment is adopted. (gavel) Will you remark further on the Bill before the Chamber? Senator Sampson.

SENATOR SAMPSON (16TH):

Good afternoon, Madam President. I ride to speak in opposition to the Bill before us. It's Senate Bill 658, which is entitled AN ACT REQUIRING EMPLOYERS TO

RECALL CERTAIN LAID-OFF WORKERS IN ORDER OF SENIORITY. I appreciate the accuracy of the title in this particular case. I think it's pretty clear what this Bill does. And I do want to get into some of the more specific language because obviously, we know that a Bill is much more than a title.

I'll just want to react to some of the comments made by the proponent of this Bill before us. She mentioned that this Bill is here because of the difficult circumstances we have endured. But I want to remind the Chamber and anyone listening that while COVID-19 certainly, has affected us all and in many significant ways, the things that this Bill proposes to affect are really a result of policies enacted by the State Government of Connecticut.

So when we talk about these difficult circumstances we have endured, I would suggest that those difficult circumstances are a result of the Governor's executive order that first of classified some businesses as essential while other businesses were classified as non-essential. Including businesses that in some cases were right next to one another and certainly able to follow the same protocol and guidelines.

Imagine a Target store, for instance, being open. You know, allowing people to wear a mask and social distance but still operate, and then a small business next door, like a Susy's dress shop or something like that who gets, you know, only a few employees every day, they would have to be closed. And that's a situation that I don't think was proper, I don't think it was constitutional, I don't think it was tenable.

And, you know, those are the types of things that have resulted in the "difficult circumstances" we have all endured. And I think that cannot be lost on anyone listening. And certainly, some businesses were, in fact, hit harder than others, and I supposed I would not disagree that some of the

businesses that are identified in this Bill, which is food service, hotels, things like that, were in fact, hit harder than others. But again, I would suggest that many of those were for the reasons that I just laid out and not solely because of the pandemic.

I'm gonna close my remarks today but with some comments about just economics in response to the argument that this Bill is designed to help people. And I'm just gonna leave that right here, but I'm mentioning it because I want folks who are gonna listen to the details about the proposal before us to really ask themselves who this is helping and whether this is truly the way we want our system of laws and government to operate.

So as I already mentioned, the title says, AN ACT REQUIRING EMPLOYERS TO RECALL CERTAIN LAID-OFF WORKERS IN ORDER OF SENIORITY. So an act requiring employers is the first part of that, which basically says, this Bill tells employers what to do. So anyone listening at home should understand very, very clearly that if you own a business, you don't own or manage your business anymore. This body owns and manages your business. This Bill actually has a provision in it that says that if you bought a business from someone else, or even the assets of that business, that the state government's policy that they're putting in this Bill before us will still take precedent over your own management or decision-making.

This is what it's come to, ladies and gentlemen. Less and less individual liberty, less and less individual freedom, less ways for people to make their own way in life. Less ways for each of us, as free American citizens, to pursue our happiness, which is the foundational and core principle of this great nation.

Not only is this Bill in tremendous overreach because it basically says that this body is going to

tell private business owners, who are on business to make money, which I would also point out is exactly what they're in business for.

The gentlelady, the Chairman of the Labor Committee, who I have great respect for, she said that the purpose of this Bill essentially is to prevent business owners from choosing to hire a lower wage worker to affect their bottom line. Well, in fact, that is exactly the way our system works.

Our system is based on freedom. And business owners are in business to make a profit, and trying to paint that in a negative light is extremely dangerous in a free society because all opportunity, all "help" that people receive is in the form of opportunity, and opportunity can only be created when there is production. Production created by freedom, freedom for people to enter into different opportunities, businesses and choose their own path.

So I just wanted to point that I take umbrage to the idea that somehow a business owner is doing something wrong or vile because they are trying to improve their bottom line. Because ultimately, that is what will benefit people of all races, backgrounds, colors, et cetera, as was mentioned. Real opportunity to succeed, and not the government stepping in to paint a picture of how things would be in their imaginary world.

So this Bill, by the way, is a -- as was just amended, it was a strike-all Amendment, which for those folks listening means that everything that was in the underlying Bill is now gone and has been replaced with an entirely new government. And sure many of the language items probably remain intact, but again, it's a brand new Bill.

And also, as is apparently a regular, you know, policy of the majority party, it happens on almost everything we do in here. Almost every time I get up to speak, I am getting up to speak on a Bill that

does not resemble what left the Committee. And often I'm left talking about something that I received only moments before.

The language that I have before me we received this morning, for example. It's not the way to do business. And it's also not the way that our system in this legislative body is supposed to work. The reason why we have a Committee process is for the purpose of getting the public involved to provide comment, advice, and guidance to us on how to make the public policy for this state. The reason why we have a Committee process is so that the Members of those Committees have the opportunity to debate change, alter, amend the language before them, so that they can send us a finished product for us to decide up or down whether it's going to become law, but sadly, that doesn't happen in this building very often, Madam President.

Almost in every case, it's a strike-all amendment. So what with the Committee did, has nothing to do with what's before us. And I mention it because it's a constant frustration for someone on the minority that I've got to react to this. You know, I drafted a bunch of Amendments on the original language of this Bill, and then had it come back and change all those amendments after the fact because I'm giving a new set of, you know, words and contacts that I've got to work around to find out exactly what those changes are.

And it also misleads the public because the public was advised about some sort of Bill proposal that doesn't exist anymore. They came to testify at a public hearing about some Bill that doesn't even exist anymore, which may or may not have the same Bill number, same title, but certainly, not the same language.

It's a frustration because just the other night we had the Bill on the domestic violence issue, and that again was a strike-all Amendment, added at the

last minute. A Bill that many people were very much in support of. In fact, it led through this Chamber 35 to one. I was the only one to vote no, and I voted no because there were sections added to the Bill that were not there before. I was in support of the Bill until those sections were added. And yet the public wanted to know from me why I was voting no against the Bill because all they understand is the title.

It's a bad way to do business, Madam President, and it's dangerous to our system of laws and justice because I don't believe the average citizen, much less the people in this room can track and follow every bit of language that comes through here that is becoming law. It is a monumental task. We have Bills that are 78, 80, hundreds of pages long. And sometimes we have minutes to review them, if that.

So this strike-all, new Bill that essentially tells businesses that the State of Connecticut will now manage their decision-making process about rehiring laid off workers is also not just absurd policy but it is very poorly written and it is very vague. And I would not even normally go through the trouble of asking a lot of questions on the Bill because it's pretty straightforward. I like to get up and tell people what I think it says and whether it's good policy or not, but in this case, I got to clarify a few things.

So through you, Madam President, I have a couple of questions for the gentlelady, the Chairwoman of the Labor Committee.

THE CHAIR:

Senator Kushner. Please proceed, sir. Senator Kushner, prepare yourself. Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. So in, I believe, what is Section 1 Subsection 4, I'm starting on lines 17 through 22. This is the definition of employer. I believe that this Bill creates its own definition of employer and somewhat narrowly tailors it. But I want to make certain whether or not this definition of employer includes the State of Connecticut or any municipal government. Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. Through you, I think the definition is clear. It's any person according a -- including a corporate officer or executive, who directly or indirectly or through an agent or any other person, including through the services of a temporary service or staffing agency or similar entity, conducts an enterprise and employs or exercises control over the wages, hours, or working conditions of any employee.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I take that to mean that we don't know whether it includes the state or municipal governments?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. I asked -- I answered the question that was asked.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Yeah. So here I am with a legitimate question about the Bill that's before us because I don't believe the definition of employer is clear on whether this applies to state or municipal governments that are involved in any of these business operations. So I guess that will remain unanswered. It's either, A, it does, and we'll find out if they are ever actually held to the same standard as private employers. Or B, it does not apply to the state or municipalities, in which case, why is it okay to force private entities to do so, and not the state or municipalities.

Moving down to the definition of enterprise, which essentially, is the definition that describes what industries are affected by this policy before us and that is lines 29 through 32. It says hotel, lodging-house, food service contractor, or building services enterprise with 15 or more employees. So I guess I would ask why, through you, Madam President, these particular industries were chosen, and particularly, business building service enterprises seems like an interesting addition. But I'd just like to understand exactly what was the purpose of choosing these several industries and not others. Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I believe this is a question that I've already answered but I will repeat that this -- these are certain sectors and

industries that employ low-wage workers, who we felt it was important to protect by this Bill.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Well, thank you, Madam President. And I appreciate that answer. I did not ask that question earlier. I don't know what was implied by that. I know you did bring that up in your beginning conversation.

The thing is that many, many different industries employ low-wage workers, and am I to understand -- and this is not a question I'm asking rhetorically. Am I to understand that we are only drafting policy that affects low-wage workers? We are going to create a new set of rules and rights for them versus anyone else and more specifically, we're only going to do it for low-wage workers that work in a hotel, lodging-house, food service contract, or building services enterprise. That doesn't seem like a good way to make public policy to me, Madam President. And I believe that if we are going to apply a set of rules to employers and employees, that it ought to be uniform across the board.

So, moving on to Section 45, which I think is the -- or -- forgive me, line 45, which is Subsection 11. And this is the most confusion I've had in a while reading this section about defining a laid off employee.

So. a laid off employee is someone who was employed for at least six months, according to this language, in the 12 months proceeding March 10th of 2020. So they had to be employed between March of 19 and March of 2010 -- 20 for at least six months. Okay. we got that, and their most recent separation from active service or failure to be scheduled for customary seasonal work occurred after March 10th

but before three years from now. And this was presumably, as was described, because of the COVID pandemic.

So., I guess the first question that I would ask, and I know that this was brought earlier on the Amendment. But if this is in response to COVID and we are in the process of reopening Connecticut, and in fact, as far as I know, restaurants are fully open, and hotels are fully open, and building services enterprise are fully open, then why is it that this Bill proposes to carry its effective date through December 31st, 2024? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. Through you, this Bill anticipates that we may not have reached a full recovery until that time.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Believe me, I love that answer. I love that answer because it implies that something in this document would have something to do with the recovery of the Connecticut state economy or these businesses. This particular Bill, Madam President, is not going to result in any aid to the recovery or the jobs of those that are identified in the language before us.

It also goes on to say that that separation from active service was for -- excuse me, was due to the lack of business or a reduction or furlough of the

employer's workforce. The public health and civil preparedness emergencies or, and this is an interesting bit of language, other economic non-disciplinary reasons.

So through you, Madam President, can the gentlelady please give me one example of an other economic, non-disciplinary reason? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I think the language is clear that we're talking about other economic reasons that were non-disciplinary.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Well, thank you, Madam President. Well, I would suggest that other economic reason could be that this business is slowed down for something other than COVID-19, or it might mean that that business is going through a difficult time because the owner invested in another project or who knows. Am I to understand that that is a broad definition that would include anything that is non-disciplinary that affects the economic condition of that business? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. This Bill would affect any other economic reason that was non-disciplinary.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I appreciate the gentle lady reading the language before me in the Bill, but I'm asking these questions for legislative intent. I really want to understand how far that statement goes, not to mention the fact that is -- we have in our existing law standards for what it means to be laid off. You know, people quit jobs, people are fired from jobs. People are simply let go. And then of course, sometimes they're laid off. Through you, Madam President, does this language that is before us apply to someone that quit their job? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I don't believe this would apply to someone who voluntarily quit their job.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Would this language apply to someone who was fired from their job?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President, I think it would depend on the circumstances that, both in terms of whether someone quit or were fired, it would be important to know whether it had any relationship to a layoff. And so I would -- I don't think this Bill intends to cover people who voluntarily quit or who are disciplined for cause, but I think that would be, clearly, that would be up to the courts to determine if there were a question regarding this.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Well, that's precisely why I'm asking is because the court is going to rely on this language. This stuff we're putting right here, this print that I'm reading is gonna become the law if this passes, and they're gonna be relying on this. So I think it's important that we get to the bottom of who it actually covers.

Connecticut is an at-will employment state, which means that if an employer or the employee want to terminate their employment at any time, they can. They don't need a reason. So I'm asking through you, Madam President, again, I think it's quite clear that somebody who is defined as a laid off employee is not somebody who quit, and it certainly shouldn't be somebody who was fired. But what about someone who is simply terminated and no reason was given because no reason is required? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I think the Bill is clear that any layoff the person would have, certain rights are protected.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I appreciate that and forgive me that I keep asking the same question different ways, but I'm asking very specifically what does it mean laid off? Does that apply to someone who is quit, fired, or terminated without cause? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. If a person was terminated for economic reasons other than disciplinary reasons, I think they would be covered by this Bill.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I'm gonna take that to mean that this applies to any business that makes a choice to get rid of a single employee for any reason. That's what I'm gonna interpret it to mean. I think that's terrible. I don't think that's what

the Bill intends but I think that's the response I'm getting.

Other economic non-disciplinary reason is beyond vague. And I would assume that you can't ever say that, as an employer, you got rid of an employee either by firing them or letting them go or even laying them off, any of those things, that the amount that you're paying them is not a factor. It obviously is.

There could be many, many other much more weighty and important factors, but obviously, that's a factor. So I think we are leaving a court no choice but to say that any reason is an economic reason.

And Madam President, forgive me. I am not trying to give the Chairman a difficult time here. I just would really like some clarification to say that we are not talking about people that voluntarily quit their job. If we had that on the legislative intent, on the record right now, I would feel much better that this Bill is written in a way that makes some kind of sense because the way I am reading and the way I'm interpreting the responses that I'm getting, it is that it applies to everyone because everyone's separation from active service, as it said in the Bill, is going to have some sort of economic impact.

I don't want to just keep asking the question because I'm gonna get the same answer but I am gonna ask several other questions and the Chairman will have a chance to clarify a number of things. I would really like to know where that really stands because to me, that may be the most vague and difficult section in this entire Bill.

And we have responsibility, Madam President, that when we write laws, one of the things that we must do is we must make them clear. Many, many challenges to existing law, come out of the fact that the language is not clear. And we are -- right now have established that this is completely unclear.

It goes on to say in Subsection 12 that the length of service includes periods of time when the employee was on leave or vacation. I think that's absurd, actually, if you had two employees and you were trying to determine their seniority and one of them was on leave for six months and the other one was not. But they had total service that was a day less than the one that was on leave, we're still gonna count the person that was only there for a much shorter period of time?

Going down to Subsection B, on line 65, it says, "not later than five days after a job position becomes available, the employer shall notify each of its laid off employees." So following up on my previous line of questioning, Madam President, who exactly must the employer notify that a job position is available? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. Through you, they must notify each of its laid off employees.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Would that mean, through you, Madam President, that they have to tell people that were let go without a reason?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. If they laid off any employees during the period of time this Bill specifies, they would have to notify each of those employees.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Would that mean that if I'm an employer and I said to someone, "I'm letting you go, but I want to make it clear, I'm not laying you off," that they do not have to notify that person? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I think the language of the Bill is clear, and I think it will not be difficult to interpret who is laid off.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Respectfully, through you Madam President, if the language of the Bill was clear, I wouldn't be asking the question and you would be giving me a definitive answer, and I'm afraid we're not getting that. Either one of those things, but I will move on.

Moving down it discusses which employees are qualified, and it says on line 70 it starts, "a laid

off employee is qualified for a position if the employee, number one, held the same or similar position at the enterprise at the time of the employee's most recent separation." I won't dare ask the question of what defines "similar" because I think that is a completely a subjective term, and I think it also creates another area of vagueness that can be exploited by someone who wants to use this law that we're creating for ill intent.

Number two, or can be qualified for the position with the same training that would be provided to a new employee hired for such position." You heard me ladies and gentlemen, that basically says that you are qualified for the new position if you were laid off, whatever that means, by the employer, and you could be trained to do the job. I'm wondering who that doesn't apply to. It doesn't sound like it applies to anyone.

So it sounds to me like this Bill opens the door for any person who had ever been employed, and it says that any person who could be trained to do the position counts as that person.

Going down to line 84 and 85. It says, "an offer of employment to a laid off employee pursuant to the section shall be at substantially the same employment site, another completely subjective word. Who knows what subjectively or substantially means? Does that mean on the same street? Does that mean within 25 miles as mentioned somewhere else in the Bill? Who knows?

Lines 93 through 105 is this -- the section about what happens if a "laid off" employee declines the offer after the employer was required to notify them that the job has become available. And it says that they have five days in which to accept or decline the offer. But then it goes on to say, believe it or not, Madam President, it says that, "if the laid off employee declines the offer, such employee shall still retain his or her right to accept the position

and retain all of their rights," et cetera, et cetera, et cetera. I find this shocking that even if the person declines the job that they still have the right to accept the position.

It goes on to say in Subsection E, in the paragraph 106 through 113 that the employer, if they decline to rehire a laid off employee, on the grounds of lack of qualifications. They have to provide that laid off employee a written notice explaining why. I'll just remind everyone that we are in an at-will employment state. You don't need to give anyone a reason for leaving your job as an employee or for suggesting that you are no longer in need of an employee's services in this state, and yet this language makes a giant leap to say that once you've already got rid of an employee, which we've already established could mean quit, fire, let go, or terminated without cause.

That you got offer them their job back, simply because of the length of time that they worked is in excess of another one. And I didn't even get into the fact that it only is the length of time worked in that defined period between March of 19 and March of 2020. Has nothing to do with their service beyond that, or since then. But now we've got to have that employer is got this additional burden on them that they have to explain themselves to the employee why they chose someone else.

Line 119 through 121. "The ownership of the employer -- the requirements of this section shall apply under any of the following circumstances," the preceding paragraph, and it includes this language that says the ownership of the employer changed after the laid off employee was laid off. So the person's laid off, someone comes along and buys the business. Guess what? The new owner of the business, who does not even know this person or their qualifications, now has to offer them a job.

I started this debate, Madam President, by saying this body thinks that the business owner doesn't have any right to manage their own business. This goes so far to say that even if you buy someone else's business, you don't have a right to manage that business.

The next several sections, Madam President, have to do simply with what the penalties are and what the remedies are. And I'll spare the -- every detail 'cause it's several lengthy paragraphs, but suffice it to say that is completely one-sided. It makes it quite clear that a laid off employee, with the vague definition, that is aggrieved by a violation of any provision of this Bill can bring a civil action. So they have the actual right to sue over this created by this legislation despite the fact that we are in an at-will employment state.

And it goes on to say that they are eligible not only for reasonable attorney's fees and cost but also for treble damages and so on. Through you, Madam President, is the employer eligible for such damages if it turns out that the employee is the guilty party in such a transaction where possibly they did not indicate their previous length of service accurately to the new business owner? Just as an example, there are probably a dozen others.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President, the Bill lays out that the court could find and award treble damages if they prove that the employer terminated the lot -- the laid off employee in violation of the provisions of Subsection H of this Section, and Subsection H protects employees from retaliation from an employer for asserting their rights.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Again, I don't believe my question was answered. I'll just save the suspense and say that the Bill is completely one-sided. It does not offer the same benefit to the employer only to the employee.

One of the great tenets of our society is that we provide equal protection under our laws. This Bill is an example of defying that mandate that I believe we are all under as a consequence of our oath of office, and it creates so many inequities it's actually hard to describe because this Bill not only creates the inequity I just mentioned between employer and employee, as far as their ability to have remedies for damages in the case of the dispute, but it also creates inequities in many, many other ways.

And yes, I'm using the word inequity on purpose because that's what I'm constantly being told that we are supposed to be fixing in 2021 is all the inequities of the world. And yet almost every policy that the majority puts before me, is creating an inequity. This one says that certain businesses are subject to these specific rules and requirements while other ones are not. That sounds like an inequity to me.

Madam President, no matter which way you slice it, I think this is a horrible Bill. I think this is a tremendous overreach. This is the type of policy that I can't even imagine is being debated to become law in our state. It shocks me to my core. I'm not kidding. I'm not standing here before you as a state Senator saying that. I'm just a citizen in this state. And when I get up in the morning and I find out the type of laws that we're passing includes

this type of thing, I shake my head in disbelief, Madam President.

I cannot even believe. The gall is the word my mom would use, that this state Senate would think that they can pass a law to tell someone that they gotta run their business this way. People who own their own businesses invariably have sacrificed tremendously to get to their position of being a business owner. And during this most recent period, it is those business owners that have sacrificed more than anyone. The idea that we need to create it with an artificial set of circumstances to help these employees is a very nice and noteworthy gesture, but it just doesn't meet with reality.

The fact is that the employees of these places have been helped tremendously already. There have been billions of federal dollars expended to help them. There are programs after programs, people are paid more money in unemployment than they could get for working, and yet we are going to come up with more policy that is one-sided in and against the employer once again.

I have several Amendments, Madam President, that I'm gonna offer. And then I will just make a very brief closing statement. I'll just preface the Amendments by saying that none of these will make this Bill worth voting for. But I would encourage my colleagues to vote for them anyway because they are necessary to make this Bill clear, to make this Bill workable, and to make it even somewhat recognizable as legitimate public policy, which it is not currently.

So Madam President, the Clerk has Amendment 9224. I asked that it be called and that I be allowed to summarize it.

THE CHAIR:

Mr. Clerk, would you please call LCO 9224.

CLERK:

LCO 9224, Senate Schedule "B".

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. This is a very simple Amendment. It strikes Subsection 11, which is the definition of laid off employee, and it adds a letter D at the end that says, "that applies to those who did not reject on or after March 10, 2020, and before the effective date of the section, an offer of employment from the employer since such separation from active service or failure to be scheduled."

I think it's a good Amendment. It clarifies that someone who rejects an offer is not eligible and considered to be a laid off employee. I urge adoption and I'd like a roll call vote. Thank you.

THE CHAIR:

Thank you. And the question is on adoption and we will have a roll call vote on the Amendment. Will you remark further on the Amendment that is before the Chamber? Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. And I rise in support of the Amendment. The Amendment does not disqualify anyone from being asked to come back to work. It simply puts the onus on the employee if they reject the offer to come back to work. And at some point, there has to be individual responsibility in this state. 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 that is before the Chamber? If not, a roll call vote has been requested. Mr. Clerk if you could please call the roll.

CLERK:

Immediate roll call vote has been ordered in the Senate. This is Senate Bill 658, Senate Amendment "B". Immediate roll call vote has been ordered in the Senate. This is Senate Bill 658, Senate Amendment "B". Immediate roll call vote in the Senate, on Senate Amendment "B".

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. This is Senate Amendment "B", Senate Bill 658. Senate Amendment "B".

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 658. Senate Amendment "B". 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 on the Amendment.

CLERK:

Senate Bill 658, Senate Amendment "B":

Total Number Voting	30
Necessary for Adoption	16
Those voting Yea	12

Those voting Nay	18
Those absent and not voting	6

THE CHAIR:

The Amendment fails. (gavel)

Will you care remark further on the Bill before the Chamber? Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I am disappointed that yet another Amendment that would have sought to clarify what I think is bad policy. But if we're going to do it, we should do it properly. I'm afraid that failed on a party-line vote for anyone watching at home. And I think I'll make a point of explaining that each time it happens.

So I have another Amendment, Madam President, which has to do with the basic underlying premise of this Bill, which is that the idea that an employer should be able to make their own decision about which laid-off employees are returned to work should be up to them, and possibly, based on like important things like that employee's productivity or how many skills they possess, their level of training, their performance, any of their past disciplinary action or even their attendance history.

All those things are ignored in this language, Madam President. The only thing that matters is that you worked, and -- or that you are qualified. Qualified meaning that you could be trained to do the job. It's almost laughable.

So the Amendment that I'm going to propose tries to rectify that situation. It is LCO 9220. I ask once again that the Clerk call this amendment and I be allowed to summarize.

THE CHAIR:

Mr. Clerk, if you could please call LCO 9220.

CLERK:

LCO 9220 Senate Schedule "C".

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Through you, Madam President. This Amendment adds a little bit of clarifying language to Subsection B of Section 1. The Bill was only one Section, but this is Subsection B, which has to do with the terms when an employer offers a job position to a formerly laid off employee. Whatever the definition of that may be.

It says that in the Amendment the language is added that not only would it have to -- an employer would have to take in consideration the items that I just mentioned, which is that the employee worked and could be trained to do the job. It adds the substantive and important parameters and the languages where more than one employee is entitled to preference for a position. "The employer shall consider each entitled employees skill level, attendance and disciplinary record, and length of service with the employer before offering the position to any such employee."

The fact that we would have to put that in a statute shocks me to my core. I don't like even putting it in a statute, Madam President, but it is far better than leaving it without this language. I move adoption and like a roll call vote.

THE CHAIR:

Thank you. And we will have a roll call vote and the question is on adoption. Senator Kushner, will you remark on the Amendment before the Chamber?

SENATOR KUSHNER (24TH):

Thank you, Madam President. I would just like to comment that this Bill is established to set objective criteria that will reset for the employees the conditions that they had prior to layoff, and I would urge my colleagues to vote no on the Amendment.

THE CHAIR:

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

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. This is Senate Amendment "C", Senate Bill 658. Immediate roll call vote has been ordered in the Senate on Senate Amendment "C", Senate Bill 658. Immediate roll call vote in the Senate on Senate Amendment "C". This is Senate Bill 658. Immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

Senate Bill 658, Senate Amendment "C":

Total Number Voting	31
Necessary for Adoption	16

Those voting Yea	12
Those voting Nay	19
Those absent and not voting	5

THE CLERK:

The amendment fails. (gavel)

Will you remark further on the Bill before the Chamber? Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Once again, another party-line vote, and another what I think was a very simple question, which is do we think that employers should include when they are bringing back employees that are laid off, skill level, attendance, disciplinary record, length of service. The vote before us simply said that some people said yes, and some people said no. And I'm happy to consider myself in the category of someone who believes that that is legitimate for an employer to consider those items when they bring someone back to work.

I've got one more Amendment, Madam President. This one is LCO 9226. And once again, I would generally appreciate the Clerk calling this Amendment and your permission to summarize it for the Chamber.

THE CHAIR:

Mr. Clerk, if you would kindly call LCO 9226.

CLERK:

LCO 9226, Senate Amendment "D"

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. This is a very simple Amendment that adds a new Subsection at the end of the Bill. It simply says that when you're dealing with an employer that is doing their best to accommodate this policy, which I don't know why they would other than it being the law, and they attempt to rehire a laid off employee, this would prevent them from becoming civilly liable because there potential exists that by following the procedure that is laid out in the Bill before us, they may, in fact, be violating other prohibitions or, you know, on discriminatory hiring or affirmative-action policy, et cetera. And I would like very much to make sure that employers that follow what I consider to be this horrendous policy, but because they're following the law, they should not end up becoming civilly liable.

And this is a very simple up or down vote. If you believe that an employer following this procedure, as laid out because this body has decided that this should be the law, whether or not they should be open to liability for doing such. I would say they should not. So if you vote yes for the Amendment, you are protecting those employers. If you are voting no, then you don't seem to care. Thank you, Madam President.

THE CHAIR:

And thank you, Senator Sampson. Senator Kushner, will you remark on the Amendment?

SENATOR KUSHNER (24TH):

Thank you, Madam President. And I would just like to urge my colleagues to vote no on this Amendment. I don't think it's necessary, and I would like a roll call vote.

THE CHAIR:

Thank you. There will be a roll call vote. And Senator Sampson, do you move adoption?

SENATOR SAMPSON (16TH):

Yes, ma'am. Forgive me that I forgot to move adoption. I move adoption on that Amendment.

THE CHAIR:

Thank you. And a roll call vote has been requested. Will you remark further on the Amendment before the Chamber? If not, a roll call vote has been requested and I will open the voting machine. And Mr. Clerk, please call the roll.

CLERK:

Immediate roll call vote has been ordered in the Senate. This is Senate Bill 658, Senate Amendment "D". This is Senate Amendment "D" on Senate Bill 658. Immediate roll call vote has been ordered in the Senate. This is Senate Bill 658, Senate Amendment "D". Senate Amendment "D" Senate Bill 658. Immediate roll call vote in the Senate, on Senate Amendment "D". Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate. This is Senate Amendment "D". Senate Bill 658. Immediate roll call vote has been ordered in the Senate. Senate Amendment "D", Senate Bill 658. 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 658, Senate Amendment "D":

Total Number Voting

33

Necessary for Adoption	17
Those voting Yea	12
Those voting Nay	21
Those absent and not voting	3

THE CHAIR:

The Amendment fails. Will you remark further on the Bill before the Chamber? Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. So I'll just recollect, as I did on the previous Amendment. This Amendment also failed on another party-line vote, with all Republicans trying to protect the civil liability of employers who are cooperating with the terms of this Bill, which I would venture none of us will support, and all Democrats voting against an Amendment that would protect the employer for liability just for following the Bill that they have proposed and it is before us.

There are very few things, Madam President, as I get older that I am certain of. But one thing I am certain of is that this is a bad policy. I will just come full circle and suggest that the only thing that's clear about it is that it is an indication that there are Members of the Connecticut State Senate that believe that business owners do not have a right to manage their own businesses, and that this body has the ability, I won't say right, but the ability and the force capable of managing them for them via these, what I consider to be, oppressive edicts.

The other thing is that this Bill is completely unclear. I did not get answers to a great many questions throughout the debate, which I wouldn't even consider a debate. That's the purpose of us being in this circle and discussing this legislation, by the way, Madam President, is that we're supposed to be exchanging ideas. We're

supposed to be clarifying the language before us. We are supposed to be creating legislative intent so that people on the street and attorneys that might have to deal with this can make sense out of it in the future. And yet we got none of that. We have the words on the paper, which I have made abundantly clear are not abundantly clear.

We still do not know truly whether state or municipalities are included in the definition of employer. We do not know why these industries were chosen as "enterprises". We're also a little curious about the actual definition of hotel lodging house, food service contractor, and so forth. Even though there's a definition in the Bill, I don't think it is clear, like other places in our statute, that really define what a hotel means.

Most importantly, we don't know what it means to be a laid off employee. I received mixed information and mostly just it is what the Bill says, which is definitely not clear. There is a difference, especially in an at-will state between quitting a job, being fired from a job, being let go, simply let go without reason, and being laid off. I am hopeful, Madam President, that folks in the future will only look at this Bill as if it applies to someone who was genuinely laid off, but I am concerned because I think this definition that is described in Subsection 11 is beyond vague.

The fact that this Bill includes periods of leave or vacation as part of someone's service time is absurd. The idea that we are still worried about COVID all the way till December 31st, 2024, doesn't make any sense. The fact that this Bill does not take into consideration anything that an employer might have gone through that's not related to COVID, whether they eliminated a line of business or stop producing a product or relocated their service or whatever. None of that seems to matter.

It also doesn't seem to matter that if someone was offered a job to return and they rejected it, they still have the right to accept the position. There are truly absurd things in this Bill, including the fact that if you buy someone else's business or the assets to that business, you are now responsible for following this policy for something the previous owner did. If they laid off someone, you have to bring them back. You don't even know where they are.

As was just pointed out via the second Amendment that I offered, no consideration is made for the actual qualifications of an employee. That does not seem to matter to the new managers of Connecticut's businesses in these industries. The old managers, the actual business owners themselves, I'm quite certain care about the skill level, productivity, training, performance, attendance, history, and past disciplinary action of their employees. But this Bill says no, none of those things matter.

I hope it's clear just how absurd this is. Would you know that that new employer, by the way, that has to hire that person back, they have to contact this person and ask them to come back at a job, even though the old business owner is not there? And how could they possibly give that person the reason why they were laid off if they didn't even work for them at the time.

So let me just close, Madam President, by reminding people of what I said from the very beginning, which is that this is nothing more than this body taking a role in our society that it does not belong in. It is up to employers and employees to develop their business relationship based on the fact that they are free citizens in the free United States of America. And while our job is to protect people, to provide for public safety, to put necessary regulations in place, our job is not to mold society. Our job is not to dictate to someone who owns a restaurant how they're supposed to run their business. It's certainly not to tell them who they

have to bring back to work after they've laid someone off without considering anything other than their length of service.

It's an absurd Bill, Madam President. I hope the world can see that. It's a very simple vote for us today. If you believe the government doesn't have the right to tell business owners to do this, you vote no. But if you believe the government should be micromanaging every mom-and-pop restaurant, hotel, food service, and so on in the state, and that they have the right to tell them who they can bring back and when, and not leave it up to the employer themselves, then I suppose you vote yes. But one message I want people to understand is, this contrary to what was stated from the outset, will help no one, no one will benefit from this. This will only be cited as another reason why businesses have left this state or cease to operate.

I saw a statistic the other day that said something like 600 restaurants had closed over the last year. Yes, partly as a result of COVID but also, and more importantly, as a result to the government's response to COVID, which is the real problem that we are doubling down on here.

If you really want to help people, especially, I heard mentioned people of color, low-income jobs, which I don't think those things mean the same thing by the way, and I find that offensive. But if you really want to help people, what you do is you create an economically viable state for people to want to do business in. That's what you do. And the way you do that is by removing the reins of government regulation that is unnecessary and letting people run their businesses the way they choose. You create opportunity where people want to go to work because it's better for them to go to work than to collect unemployment.

Everything this state has been doing for the last year and many, many years before that, is wrong,

counterproductive, and is only going to lead to more and more problems. I urge my colleagues to vote no and send a message, Madam President, that we are not going to keep micromanaging businesses and we do care about the future of this state's economy. Thank you.

THE CHAIR:

Thank you. Will you remark further? Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President, and I will be brief. I just want to say that in my experience here in this Chamber I've heard us debate many Bills. I've heard us take responsibility for passing good laws. I think this is another one of those good laws.

I know there are many employers that have needed our assistance, whether that's come from the State of Connecticut or whether it's come from the federal government. I have applauded those efforts, but I also recognize that part of my responsibility is to make sure that we are also recognizing the needs of the working people of our state. And I believe this is a good Bill that will help workers to reset, to regain employment, and that that will help us to all recover from the pandemic.

So I move -- I urge my -- I urge my colleagues to vote yes on this very important piece of legislation. It reflects well on our Chamber and it reflects that we are paying attention to the needs of our communities. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kushner. Will you remark further? Senator Formica.

SENATOR FORMICA (20TH):

Thank you very much, Madam President. I rise in opposition of this legislation, and I will very briefly remind everyone why. Madam President, we together as a state and as a country came through this pandemic. There are many things that we had to learn on the fly, there are many things we didn't even learn, there are many things that we had to deal with. Families suffered, businesses suffered, municipalities suffered, state government suffered, everybody suffered in this pandemic. And I don't want to be standing here today saying that any one of the people in this Chamber do not or did not or would not want to help anybody in a situation get out of the suffering that they had -- they went through in the pandemic.

My office, which I'm sure mirrors many of the offices around this circle, if not all, took hundreds of requests from my constituents and others to help navigate the Department of Labor, that agency's inability to handle the amount of unemployment claims that have gone through since this pandemic. Personally speaking to hundreds of people.

We all came together. We helped educate people about this virus. We helped educate people about how to be safe from the virus and we helped educate people on how to be vaccinated from the virus in an effort to move, not one individual forward, but the community forward.

Businesses did that, people did that, and many people on the front lines. We all talk about the healthcare and teachers, and all of the service personnel industries that worked hard to make sure that people had food, people had shelter during this pandemic. And now we're coming out of it. And we're coming out of it to a point where masks are no longer required for vaccinated people. Most of the people in the communities are vaccinated, and businesses are getting back to normal, yet we can't get people back off unemployment because they're

getting paid extra money to stay out on unemployment.

This Bill may have been a good idea. Or maybe I should say started out to be a good idea to protect people that could've been harmed for pandemic reasons because, Madam President, it says, "anybody employed six months of the previous 12 months prior to March 10th, 2020" six months of the previous 12 months. And that means that those employees that were hired and worked for a firm - this circle's favorite industry to malign - worked for a firm that -- before the pandemic officially started.

Now, I will tell you that this particular idea to protect them for what happened over the next year may make some sense, this one section. And nobody -- I think in -- I don't think anybody wants to say we're not willing to help or we don't want to help. But Madam President, this Bill goes way too far because if it said we want to protect people through July of 21 or January of 22 or June of 22, give another year to make sure that the inequities of the pandemic, in terms of laid off employees, had the time to work itself out. But Madam President, this Bill talks about New Year's Eve 2024. That's somehow the favorite industry maligned by this circle would have to find somebody on December 19th, 2024 if they were gonna offer a job for Christmas, and they would have to hold the job for five days until they sent some kind of letter or text to a person that was laid off some two years before. Seems almost impossible to try to do.

So I believe that this Bill's intent is not really the intent of protecting people in this pandemic. I think this Bill is trying to manage businesses, insert themselves into the management of businesses where they otherwise would not be able to do or the government would not be able to do. And I stand here as a restaurant owner, Madam President, this Bill does not affect me. I did not lay anybody off during this period of time. But there are some people who

did, and there are some people that are going to be affected by this and there are some people that may be held liable in a situation because they don't understand how to even deal with this or they may not be able to get a hold of somebody or they don't have a text number or they don't have an address.

So Madam President, while we come out of this, I think it's incumbent on this circle and people in state government to understand what business are going through, to understand what is faced each and every day just to find supplies, to find staff, to manage their way out of this pandemic, Madam President. And I believe this Bill goes way too far, it inserts itself and inserts the government too deeply into small business, which is the premier job producer, not only in this state but in this country.

So Madam President, I stand in opposition and I urge my colleagues to be in opposition as well.

THE CHAIR:

Thank you, Senator Formica. Will you remark further on the Bill before the Chamber? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I rise to support the Bill before us this afternoon and want to take a moment to thank Senator Kushner for bringing it forward and her hard work on it 'cause I know it had a number of different iterations throughout the session and worked to bring people around the table to make this Bill the best it can, in effect, those who've been most impacted by COVID 19 and the pandemic and those who been laid off and to really go to bat for our workers here in the State of Connecticut.

The reason why I think this Bill is so important, and there really are a number of reasons but for me,

the reason I think this Bill so important is because of what I witnessed, what I witnessed by literally meeting the workers at a McDonald's in Darien, Connecticut at the rest stop. And seeing how they were all being asked to work during a pandemic that none of us had ever been through before, that many of us had the opportunity to work at home -- work from home.

Some of whom got laid off and were then unable to pay their bills or get child care or really survive. These are some of our hardest working but lowest paid workers that we have in the State of Connecticut. And they were when -- again when the state shut down and many people were able to work from home or collect unemployment, they had to go to work, and they did, and they worked hard. They work hard each and every day, and yet still some of them got laid off. And then when they were called to come back, some of the ones who were -- had been there the longest, some upwards of over 20 years had -- were not called back to work back at the rest stop.

And I think a lot of us saw that as very unfair, and that not really in keeping with the values that we have here in the state. And while it -- up until this point least perfectly legal to do, it wasn't just and it wasn't fair to those who have worked so hard at these places for so long, and in the moment in midst of a pandemic putting themselves in such danger. Think of where we were just a year ago, putting them -- their lives in danger and then not having that ability to come back.

These are not people who have lots of savings they can fall back on, that have months of savings tucked away in case of a rainy day. Their rainy day is every day if they're not working, and they need to work, they need their jobs and there's no reason why they shouldn't have been called back to work where they were at the rest stop in Darien.

Now, this may -- while this Bill is tailored to impact a smaller amount of folks than what was originally envisioned, that's the story that I know, that's what I saw. And I'm sure that there's other types of those stories around the state as well. We -- part of our job, I believe, is always fight for those who can't fight for themselves or don't have the same voice that we do, and we heard their stories. With -- I heard of Senator Kushner, and Representative Porter, Senator Cabrera was there, Representative Hughes and other legislators were there as well. We heard what they had to say, we heard the pain and the anxiety that they had for the fact that they were not working and they want to work, and they did not -- were not given that opportunity back.

So, Madam President, I think this is an important Bill for us to put forward, not only for the legislation, the support in legislation, but again, to it's an important Bill for us to show that we are standing up for those who don't always have the voice to stand up for themselves. And for that, I proudly urge my Members -- my colleagues to support this legislation. Thank you.

THE CHAIR:

Thank you, Senator Duff. Will you remark further on the legislation before the Chamber? Will you remark further on the legislation before the Chamber?
Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. Speaking in support of the legislation wanted to commend Senator Kushner for all of her work on this Bill, along with Representative Porter in the house, and to commend in general the good work, in fact, the superb work of the Labor and Public Employees Committee this year. I think this is one of the more important Bills in terms of an equitable response to the

crisis presented by COVID 19 and the employment disruption that has occurred due to that now for the last 14 months.

This is a way to help cushion the blow and protect low-wage, relatively low-skilled people who have suffered unemployment due to COVID 19, due to the contraction of their employer's businesses, and also in terms of their expectations of return. As we all know, for those who have been employed the longest are likely to be older and to find it to be more difficult to find other employment if they're not called back to their place of employment as soon as possible after the layoff when a recall begins to occur, when things begin to improve.

So again, the workers covered under this Bill, Madam President, and it is substantially narrowed from the language of the original Bill, a building service enterprise is covered. A person providing janitorial building maintenance or security services under contract to office, retail, or other commercial or state buildings. Again, those providing janitorial building maintenance services are generally low to moderate wage jobs, and the level of skill is one that is one of the entry-level rungs on the ladder that people can secure without a great deal of prior preparation or education.

Also, Madam President, the kind of covered enterprise that's defined in the Bill in lines 29 to 32, a hotel lodging house, food service contractor, or building service enterprise, including such a business located at a publicly or privately operated highway service plaza, that employs 15 or more employees, and the food service business, meaning on-site preparation, service, and cleanup of food or beverages. These really are the working poor in our society, Madam President, and what this modest Bill does is says that they will get preference in rehiring when that rehiring becomes possible when their employer is able to gear up once again to

begin to add back employees to perhaps approach something toward normalcy.

And it is I think an equitable response to the severe disruption in the lives of so many people at these workers in particular during the time of the COVID crisis, which still continues although we seem to be at a position where our level of hope is higher than it was and our level of reinfection is now approaching what it was last summer before the next wave began.

So a laid off employee is an employee who was employed by the employer for six months or more in the 12 months preceding March 10th, 2020. And we all know that March 10th, 2020 was a critical date when the shutdowns began everywhere in the state. "And whose most recent separation from active service or whose failure to be scheduled for customary seasonal work occurred on or after March 10th, and before December 31st, 2024, and was due to the lack of business or reduction or furlough of the employer's workforce.

The public health and civil preparedness emergencies that were declared by the Governor on March 10th, 2020, or other economic non-disciplinary reasons," so it is again, it's important to note that this applies only to those employees who would not have been discharged except for the pandemic, that if there were other disciplinary reasons, obviously, the mandate would not apply. But for those workers who just suffered the wave of ill fortune that accompanied the pandemic, and of course, as we all know, ill-fortune tends to hit hardest at those who are already suffering from ill fortune, poverty, lack of opportunity, and vulnerability in so many other ways.

So this is, I think, a modest Bill, Madam President, which is aimed at cushioning the blow of some of the people at the lower end of our economic scale who have suffered greatly for the last 14 months and may

continue to for a while more in the future. So I urge passage of the Bill. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on the Bill that is before the Chamber? Will your remark further? If not, the machine will be open. Mr. Clerk, please announce the roll vote.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. This is Senate Bill 658 as amended. Immediate roll call vote has been ordered in the Senate on Senate Bill 658 as amended. Immediate roll call vote in the Senate. Senate Bill 658 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 658 as amended:

Total number voting	34
Those voting Yea	19
Those voting Nay	15
Absent and not voting	2

THE CHAIR:

And the Bill passes. (gavel)

Mr. Clerk.

CLERK:

Page 26, Calendar No. 382 substitute for House Bill No. 6389, and act concerning explanations of benefits as amended by House Amendment Schedule "A" LCO No. 6771.

THE CHAIR:

And good afternoon, Senator Lesser.

SENATOR LESSER (9TH):

Good afternoon, Madam President, it's good to see you. I move acceptance of the Joint Committee's favorable report in concurrence with the House of Representatives.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR LESSER (9TH):

Yes, I -- thank you, Madam President. Madam President, this Bill, and act concerning expedition of benefit would take the first step in establishing an insurance privacy. The legal concept that an insurance policyholder is just that, the holder of an insurance policy and not a medical decision-maker. That there are vested interests in certain circumstances with protecting confidential medical information from the medical -- from the policyholder.

Two years ago we debated and passed an almost identical provision for this Chamber, and two years ago this was a good idea. It was a good idea for the safety of residents of our community, people experiencing intermate -- intimate partner violence but also an important idea addressing the stigma and barriers facing many people needing to access important healthcare.

A lot of the conversation two years ago, and I expected again today, focused on how this Bill will affect minor children. And I'm prepared for a conversation about that but I also want to remind the Chamber that although this Bill is important for minor children, it's also important for people 18 to 26 who are on their parent's health plans.

It's important for a wife or spouse or husband who needs lifesaving care facing a domestic violence incident. And it is important as a legal principle that we establish that just because someone has a job and they have an insurance through their employer, doesn't mean they have the ability to dictate medical decisions in all cases for all members of their family.

Madam President, this is an important Bill, it does a lot. And I want to talk about some of the things that are really specific to children because a lot of what the debate today is going to come down to is the shadow hanging over us of the COVID-19 pandemic and how that has changed all aspects of life in our state over the last year, how it's changed many, many, many different things.

One of the critical things that we're gonna be talking about today is a specific need for young people to access life-saving mental healthcare, and how important it is that young people be able to do that. We're gonna talk about the stigma within the healthcare, we're also gonna talk about the opiate epidemic, substance abuse treatment, making sure that kids can get access to STD treatment, making sure that we have a robust healthcare system that helps people who are most in need.

We're gonna talk a little bit about the question of stigma because 20 years ago I was a teenager myself, and I was having a rough go of it, you know, your teenagers are a really tough time in many people's lives. And I remember one morning, around probably

three o'clock in the morning recognizing that I was personally depressed. I needed healthcare.

But you know what, Madam President, I didn't feel comfortable having that conversation with my parents. I felt that stigma. In my family, we didn't ask for help, and there was a stigma about asking for care. And while I eventually mustered the strength to do it and had a difficult conversation with my parents, and my God, I'm here, I'm doing okay, I'm a member of this body, I'm a parent myself. For too many people in our state, for many - - too many people in our country, that stigma, that difficult conversation, is a barrier for lifesaving care.

This last year has been tough for kids across Connecticut. It's never been tougher to be a kid in Connecticut. Kids have been separated from their friends, from their family, from their support networks. They can't access, they haven't been able to access school-based health centers. They haven't been able to play on sports teams. The pandemic has hurt lots of folks but it's particularly hurt our kids. And as a result, we've seen a crisis in children's mental health.

The headline today, the headline today in *The Connecticut Mirror*, "Children with psychiatric needs are overwhelming hospital emergency departments in Connecticut," now there are a lot of statistics in this article about what's that's doing to Yale New Haven Children's Hospital and the Connecticut Children's Medical Center. We can go through that, we can talk about numbers and statistics. But at the end of the day, there are a lot of kids who are suffering right now, and it is so, so, so important that they be able to access the medical care that they need separately, we're in a domestic violence crisis right now.

In December, The New England Journal of Medicine called domestic violence a pandemic within a

pandemic because not only are families being stressed by the economic hardship of the pandemic recession, but also survivors have it just that much more difficult. It's much -- that much more difficult for them to escape to places of safety, to get the care that they need.

There are other issues that we're dealing with as well. In our community, Madam President, we saw the closure of detox beds early in the pandemic as a safety measure because we needed to protect the safety of the Connecticut Valley Hospital and its residents, but all across the state in this country, we've seen an upsurge in substance abuse deaths during the pandemic because people again, have trouble getting the care that they need.

And in many parts of this state and a good deal across the country we've seen an upsurge in violence and the trauma associated with violence. Just on Sunday, Madam President, I was at a housing complex where there had been a number of recent acts of violence. And I spoke with some members of our community, some leaders of our community, with the mayor, and others that listened to parents and children talk about the trauma of violence and it was heartbreaking.

People who had moved to our community fleeing less safe communities, coming to a place they thought of tranquility. And, you know, I remember listening to a junior at Middletown high school tell me about how the kids in her neighborhood heard some fireworks go off and ran for cover because they thought it was yet another gunshot.

The trauma that is affecting kids in our communities is real but unfortunately, Madam President, too many cases, one barrier, not the only barrier but one barrier to making sure that kids, that young adults, that spouses get the care that they need is this issue of medical privacy. "Who's going to know? Because I feel embarrassed, ashamed, stigmatized

about getting the care that I need." Or in the case of survivors of intimate partner violence and domestic violence, "I am worried for my own safety. If I walk into a doctor's office, is my abuser gonna find out? Are they gonna be waiting there for me? Are they going to be afraid that I'm ratting them out to the authorities?"

Medical privacy, Madam President, is important. This Bill, which allows covered members to elect to either suppress an explanation of benefits or direct that it goes to them personally, rather than the policyholder is about saving lives. This Bill will save lives, Madam President, and I urge passage.

THE CHAIR:

Thank you, Senator Lesser. Will you remark further on the Bill before the Chamber? Good afternoon, Senator Hwang.

SENATOR HWANG (28TH):

Good afternoon, Madam President, good to see you again and I rise in support of the concepts that were espoused by the good Chair, but I do have some questions for the proponent of the Bill, and -- if I may, through you, Madam President, ask some of the questions.

THE CHAIR:

Please proceed. Senator Lesser, prepare yourself.

SENATOR HWANG (28TH):

Thank you, Madam President, through you. This was a result of a strike-all amendment in the house. Now, I did my darndest to try to do a side-by-side comparison but could be good Chair explain what the strike-all did, as it relates to the Bill that was passed out of Committee? What were the changes that

required a significant strike-all? Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Yes, thank you, Madam President. And through you, to the honorable Ranking Member, the changes, I believe, are related to electronic means of electing to notify a covered member of a change of elect -- of the explanation of benefits, and also the means by which a covered member could notify an insurance company. And so it provided more flexibility in using online portals, which as the gentleman knows, it's the way that increasingly people access all sorts of information, including their insurance information. Through you.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. Through you, Madam President. Was that strike initially related to a potential fiscal impact, which no longer exists? And through you, Madam President, what were the resultant of the fiscal impact? Because obviously, when you look at making a transition to an electronic delivery, as we've learned through this difficult time of COVID that not everybody gets emails, not everybody because of the bandwidth disparity in our state and throughout our country, not everybody gets that information.

So through this strike-all amendment, was it, one, first question, associated with the fiscal note of the mailing? And number two, what recourse have we had to be able to have proper delivery for those

that do not have access to emails or electronic delivery through this Bill? Thank you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Yes. Thank you, Madam President. Madam President, the Bill has no fiscal note. I don't -- I think the changes required -- performed in the House were at the request of the insurance industry to relieve the burden of them. I'm not sure about the burden on taxpayers because there is no fiscal note for the Bill. In terms of how a person without Internet access could access this Bill, there are a number of mechanisms, but I would say that the most important is at written notice to an insurer would suffice. Through you.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President. So I'm trying to look through the strike-all, and I just don't know where there were other alternative means stated in statute that would address those that don't have the means of getting electronic notification. And indeed, for me, just for legislative intent, I appreciate the consideration that the strike-all amendment does address the previous fiscal note that was noted by the OFA office, so it does now through the strike-all effort not have the fiscal note, but prior it did.

And through you, Madam President, were there any statutory requirements in regards to the examples that was cited by the good Chair of mailing and

other forms. I think he said multiple forms. Could the very good Chair explain for legislative intent, what are the alternative forms for us to ensure that as this Bill garners passage with a strike-all amendment, that these are the legislative intent of alternative delivery receipt beyond the electric form? Thank you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Yes, thank you, Madam President. And through you to the gentleman if you look at the variety of sections of the Bill because the language is duplicated but you could see, for example, on -- let's see, line 114, for example, references notifications in writing. And I think the contemplation there is that written communication between an insurer -- between a covered individual and an insurance company would certainly be appropriate. It might be preferable if an -- if a covered individual does not have Internet access.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. And I want to thank the good Chair for that clarification of legislative intent. It is appreciated.

The next question I have is as it relates to a -- referring to line 76, which allows the consumer, was a covered individual under this policy and is legally capable. So could the good Chair explain what does the term *legally capable* mean in definition by a statutory guideline of, is it a state of mind, is it independent means, is it age-

based? So if the good Chair could explain what *legally capable* is defined under the statute. Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Yes, thank you, Madam President. And through you, to the honorable Ranking Member. *Legally capable* means either an adult or someone who is treated by law, which is either statutory law or case law, constitutional law as being capable of making medical decisions.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President, so an adult that I would presume, is it 18,21, or up to 26 as some of our insurance coverage plan affords? Would an individual under 26 be considered a coverage covered children or dependent or stepchildren, as we debated in this circle before? Where is the qualification begin and stop? Would someone age five be legally capable in making this determination? So through you, Madam President, what is legally capable of a minor, and what are the age or defining measure of an individual that is not an "adult"? And also number two, what is defined as an adult? Is it 18, 21, or 26 under the intent of the statute? Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Yes. Thank you, Madam President. And through you, the -- and adult who is 18 or older, and that person would be in all cases able to make their own decisions, except I think perhaps if they're -- and they've lost the ability for one reason or another. But in almost all circumstances, the majority of circumstances, adults age 18 or over are legally capable of making their own medical decisions.

Then, of course, I think the gentlemen asked me about exceptions to that. There are a number of exceptions, some of which are in constitutional precedent. And then some explicitly in Connecticut statute, where this body in the past, going back a half-century, has granted the ability of minors in certain circumstances to make certain medical decisions. Those are the exceptions rather than the rule, but those are all in existing law and not changed by any of the statutory -- any of the Bill before us.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. And I want to thank the good Chair for his clarification of an adult being 18 but is there minimum wage? Like I said, in regards to this Bill, in regards to the explanation of benefits and the transparency and the independent thought. Is there a minimum age, for example, I mentioned the age five, but let's just go up to someone who's eight years old, are they legally capable of making a request in writing for non-disclosure and exclusion in these explanations of requirement? Is there a minimum wage? Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

I believe the gentleman said minimum age and not minimum-wage, but through you, Madam President, there is a minimum age of 18 in all circumstances --

SENATOR HWANG (28TH): Did I?

SENATOR LESSER (9TH):

-- except those explicitly covered by public health statute to the contrary. So the minimum age would 18, with certain exceptions.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

So thank you. If I did say minimum wage, we just do -- we just did a labor Bill so it was on my mind. Minimum age so, but is there a minimum age requirement? So is there a stipulation that someone that is eight, ten, 12 would not be considered legally capable under this statute? And possibly like I said, if someone's six years old, are they legally capable if they put in writing and a request to make this request valid? Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Yes, thank you, Madam President. Madam President, under Connecticut law, the minimum age for people to make medical decisions is ordinarily 18. That is the law today, that's the law under this Bill. Under the

law today, in addition to that, there are, I believe, one, two, three, four, five, six, seven, eight, exceptions that I'm aware of that have been either created by statute or by constitution, each with sort of separate criteria around them. And I can -- I'd be happy to detail them if the gentleman would like but those are all exceptions that have been recognized over the years either by the general assembly or by federal courts looking at our federal constitution. Through you.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, and indeed the good Chair does offer that there are exceptions to minors and the consent to treatment, and it is categorized and I do have that information. So along that same vein, for legislative intent, except for these exceptions that are outlined statutorily. Most of the procedures and policy and services offered, you need to be 18 or older to be legally capable to make this request in writing. And I appreciate that clarity for legislative intent.

But in following along those exceptional lines, and that's important to note, because the good Chair talked about the importance of mental health and how so many of our young adults have been impacted by COVID in its isolation and the inability to be able to have a normalized social dynamic, whether it be in school, social dynamics, sports, clubs, and it is extremely important. And I want to rehash what the good Chair said in regards to the importance of this Bill to be able to grant these minors that are under 18, and there is no age minimum through this because there is no specific exception to an age minimum cited in statute.

That being said, what we talked about was the ability for those young adults under this Bill to be able to receive an array of services, but in this case, as brought up by the good Chair, mental health services, to not, to not be shared with the primary policyholder and that is one of the points of contention that is a raise -- a point of concern for me because when you talk about mental health, well-being, and myself being a parent of young adults and an understanding the emotion and the roller coaster and the tumult of adolescence and young adulthood.

It is extremely challenging, but what this Bill does is affording an individual that by statute is not considered an adult or legally consenting adult but give them that flexibility to be able to make these kind of healthcare decisions, emotional, challenging and necessary in most cases for those individuals to get the proper care, but what we're looking at is taking out an important component, parental engagement.

What we're saying to those individuals under 18 that if you have challenges caused by the pandemic, the emotions and challenges, and the tumult of adolescence, that it is okay to not have parental engagement. It is okay for a young adult to go through this without the input and support, and ultimately, the participation of parents who in most cases that I know want the best for their child. They could be right, they could be wrong. They can take a different perspective. But one of the most important responsibilities you have as a parent is to be engaged, to be able to offer support in times of stress and de-risk. What we're saying in this statute, putting into law, is that under 18 on these important decisions you don't need to tell your parents.

I can put in writing that I don't need to share this with the primary policyholder, which may or may not be a parent but in most cases it is. That's the challenge I have with this. When we talk about the

unusual dynamic and the unusually challenge so well-articulated by the Chair earlier, he's missing one big point because one of the other components that was shared by the Chair was his very touching and personal story. To me, when I heard it, as a parent, the first thing that comes to mind is I would want to be there for my child, or an individual that is under my support and guardianship.

The fact that we are now as a state making a decision that you, an individual that's not considered a legally consenting adult, can now have that decision to make those medical decisions and healthcare delivery decisions without any input. I'm troubled by that, that's the challenge I have. This Bill is extremely well-intentioned, and in fact, being an interested party, knowing that this Bill had passed history and being raised by the legislature in addressing the very important element of domestic violence victim protection and individuals that may be under a household has consenting adults or a minor in those areas.

It had great intention, I was fully supportive of it. But the articulation that was offered by the Chair in this Senate circled debate raises a very important and concerning issue related to this Bill. That a not legally consenting adult under 18, who may be going through difficult times in their lives, with the state statutory permission now, we are now saying to the insurance company and the care provider that you don't need to tell them, that it's okay, and that the parent engagement process, which is an integral part of my mind to support and provide solutions, is not necessary.

So, it's less of a question unless the good Chair wants to offer some context as a -- I really was appreciative of his story, his personal travails and I want to applaud him for the great success that he has in overcoming but I'd like to think that he did it with his parents support and the support of many others. And I'm glad he came to the realization that

the parent are an integral part of that process. But what we're saying in this Bill is the state's making a decision that a non-consenting adult, under whatever age because there's no minimum can make that decision. And make that decision to disengage the parental or guardians' involvement in being a part of a solution team.

So, through you, Madam President, if the madam -- if the good Chair can offer some context in that or he feels like it's not necessary but for me, I raise that concern, and hopefully the good Chair can allay that concern for me in those issues. Through you, Madam President.

CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Yes, thank you, Madam President. And through you to the Honorable Ranking Member, you know, parental consent, engagement, supervision, mentorship, all of that is important. And it's all reflected in our statutes. There are some exceptions and those exceptions are about saving lives. That's what all of the exceptions are about.

So, you know, with regard to mental health, that law creating an exception allowing a young person to engage in-talk therapy was passed in 1992. That's almost 30 years ago. Because it was important, and seen as important then that young people be able to get life-saving therapy when the alternative is much worse.

There is no doubt-- As a parent myself, I know there's no doubt, I want to know that my kid is doing well. And parental engagement is important, something we have enshrined in the law. But you know what's even more important? Is the life of our kids.

And we decided in 1992, that up to six times, you can go and get talk therapy, you can't get psychotropic medications, here was a decision made, there was a debate in this Chamber, and that law was passed to save the lives of young people in the state of Connecticut.

There were similar discussions in 1975, about substance abuse treatment, my God, I would love to know, I need to know, it's important that I know if my kid is addicted to drugs. But if, for some reason, he doesn't feel like he can tell me, the last thing I want him to do is not get stabilized, not get treatment because he's afraid of talking to me.

All of these things, though, are existing law. And what does that mean? That means if you're poor in this state, if you're a poor kid in the state, you're going to be on Husky. You can, today, go get all other things under this Bill and our parent is not going to find out. Even a rich kid in this state. Say you get a healthy allowance, you can pay cash, your parents never going to find out.

But there's a loophole. There's a loophole to all of our medical privacy laws right now, and that's the middle class loophole. And that's what we're addressing in this Bill. Because if you're a middle class kid in this state, and you need to go see talk therapy, right? You need to want to take that right that you've had since before you were born, since 1992, you can't do it, because you can't access your insurance because of the insurance loophole and our medical privacy laws.

This Bill, through you, Madam President, will close the insurance loophole that prevents the middle class from getting the life-saving care they need to stop teen suicide, to protect domestic violence survivors, to make sure that a kid with an out-of-control addiction gets stabilized. And then, by God, tell the parents.

There are ethical obligations on providers, there are legal obligations on providers. If a provider feels that they need to tell the parents, there's obligations under professions, but also within the law, they are required to make sure that our kids are safe. And, Madam President, with the exception of the insurance loophole, I would suggest that the law is working as is, and that we allow kids to get the care that they need.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President, I do want to echo the statement just made by the Chair, the law right now works as is and allows the exception as we have outlined for minors and the consent without adult supervision to get those treatments. You're absolutely right, Mr. Chair, the laws right now works.

What we're looking in this proposal is to codify in statute, the engagement of parental impact, parental support, parental nurturing, that if a child that is not a consenting, adult over 18, under this explanation of benefits passage, would not have the engagement, it would remove the parental engagement.

Now, you talk about the ability of individuals seeking care. We believe that, we believe that, we codified that into law. But what we're doing in this is saying, "As you're getting care, and you're under the Health Care Benefit Program, you don't need to tell. You don't need to let them know."

And I have to tell you, you know what really hits me on this? As a parent, if I knew my child needed support, I'd be the first in line to say, "What can I do to help?" It is about saving lives. And I truly

believe in the majority of the cases, there may be exceptions, but in most cases, I believe in a parent, and a nurturing environment support network, is an essential element to saving lives. And we do provide exceptions.

But what we're doing in this explanation or removal of notification or explanation of benefits, that a young adult, who is not a consenting one, over 18, can make that decision without any parental input.

In past debates about this, as I recollected, it was about protecting victims, and families, and individuals impacted by domestic violence. A noble, and worthy, and valid justification. But it was the good Chair, in his initial presentation, who brought up the impact of mental health on our young adults, the need for this Bill as IT relates to young adults, which raised my question and my concern and objection.

This Bill, in essence, removes the parental impact and support for our young adults under 18 that are not legally considered capable adults, under this legal definition. And we're now saying to the people, under law on the passage of this, that you, under 18, can make these decisions, which we grant you under statute already, but you know what, your parents or the provider of these policies need ever know. That, to me, takes out an important element of the nurturing supportive environment to protecting and keeping our young adults safe.

If the good Chair would consider reworking this to make sure that there are protections in place, that there are considerations and notifications in place for young adults to collaborate work with healthcare providers and their support network, then that would be something worthwhile that we could do in the circle.

But as the language of this Bill, as articulated by the Chair, that young adults under 18, with no age

limit, or minimum, can make that decision that is protected under statute, the whole array of various services and minors' access to treatment, but whoever is the policyholder, and in most cases may be the parent, would have no engagement. And we are codifying that into law. And I find that deeply troubling.

So, with that said, I'll look for and listen to more of the debate. But I want to thank the good Chair for bringing up a point of concern that I had and articulating, so effectively, the mission of this statute, which ultimately has caused me to question the overstepping of state law into the realm of parenting and parental rights, and their desire to do what is best for their child and loved ones.

So, through you, Madam Chair-- Madam President, I urge to listen others speak on this issue, and I want to thank the good Chair for raising such a significant and an important issue as it relates to this Bill, because on the face of it, it seems very explained self-explaining, it's three or four pages, but through the good Chair's effective articulation of that issue, I must say, I'm troubled by it. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Hwang. Will you remark further on the Bill before us? Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I rise very concerned about this Bill. I see it as another step of the government interfering with parental rights. And I have an issue with the fact that these statements, the insurance statements, explanation of benefits, can go somewhere else rather than to the parent.

I have a couple questions for the good Chair, through you, Madam President.

THE CHAIR:

Please proceed. Senator Lesser, prepare yourself.

SENATOR CHAMPAGNE (35TH):

Thank you. How do we deal with those parents that have high deductibles?

SENATOR LESSER (9TH):

Through you, Madam President, the Bill applies to insurance companies and third party administrators regardless of the type of plan.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President, and through you again. And if the procedure costs \$4,000, are the parents supposed to just pay the bill without any explanation?

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Through you, Madam President. In most circumstances, no. If a parent does not consent to a procedure, they cannot be held liable for the costs associated with the child's decision.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. Through you again, then who pays the bill?

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Through you, Madam President, I would have a lot of trouble imagining that that's something that would happen under this, but the parent would not be liable. So, I think that is something that could be established subsequent to this, probably, by the Insurance-- The department working with providers, but the parent would not, in most circumstances, be liable for any cash.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. But if the parent doesn't consent to this, the insurance doesn't pay it, then, again, who ultimately is going to be responsible for paying that medical bill?

THE CHAIR:

Senator Lesser

SENATOR LESSER (9TH):

Through you, Madam President, as the gentleman may or may not be aware, under the AFFORDABLE CARE ACT, there are a wide variety of services that are available to people with no cost-sharing, preventative care, important reproductive care, there are a number of things that are made available without cost-sharing.

The provider, I think, will be very interested if a young person presents themselves, I assume that provider will not want to be stuck with a tab. And so in the event that there is a high ticket item, I imagine the provider will be well aware of it. So I don't think that situation will come up. But to the extent that it does, the Insurance, the Department and providers would be able to address that subsequent to passage of the Bill.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President, I guess it still doesn't tell me who's going to end up paying in the end. Because if it's a 14 year-old, I know that 14 year-old isn't going to be able to sign any paperwork to legally claim responsibility for the bill. And so they're not going to be able to apply for any state programs.

I don't know if the state can just automatically provide monies through any type of their programs to pay for this. So, you know, I guess, I'm not going to get an answer to that. But again, if it comes down to, if somebody has a high deductible, and they receive a \$4,000 bill at home, they're going to bring the family together, and say, "Where did this come from?" And it could create domestic situations within that house.

Again, you know, we have the state that comes in and leaves the parents at a certain decisions. And as a parent, I want to know what doctors my kids are going to see, because I want to research and make sure they have the top-quality doctors. If this is going to be for any type of mental health, I want to make sure I have a top-quality mental health professional. I want to be involved in that as a

parent. That's my job.

And when you pass a law that, basically, covers all children, not just the certain circumstances, that's an interference with the parental rights, and I have a big problem with that. I can't stand here and support something that takes away from the parents.

There's a lot of different laws that would be covered by this, and I know we just talked about one, I believe it was S.B No.2, the mental health. If we have a suicide child, can they use this Bill to pay for that with the explanation of benefits going-- Statement going somewhere else? Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Yes, thank you, Madam President. Under existing law, whether or not this Bill passes, a young person is able to access outpatient therapy, talk therapy only, and they're also able, if they are 16 years or older, to access inpatient care. And that is under existing law.

A 14 or 15 year-old, under existing law, this was passed in 1979, I believe so, I wasn't here for that debate. But under existing law, a 14 or 15 year-old can self-admit themselves to an inpatient psychiatric facility, but their parents must be notified within 24 hours. So I don't have the Legislative history of that, but those are all covered by existing law.

And the Senator from Vernon is correct that S.B No.2 if it's passed by the House and signed into law by the Governor would make a change to the way that the outpatient procedures and existing law would work, removing the Succession Cap and then also adding a

parental notification requirement to that.

What I would just be very clear to the gentleman about is that, this is not a Public Health Bill. All of these were passed by, I believe, the Public Health Committee, using their considerate expertise in this subject matter.

This is an insurance Bill, Senator, and through the President of the Chamber, I would just emphasize that the only thing this Bill takes away from a parent, in the very limited circumstances covered by this Bill, is an explanation of benefits form.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And I understand that, but when the explanation of benefits can go somewhere else, again, we're keeping the parents out of this and the parental decision making. And no matter how we look at this, how we deal with it, when you remove the parent from the decision making, it is wrong. And they're going to make the best decisions for the kids in most cases. And so, I oppose this Bill simply on those grounds. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further on the Legislation before the Chamber? Will you remark further on the Legislation before the Chamber? Good afternoon, Senator Kelly.

SENATOR KELLY (21ST):

Good afternoon, Madam President. Just one quick comment. You know, we've heard a lot about this Bill, and it's been around in Insurance for a number

of years. If it were just left to issues of domestic violence, and spouse abuse, and when a spouse would go to get help and assistance, I think you would have wide and broad support. Unfortunately, this Bill goes beyond that.

And it does go into the situation where it interferes in the parent-child relationship. Particularly, when you're looking at something like substance abuse and mental health, the Bill presupposes that parents, somehow, are not the best advocate for their child.

We believe that parents love their children and want to help their children. And we believe that the majority, wide majority, of parents are uniquely situated and would be there to help their children. What this would do, in essence, remove parents, who we believe are the child's best advocate.

And just think about this, an individual would have substance abuse issues, addiction, and a parent wouldn't even know about that. And yet, they would have, maybe, painkillers for, maybe, back pain or alcohol in a home and wouldn't even know that their child is struggling with those addictions. We think parents have a right to know.

And for that reason, Madam President, we believe that the Bill, as written, is not as good as it could be, and should not pass this Chamber. Thank you.

THE CHAIR:

Thank you, Senator Kelly.

THE CHAIR:

Will you remark further on the Legislation before the Chamber? Good afternoon, Senator Looney.

SENATOR LOONEY (11TH):

Good afternoon, Madam President. Speaking in support of the Legislation. And wanted to thank Representative Lesser and the Insurance and Real Estate Committee, which has brought back, before the Chambers, over the last several years, so many thoughtful Bills that are of great assistance to purchases of insurance and to those who are often in Extremis, dealing with health situations.

And this is one of those situations, Madam President, where help and assistance are provided to young people, often in need of care, need to have it expedited, and there are circumstances where there has to be some protection from those who might otherwise be causing harm, even if they are related to the person who was seeking the care, seeking the assistance, seeking the confidentiality.

So, this is something that is it's difficult when there is such an alienation that may be existing in the family situation, but in order to provide access to care in these difficult cases, which we hope are rare, this option is necessary and is a response to a genuine need. And I urge the Chamber to support the Bill. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on the Legislation before the Chamber? Will you remark further? If not, I will open the voting machine. Mr. Clerk, would you please announce the roll call vote.

CLERK:

Immediate roll call vote has been ordered in the Senate, this is House Bill No.6389. Immediate roll call vote has been ordered in the Senate, House Bill No.6389. Immediate roll call vote in the Senate, this is House Bill No.6389. Immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

House Bill No. 6389

Total number voting	35
Those voting Yea	23
Those voting Nay	12
Absent and not voting	1

THE CHAIR:

(Gavel) And the Legislation is adopted. Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. I'm just going to stand at ease for a moment please.

THE CHAIR:

Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President for some markings please for the rest of the evening.

THE CHAIR:

Yes. Please proceed.

SENATOR DUFF (25TH):

Thank you, Madam President. Our next Bill will be on Calendar Page 32, Calendar 423, House Bill 6531.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Mark that go followed by Calendar Page 21, Calendar 338, Senate Bill 5. Mark that go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Followed by a Calendar Page 27, Calendar 338, House Bill 6105. I'd like to mark that go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Followed by Calendar Page 6, Calendar 40. I'm sorry, Calendar Page 42, Calendar 473, House Bill 6451. I'd like to mark that go.

THE CHAIR:

Very good. So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President.

THE CHAIR:

Thank you, Mr. Clerk.

CLERK:

Page 32 Calendar No. 423 substitute for House Bill number 6531, "AN ACT CONCERNING THE RIGHT TO COUNSEL IN EVICTION PROCEEDINGS, THE VALIDITY OF INLAND WETLANDS PERMIT IN RELATION TO CERTAIN OTHER LAND USE APPROVALS AND EXTENDING THE TIME OF EXPLORATION OF CERTAIN LAND USE PERMITS." (As amended by House Amendments Schedule "A" LCO. NO. 8289).

THE CHAIR:

Thank you, Mr. Clerk. Mr. Clerk, I'm not seeing the Bill on the board. Got you. Okay. Thank you very much. And Good evening, Senator Lopes. It's nice to see you.

SENATOR LOPES (6TH):

Hello, Madam President.

THE CHAIR:

There we are.

SENATOR LOPES (6TH):

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 your remark sir?

SENATOR LOPES (6TH):

Certainly, this Bill allows the judicial branch to provide free legal counsel to people facing eviction actions, if they are low income. It also allows housing developers more time to complete ongoing projects seeking approval from certain land use boards. This Bill has already passed the house. But a couple of technical problems came up with the

language and we are going to be amending it to -- so should it pass here today, we'll still have to return it to the house for final passage.

THE CHAIR:

Very good. And are you moving an Amendment now, sir?

SENATOR LOPES (6TH):

Madam President, the Clerk is in possession of LCO 9276. I ask the Clerk please call and I'll be given leave with the Chamber to summarize.

THE CHAIR:

And Mr. Clerk, could you please call LCO 9276.

CLERK:

LCO No. 9276 Senate Schedule "A".

THE CHAIR:

There we are. Senator Lopes.

SENATOR LOPES (6TH):

Madam President I move adoption.

THE CHAIR:

An Amendment has been moved for adoption. Will you remark further on the Amendment that is before the Chamber? Will you remark further on the Amendment that is before the Chamber? Good evening, Senator Cicarella.

SENATOR CICARELLA (34TH):

Good evening and thank you. I have a couple of concerns on this Bill, specifically in Section 1 of the amended Bill. You know this is going to affect

landlords, specifically small landlords that are already struggling.

THE CHAIR:

And we are on the Amendment, sir.

SENATOR CICARELLA (34TH):

Okay. I apologize.

THE CHAIR:

No worries. So will, you were you mark on the Amendment that is before the Chamber? Senator Berthel, I see would like to remark on the Amendment.

SENATOR BERTHEL (32ND):

Yes. Thank you. Good afternoon, Madam President. Good to see you this afternoon. So my comments on the Amendment, if I understand which Amendment we are speaking on right now is to go and change some of the -- to correct some of the issues that were in place in the Bill. Through you, Madam President to the good Chair regarding extending of dates and adjusting timing for permits correct? Through you.

THE CHAIR:

Senator Lopes.

SENATOR LOPES (6TH):

That is correct. We also found a couple of technical mistakes with the other part of the language also.

THE CHAIR:

Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you, Madam President. I thank the Chair for the clarification. Just a little bit of confusion as we came into the Chamber so I stand in support of the Amendment. I think that this is very similar to the Bill that we recently passed here in the Chamber a couple of weeks ago. And I think that it makes the appropriate and necessary corrections that we got through the great people that support us over in LCO, and does all the great things we talked about when we discussed this Bill a few weeks ago. So I urge adoption. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Berthel. 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 please signify by saying aye.

(MEMBERS):

Aye.

THE CHAIR:

Opposed? The ayes have it. The Amendment is adopted. Will you remark further on the Legislation before the Chamber? Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you. For the second time I'll try hopefully it's the right time. As I was saying earlier, regarding Section 1 of this Bill, the landlords, specifically small landlords are struggling now more than ever, after this terrible pandemic which really affected the rental market. And all of these landlords who have these properties and are not collecting any rent, factoring the increase in taxes, the cost of goods, lumber prices, material

prices to keep these units safe for their tenants with no income.

It's bad enough that you know, for over a year, in certain situations, people are living there at no cost. And I think this is going to extend that burden on to the landlords, specifically small landlords at the worst time. I do understand that it's trying to balance the scales of justice to help tenants that are having issues with landlords and are fighting eviction. But there are already processes in place where the judge has the ability to extend for 30 or 90 days.

You know, this really does the opposite of balances the scales of justice, you know, the state is literally going to pick aside and help one citizen over another. And I just think that that's a slippery slope. And again, I can't reiterate that it's at the worst time for the small landlords. I remember I bought my first property and I was 21 years old. Instead of buying a car, I bought a multifamily house. And I had to put every dollar into it just to get it and I put all of my sweat equity into that property.

And I remember I inherited a tenant, a small child on the second floor, and I wanted to really have this property completely empty. But the person I bought the property from said, "Can you let them stay, I have a small child in school to middle the school year." And I did. And I had to get an attorney to help me evict somebody for multiple reasons. And it wasn't just lack of payment.

And I found out how expensive it is for a landlord, landlord to hire an attorney in housing court. Not to mention hourly rate. But if anybody's ever been in housing court, it takes a long time to see a mediator or get in front of a judge. So in that process, it opened my eyes to say I'm getting punished for allowing somebody to stay in this unit. And not only am I not getting paid the rent, but I'm

going to have to pay an attorney \$350 an hour to sit around for a majority of the day waiting to see a mediator.

And I did not have the money at the time. I put every dollar I had into this property and I had to borrow money from my parents who also didn't have the money to be paying for an attorney in a situation like this, me young guy trying to get ahead. And it opened my eyes to sometimes the cost that are unrealized. And this right here is going to extend that same burden onto a lot of landlords.

While campaigning, I bumped into an individual named John from Wallingford and he was explaining to me that he had a family home that was left to him and he had a small unit that was being rented out and the individual is not paying any bills. And the lease allowed the person to pay one flat rate with all the utilities included. And the individual was not paying \$1. John was retired on a fixed income, and had no money to pay the utilities to pay the taxes to pay whatever was left at the mortgage and in this situation, John's not going to have the money to hire an attorney.

So now the individual that's in his basement apartment is going to get the opportunity to be appointed counsel at no charge. And John, who can't even afford to pay his taxes is going to have to go there pro se. So again, as I see that there may be good intentions with this Legislation. It's not balancing the scales of justice, and we need to keep into consideration there is a lot of people that are trying to get ahead and invest. And this will negatively impact these small landlords. I do have some questions regarding some of the areas or sections within this Bill. And through you, I have a couple of questions.

CHAIR:

Please proceed sir, and Senator Lopes, prepare yourself.

SENATOR CICARELLA (34TH):

Thank you. So it's my understanding that the intentions are to appoint counsel for the landlord. I'm sorry for the tenants if they're in the process of eviction. Is there anything that would allow aid for the landlord that doesn't have the means for counsel?

THE CHAIR:

Senator Lopes.

SENATOR LOPES (6TH):

Thank you, Madam President. No, there's nothing in the Bill pertaining to that.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

So what are the intended goals of this Legislation specifically in Section 1 of this Bill?

THE CHAIR:

Senator Lopes.

SENATOR LOPES (6TH):

Thank you, Madam President. The Ranking Member has said a lot of accurate things in his statement earlier. These times have been tough on tenants, these times have been tough on landlords. There are a lot of - this is a very difficult year in our lives. And we have commented in the Housing Committee, often the Ranking Members and the chairs that in some realms, there's this persistent myth that landlords like evictions. Landlords do not like

evictions, evictions are terrible things. They're terrible for tenants. They're terrible for landlords, they're terrible for communities. They're absolutely awful for the economy.

And so a lot of things were done during the pandemic to prevent evictions and work on people maintaining stable housing. There are things now being put in place to help landlords who have lost rent during that time, and there are a work in progress, but they are moving in the right direction. But the goals of this Legislation do have that there are components that will help landlords having a right to counsel, having your tenant having counsel is not necessarily something negative for the landlord.

A good attorney, especially a legal attorney, who deals with this all day long can bring resources to that tenant in terms of finances, counseling, various other problems that tenant may be facing, that are contributing factors towards the eviction or non-payment or other problems in the household. So there is a possibility that in a mediating sense, that right -- the counselors actually can help the situation as a whole, which once again is good for the landlord because nobody likes evictions.

In addition, in this Bill, there is a section that allows the judicial system to allocate more money towards the court mediators. And in my personal experience, I found the mediators to be very helpful through the eviction process acting as an impartial person between the landlord and tenant. Because as you may know, when there's an eviction, it can get very personal, it can get very hot, and it's hard to negotiate with someone who you're very upset with.

And these mediators step in and do what I've seen a very admirable role in that situation, cutting a deal and making things happen. Once again, this helps the landlord. Especially if we can allocate more money to the judicial system, so they can hire more mediators and legal aid for the tenants that we

actually might speed up the process when there are evictions that should go forward. And that is part of the hope that can help the landlords. Thank you.

THE CHAIR:

Thank you, Senator Lopes. Will you please proceed Senator Cicarella?

SENATOR CICARELLA (34TH):

Thank you and through you. I do agree that the mediators do a phenomenal job of trying to get a resolution to the issue at hand prior to going in front of the judge. Do you think through you that it would be more beneficial to have more mediators opposed appointing counsel for every one of these housing matters? Through you.

THE CHAIR:

Senator Lopes.

SENATOR LOPES (6TH):

Thank you, Madam President. I think there's a balance there. I think both are needed. I've had very good experiences with mediators. I have had tenants who use legal counsel through legal aid. I do think there's a balance and I think we'll be determining as we go -- as this program goes, which ones help the process more.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you. And through you another question regarding the mediators. So it's the intention to hire additional mediators for the judicial system specific to the housing court?

THE CHAIR:

Senator Lopes.

SENATOR LOPES (6TH):

Correct. There is there's a provision in this Bill that should the judicial system -- just a branch receive extra money, they have the ability to hire more mediators where they shall hire more mediators.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

And while we're on the mediators, I have some additional questions through you. The funding for the mediators is going to be coming -- or the funding for the whole program is going to be coming from federal aid from my understanding. What's going to happen to the state employees now, these hired mediators, after the federal funding is no longer there?

THE CHAIR:

Senator Lopes.

SENATOR LOPES (6TH):

That is very good question. Thank you, Madam President. In two years time, I'm sure we'll be debating something along those lines.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

So that is my worry. Just that right there. I apologize, through you. So that is some of my concern that the money will soon be gone. And we're going to now have more employees and no way to fund those positions, even though they are very important and helpful to the housing court, so people are not waiting hours to see mediators at \$250 to \$500 an hour for their attorney. So I do see the value there.

But the concern is when the federal money is gone, how are we going to pay for that? And through you an additional question regarding the council that's going to come along with this proposed Legislation. I do assign council work, which is essentially the right to counsel for criminal cases. And there may be a situation where individuals get arrested, they cannot afford an attorney. Everybody knows the saying, 'one will be appointed to you.' What comes along with that are experts. So if you need a DNA expert, if you need a handwriting analysis, if you need somebody to investigate the case, additional experts will be hired at the state's cost to provide this assistance when it comes time to try a case.

My question is when the attorney and the mediator cannot come to a resolution, and they do have to go in front of a judge and have a trial and put on evidence, what is going to be the mechanism to fund any experts or witnesses, serving subpoenas to people that may need to come in to testify, etcetera. Through you.

THE CHAIR:

Senator Lopes.

SENATOR LOPES (6TH):

Thank you, Madam President. There's nothing in this Bill explicitly addressing that. Although there is a workgroup created by this Bill, who will be working with the judicial branch to determine how to proceed

in the future with this Legislation and how to make it work.

THE CHAIR:

Senator Cicarella.

SENATOR CICARELLA (34TH):

So I do understand that this is a work in progress. So I have a bunch of additional questions that we're going down that path, but for the sake of time, I'm going to just, I guess close with a comment. Last week, we talked about the right to housing, which is a study to explore ways to make housing more affordable, accessible, safe for citizens in Connecticut. And this is a great example of what I hope that some of these studies find that we have a high cost of doing business in the state of Connecticut, especially around housing.

Again, from the property taxes from the cost of permits doing work on these properties that need to be done to make it safe for their tenants. This is just another example of the high cost of doing business in Connecticut, you know, the landlords are going to have to now pay for counsel, and they're going to have to pay for the council a lot more than they would have in the past, because they're going to end up in trial.

It is my opinion based upon my experience in the criminal defense world, that while they're trying this case, or arguing this and going after a continuance and continuance to get to the point of a trial, that person will be staying inside that residence presumably rent free, and the landlord is going to be paying for an attorney to argue this. And that's, again, just another great example of the costs when it comes to housing.

And essentially what we're doing is increasing the cost of these rental units, right here in this

Chamber. We are we are making it more expensive for landlords therefore it's going to be more expensive for the tenants. And I do think that we really need to take a look at what we're doing so we could reduce some of those costs. For some of those reasons I have some real concerns and hesitation on this legislation, specifically Section 1. Thank you for your time.

THE CHAIR:

Thank you, Senator Cicarella. Will you remark further? Good evening, Senator Anwar.

SENATOR ANWAR (3RD):

Good evening, Madam President, I rise in support of the Amendment Bill 6531, the right to counsel in eviction proceedings. Madam President, I do not have questions, but I wanted to make some remarks. I wanted to first of all, thank the proponents in the house as well as in the Senate for this amended bill. But I also want to thank a number of volunteers in organizations across the state of Connecticut, who have been trying to do their best to provide free counsel as volunteers to try and prevent evictions.

These are heroes who have been working tirelessly in the last many months, we have had evictions, even prior to the pandemic, and those individuals have been helping in the tenants who are suffering. But in the last many months, their workload has increased very significantly, I wanted to thank each and every one who's been working hard, but their capacity to continue to provide those services is obviously limited, because they will not be able to manage the challenges that are in front of us.

Madam President, I wanted to share a brief story. A few months ago, I had received a phone call from one of my constituents in East Hartford. She was in her 60s and had hypertension, diabetes, health related

issues. And she did not fulfill the criteria of the federal or the state moratorium that resulted in her being very close to losing her home. Her challenge was that if there was representation, she could have fulfilled the federal moratorium capacity because of the timelines, except that she had nobody to be able to plead her case in front of the judge.

And at that time, it was a struggle to try and help take care of her. She was going to be in her car. The car was not functional and as we all know, in roughly around the month of February, it is quite cold. And here we were going to have a person who was going to be homeless and it became a challenge to try and save her home and save her from being homeless. Literally calling and pleading all the volunteer lawyers in the state of Connecticut.

Everybody was overwhelmed. And there was not a single person available to the point that I said, well your case to me seems enough. I can read up on the federal laws and nighttime I'll go and do this. But it is illegal for anybody who's not a lawyer to go and represent an individual in that situation so that was off the table. She could not represent herself between her situation. And this became a very big struggle. This was very preventable situation, which resulted in a significant anguish for her.

And then finally, one person who actually was able to help out was a lawyer I had requested. And then she was able to represent this individual and then share the truth about her condition. Now, this case illustrates 100s of people, 1000s of people in our state and I wanted to share some numbers from October 2020. Now we have a federal moratorium and the state moratorium despite that October 2020 until now, we have over 1000 people who have been evicted in our state, over 1000 people.

An overwhelming majority of them are of minority communities are black and brown communities are the

ones who are in the frontline of this challenge. Madam President, we are going to hit against an eviction cliff that's around the corner. The eviction moratoriums have not removed the eviction risk, they have actually just paused them. And when this pause is going to be lifted, we will have a cliff which is going to have an impact on 1000s of our state citizens who are going to be impacted and they may be at a risk of losing homes.

There are concerns of course, the cost remains a concern. And I think the important thing we have to recognize is that we are not the first state that is looking at this. We are not the first cities and places that are looking at some of these costs and the savings that are associated with it. So the data has been there. The data from the national level shows us that about 90% of the landlords have representation, 90% and only 10% of the tenants have representation.

So 90% of the tenants do not have representation. And representation does matter. The inability of those individuals to have the representation in a legal system does not allow them to have anybody fight for them. And as a result, they lose their homes. So while theoretically it sounds okay, that that's possibly happening. Let's look at the other numbers in detail. In Cleveland, in the first six months alone, in the first six months of the enactment of this similar law resulted in 93% reduction in the number of people who were evicted.

And this - it does not mean that the landlords were getting the short end of the stick. Actually, the landlords like Chair Lopes has mentioned is that landlords are not interested to get rid of their tenants. They are interested to make sure that there's a secure mechanism to get paid sooner or later. And those mechanisms were identified in many of those cases and solutions were identified.

And I want to recognize that in the absence of those options, people are going to lose their homes, people are going to become homeless. And guess who's going to pay for that when they're going to go through the challenges? We are, we are and we can prevent this. And that's the -- brings me to the next point is that the data from various cities, New York, San Francisco, and other places has actually already shown Baltimore, Philadelphia, Massachusetts for that matter has shown that for every dollar that is going to be spent in right to counsel and eviction prevention is going to save the state or that area from \$2.4 to \$12.74.

So we can -- for the return on that investment is minimum more than double. And then on the other side, on the upper end, it's been about 12 times more savings that we have seen in other parts of the state and other parts of the country. So I feel it's a right thing to do at the right time. And this is going to require the leadership and we really have to put this in a situation where the -- one of the role of the government is to take care of the society and the people, when they're going through hardship.

Everybody's there, they can take care of themselves, when they are not struggling, they're surviving, they're happy, and then everything is okay. But when they're struggling, and they're going through the challenges of losing their home, that is where the -- our society should be able to say we can prevent that. And we prevent that we are not only helping that individual, but we are helping ourselves. And those rough spots, the challenges that people are going through, hopefully we'll return back because the jobs are coming back slowly and gradually.

Nobody wants to lose their home. Nobody wants to be homeless by their choice. It is going through a struggling time at this point. And I'm hoping if we have this program in future, we will be happily reducing the resources for it because the problems

that we're anticipating would decrease. So Madam President with that, I just want to thank all the people who have been proponents and have been the activists and the community members who have been educating all of us for their hard work and I'm honored to be here to support this Bill. Thank you so much. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Anwar. Will you remark further on the legislation as amended? Senator Cicarella.

SENATOR CICARELLA (34TH):

Thank you. And just wanted to comment briefly on the testimony I just heard, I do agree that we want to prevent homelessness, and the state does have an interest in that, especially financially. No one wants to see anybody homeless, but it should not come at the cost of the already suffering landlord. A lot of the homes that are being rented are owned by people that have a single investment property, maybe two not high rises, and multiple units all over the state. The landlords are also struggling, and we're not looking at a way to help them in this time. And I think it's important that we do that. Thank you.

THE CHAIR:

Thank you, Senator Cicarella. Will you remark further on the legislation? Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Madam President, I'm a bit confused by this legislation and I rise in opposition. I understand the purpose. We don't want anybody evicted. We want those people who need representation to have representation. I'm okay with that. We have Madam President \$235 million in a fund somewhere in the state of Connecticut for landlord

support. Landlord support that needs some tenant cooperation. Landlord support that would eliminate the need for this Bill. Landlord support that would eliminate the need for counsel for anybody because there's enough money to pay rent.

I think I figured if we divide 235 million divided by \$1,000, that's 235,000 months that we can pay rent at \$1,000 a month. We wouldn't need to worry about evictions. We find a way to manifest that money from somewhere in the coffers of the state of Connecticut to the landlords who have not collected rent for 12 months, 14 months, 16 months that are paying insurance, that are paying utilities, that are paying taxes, that are paying carrying costs. And here we are worried about counsel for people who are being evicted.

And I don't want to see the eviction cliff. I don't think anybody wants to see the eviction cliff Madam President. We have -- the Governor has started with a program that had I believe \$40 million. That had some trouble getting off the ground. That finally got some money into the system.

The new administration has now sent 240 some odd million dollars, I understand there's a couple of million dollars have been put into the system. But we have \$235 million, we should be finding a way to get that into the hands of the landlord so they can say to the tenant, you don't have to worry about being evicted. You have time now, somebody the government just paid six months of your rent, eight months of your rent paid all of your back month, whatever it does.

Do I think we're just -- I think we're looking at a situation from the wrong angle because I think we can help everybody if we just found a way to get that 235 million. We help the landlords who are providing a service by renting a piece of property or an apartment or a room to somebody who needs it who perhaps can't afford to buy a house or needs a

place to live. Landlords provide a service. Sure, they make a few dollars, but they provide a service that otherwise people would have trouble finding a place to live.

So we have the money and the wherewithal to protect the landlords. We have the money and the wherewithal to pay the rent for the tenants and instead of pushing our efforts toward that we're trying to find a way to go to court. We're trying to find a way to pay for attorneys to represent people that can't afford legal fees.

I'm all for that in those situations that are necessary, but let's exhaust the 235 million first. Let's get rid of this problem that somebody just said, I believe the good senator across my way said, you know, the eviction cliff. Let's smooth that over. Let's take care of that. And then we can pay money to tenants who truly have exhausted all of the resources here in the state of Connecticut, to have their rent paid for them both in arrears and forward, and then find a way if they still need legal counsel, then let's find a way to get them legal counsel to help solve that one problem that they might have.

So Madam President, I'm confused by this legislation. And I hope that there are ears out there listening, that we can somehow create an opportunity that the tenants and landlords can work together. Take this 235 million, we have billions of dollars coming in from the federal government. Take this \$235 million and put it to good use to benefit those tenants, eliminate these evictions, and then make sure that the landlord still will have a place that they can use to provide housing for people who need it. Thank you, Madam President.

THE CHAIR:

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

voting machine. 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, House Bill 6531 as amended. Immediate roll call vote has been ordered in the Senate, House Bill 6531 as amended. Immediate roll call vote in the Senate, House Bill 6531 as amended. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote in the Senate, House Bill 6531 as amended. Immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

House Bill No. 6531 as amended.

Total number voting	35
Total voting Yay	22
Total voting Nay	13
Absent not voting	1

THE CHAIR:

And Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President I move for suspension for immediate transmittal, please.

THE CHAIR:

And I do wanna that that piece of legislation did

pass sir. And, yes immediate transmittal, so ordered.

SENATOR DUFF (25TH):

Thank you. Madam President, will the Senate stand at ease please?

THE CHAIR:

Senate will stand at ease.

Senator Duff.

SENATOR DUFF (25TH):

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

THE CHAIR:

Mr. Clerk.

CLERK:

Page 21. Calendar No. 338. Substitute for Senate Bill No. 5. AN ACT CONCERNING INCREASED OPPORTUNITIES FOR ABSENTEE VOTING SAFE AND SECURE IN PERSON VOTING, VOTER REGISTRATION, AND CERTAIN OTHER CHANGES REGARDING ELECTION ADMINISTRATION. There are Amendments.

THE CHAIR:

Good evening, Senator Flexer.

SENATOR FLEXER (29TH):

Good evening, Madam President. Madam President I move for acceptance of the Joint Committees 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 is a broad Bill that makes some very important reforms to our state election laws. I would like to talk about the Bill in detail, but I think to best start the conversation here in the Chamber, I should call an Amendment that will make some clarifying changes to the Bill and better inform the conversation to follow.

So, Madam President the Clerk is in possession of an Amendment LCO 9130. I ask that the Clerk please call the Amendment and I be granted leave of the Chamber to summarize.

THE CHAIR:

And Mr. Clerk if you could please call LCO 9130 sir.

CLERK:

LCO No. 9130 Senate Schedule A.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, as I said just a moment ago, this Bill before us is a broad reform of important provisions of our state election laws. And the Amendment before us represents some significant changes to the Bill from the original Bill that passed Committee.

There are several sections that are removed from this -- from the underlying Bill by this Amendment, but I'm going to talk about the Amendment as if it

were the Bill.

This Bill, I think can be painted in a couple of different ways. One is that it does what we can within the current confines of our state constitution. To make voting more accessible here in Connecticut.

It eases the process for registering to vote. It codifies our current existing practice where voters are automatically registered through the Department of Motor Vehicles.

It makes sure that our state statutes are compliant with that current practice. So that practice can continue moving forward.

It ensures that other agencies that can verify a person's identity and importantly, their citizenship can also participate in that automatic voter registration.

I know we're going to have a good debate here on this proposal this evening. But I do just want to say clearly that I think it's very important in Connecticut that we make it as easy as possible for people to vote.

And that's what automatic voter registration does, putting someone who's interfacing with state government in some way, where the identity of that voter and the citizenship of that voter can be verified, and allowing them to register to vote right then in there, will enfranchise more of our state citizens to exercise their right to vote in the future.

The Amendment also includes an important provision asking that the Secretary of State see if there are other state agencies that can participate in this automatic voter registration process.

At the suggestion of my good colleague, the ranking

Member of the government administration Elections Committee, the Secretary of State will be studying whether or not a person's identity and citizenship could be verified at other agencies where our residents interface with state government including but not limited to the Department of Consumer Protection, the Department of Environmental -- excuse me, the Department of Energy and Environmental Protection, the Department of Emergency Services and Public Protection.

And also, I thought it was important to include our Department of Veterans Affairs, which is a place where so many of our state's residents who have served our country, so nobly get care. And this would encourage our Secretary of State to see if there are ways to verify those individuals and allow residents to be automatically registered to vote in the future.

Madam President, this Bill also eases the process for a variety of forms where people interface with the Secretary of State's office, as you know, all too well. There are a variety of forms that people running for office have to provide to the Secretary's office or people just wanting to participate in the election.

This would allow the Secretary of State's office to have an E-signature system for most of these forms and applications which will ease people's participation in those processes. And as we've seen, of course, over the last year-plus, during the pandemic, it's important that these kinds of forms be allowed to be transferred electronically, not just in the hard copy format.

The Bill also encourages high school students to be informed that they are in, fact if they're 17 years old, old enough to be registered to vote, potentially old enough to participate in a primary. And when they turn 18 eligible to participate in all of our elections.

I think it's important that we ensure that young people are interfacing with our electoral process as early as possible to help them know how to register. And to help them see that their voices are important. The earlier people start voting, the more it can become a habit for them. So this is an important provision of the Bill.

It also allows people to be given two hours of unpaid leave to vote. I think sometimes when we talk about these issues here in the Chamber, it can be hard to know what it's like when you're -- when you don't eat, sleep and breathe elections. And when Election Day isn't day you've been counting down to, since the summertime.

It's important to recognize that people have busy lives. And because our current election laws are so restricted by our state's constitution. I think this provision is particularly important to make sure that people can exercise their right to vote. The original Bill had contemplated this being a paid time off period. And I'm hopeful that people will recognize this unpaid two hours of time off, as an attempt at a compromise.

The Bill also has a really important provision in here that we've been trying to move forward on in this Chamber and in this general assembly for several years, and it will re enfranchise people who are on parole.

People who are on parole have been asking for a long time to have their voting rights restored. Right now, once you've completed your conviction for a felony offense, your voting rights are restored if you are released from incarceration or if you are on probation, but that is not the case for people who are on parole.

I believe this is an important measure, people who have finished their period of incarceration should

be fully welcomed back into our society. And a big part of that is being able to exercise your franchise as a voter. And I'm hopeful that my colleagues will support that piece of the Bill here this evening.

The Bill makes a number of other changes with regard to information about election notices, about making sure that voters can have a little bit more security, when it comes to the information that's shared about them as a voter.

I know that I've been contacted by many voters who are surprised that the public dissemination of the voter list is so widely available on the internet in particular, and I'm not sure that we really contemplated what sharing all of that information of people who choose to participate as citizens in our society and the electoral process.

We've really fully contemplated what giving up all of that information about a registered voter means people are often surprised.

And so Madam President, this Amendment before us will keep some of that voters most identifying information, their full Date of Birth confidential, so that there can be a little bit more privacy afforded to those of us who choose to be registered voters.

The information that's out there right now is, as I've said, easily accessible, and also can be used for a lot of nefarious purposes. And so I think this is a really important provision to give people confidence. And it goes hand in hand with some of our other laws that allow people who are concerned for their safety to keep this information, private.

Madam President, this Bill makes some important changes with regard to voting for people with various kinds of abilities. It makes an important change to help people with visual impairments, it

makes an important change, to allow voters with disabilities to have assistance. And it makes an important change to clarify that our state law does not discriminate against people with developmental disabilities.

These changes are changes that various advocacy groups have been asking for some time to ensure that our election law is both accessible for people with a variety of abilities, but also that our election law does not talk down to or does not inaccurately represent people with different abilities. And I think those provisions of this Bill are really important.

It also makes permanent the drop boxes that were a key part of our election last year, the Secretary of State's office, very smartly used federal resources last year to get those drop boxes. And I think it's important that we maintain the existence of those drop boxes and make them a permanent feature of our elections moving forward.

And this provision is important. So there isn't a gap in time or there are communities where those drop boxes aren't stored safely and used for elections. Moving forward.

Madam President, again, I believe that this Amendment and the underlying legislation in front of us is important and that it is opening up the right to vote to more people, it is ensuring that everyone has as easy a path to exercising that franchise of voting, and it makes important clarifications for people who may need assistance in exercising that right to vote, Madam President.

Madam President, I'm hopeful that my colleagues will choose to support this Amendment here today. I think it reflects a common sense look at our election laws and trying to look at our existing laws in terms of how can we ease voting for as many people in our state as possible? Whether it's participating in our

traditional November state and federal elections, or in our municipal elections?

How can we make sure that our state election laws make it easy for people to vote and make it easy for everyone to participate?

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further on the Amendment before the Chamber? Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I rise in support of the Amendment that is before us. Senate Bill 5 has had a long journey through the General Assembly through the Committee process, through our hearings and some lengthy debate on the GAE Committee this most recent year.

And from the beginning, I always recognize this Bill as having good elements and some that I did not care for.

I want to just take a moment to agree with my colleague and the Chairman of the Committee, that we absolutely have a responsibility to our constituents to make sure that we provide the most assessable voting system possible. I am very much in support of that our system should be completely accessible by every person, regardless of their background, or their location in the state.

But it also must be a fair system. And it must be a system that our citizens can rely on to know that the vote will be accurate, that it will be truthful, and that there is no question about the results.

And I believe that this Bill moves us somewhat in

the right direction, and has some questionable hold up parts that we'll get into.

But the Amendment that's before us, Madam President, I believe is a tremendous gesture of compromise on behalf of my colleague, and I am sincerely appreciative of her taking my recommendations in some of these areas and improving this Bill dramatically.

I think I mentioned in the hallway that this was a red alert Bill to me last week. And now, I don't even know if it's a yellow alert Bill. At this point, I probably will not support the underlying Bill, assuming the many Amendments that I will offer tonight are not passed.

But I do want to say that I am sincerely appreciative of my colleague. She represents a majority that can easily pass legislation that I would not like. And the underlying Bill may just as well have passed this Chamber, although it would have received a considerably more aggressive amount of opposition.

But I am very, very appreciative of the desire to work together as much as possible to make a better product. I think in the end.

Just to go over what the Amendment does really, it removes a lot of sections. There were many of my constituents that contacted me regarding some prohibitions on firearms, you know, near polling locations. Election Day as a holiday sounds like a great thing. But unfortunately, it only would apply to state employees. And ultimately, will result in a cost to taxpayers. So that was something that I objected to.

I had some concerns about, you know, the combining of Lincoln and Washington's Birthday and so forth. Telling an employer that they have to pay someone for time off to go vote was a non-starter for me

that is removed from the Bill.

There's a there's a quite a few sections, and not even to get into all of them, because we're going to go through the whole Bill. But I am sincerely appreciative of the changes that were made. And I encourage my colleagues to support the Amendment as a gesture of good faith in our bipartisan work here in this Chamber. 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. All in favor, please signify by saying Aye.

(MEMBERS):

Aye.

THE CHAIR:

Opposed? And the Ayes do have it. Will you remark further on the Bill as amended? Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. So as I promised, we're going to just kind of zip through the Bill section by section and talk about some of these items.

So the very first few sections of the Bill and I said this was a large Bill, and it really is it has 50 sections. At least to start with. I don't know what it comes out to after the Amendment. But the very first few sections have to do with what was referenced as automatic voter registration.

Now, I'm not opposed to the policy of having automatic voter registration. I think that it's a good policy, I think we should try and find ways to be as inclusive as possible, when trying to

encourage our citizens across Connecticut to take part in the electoral process. And getting them registered to vote is the first step in that process.

Again, sometimes the devil is in the details. So I do have a couple of questions. If I might throw you Madam President. In the -- just for reference to my colleague, the Chairman of the GAE Committee, I'm going to be looking at the file copy just for the ease of knowing where we are in the Bill, I hope that works for you.

Anyway, lines 53 through 64. There's a paragraph there about establishing the electronic system for voter registration.

My question is on line 60. There is a statement that says that the Commissioner of Motor Vehicles shall provide an electronic system subject to the approval of the Secretary of State to effectuate the purposes of Subdivision 1, which is registering people to vote. Regarding application for admission of an elector -- I hate to read the whole paragraph except that the condition that the applicant attest to meeting each eligibility requirement may be waived. And this is the part that I'm asking you about. It says, "For any such eligibility requirement verified independently by the said Commissioner through a federally approved identity verification program," which I'm completely fine with. I think that makes sense.

But then it says "or other evidence acceptable to said, Commissioner," and to me that just raises a red flag as someone who's concerned and wants to make sure that we are using legitimate identification purposes to make sure that we have the proper information before we register someone to vote. What is "other evidence?" Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. First of all, I'd say that broadly, this section is codifying the current practice. So this is already taking place at our State Department of Motor Vehicles, as my good colleague knows.

And so I believe that the line he's referencing has to do with the two different systems that are currently in place, when the Department of Motor Vehicles issues driver's licenses, I'm not an expert on our DMV statutes. But I believe what it talks about is the federally approved identity verification program. So that's the real ID system that people have to present certain documents in order to qualify for that real ID. But as the good Senator knows, you can still get a driver's license in Connecticut that is not part of that federal real ID system. So I believe that that line would refer to those other documents where someone could get a Connecticut driver's license, but not necessarily using documents that meet the threshold for the federal real ID.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. And I appreciate that answer. And I think that's a perfectly legitimate answer. But it does leave me with a sense of doubt about what that other evidence still is.

I'm assuming that to get a driver's license in the state of Connecticut, you just have to provide, I think it's going back ways for me. But I think I had to provide two forms of identification and go

through the class and so forth.

I don't know I've just I have a little concern with what other evidence available acceptable to said, Commissioner, is. We're kind of leaving it to the commissioner to determine what is acceptable evidence that someone should be admitted as an elector?

If you want to expand on that anymore, I'd be delighted to hear more. Thank you. Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. And I hear the good Senator's concerns, again, I would think of this is the things you needed 15 years ago, or longer, when most of us in this circle, were first getting our driver's licenses.

So right now, when you go and you want to get that driver's license that also qualifies as that real ID, there's a higher threshold of documents. So I don't know if it puts the good Senator's mind at ease. But you would still need to write to verify your identity, the same way that the two of us and most of the other Members of this circle had to identify ourselves when we first got a driver's license.

But it's not that higher threshold which I remise to actually name the documents because I don't know specifically what the requirements are for a real ID. But I believe it's things like the actual raised sealed birth certificate and passports and things like that. Whereas the threshold to just get a regular state of Connecticut identity verified

driver's license would be those things that fall under the other documents category.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Mr. President. And I appreciate that answer very much. I'm just going to move on to my next concern. I appreciate the answer that I received. And I'm not even really concerned that this is not going to be done properly. I guess what I don't like to see is a vague term in our statute that essentially leaves it up to the Commissioner of motor vehicles, whoever that may be, at any point in the future to determine what other evidence is to allow that person to prove their identity.

Certainly a real ID is a very high standard. I don't know that that's necessary. And I understand the desire to put something in our legislation here that would make it so that someone who's able to get a driver's license could also register to vote. But it doesn't say that it just says other evidence acceptable to said, Commissioner.

But just moving on. There's another concern I have in these few sections about the automatic voter registration, which is in lines 196 through 201. And this essentially says that if the voter registration agency, which could be motor vehicles or another agency that is set up to do this same type of system.

It says that if the agency cannot determine whether a person applying for assistance or services provided by the agency is a US citizen, such person shall attest to his or her United States Citizenship as a pre-condition of the agency processing their admission as an elector.

This, to me, is just inadequate, I'm afraid, Mr. President, it just simply says that a person can sign a document that says that they are a US citizen, I don't think that's sufficient to determine that that is entirely true.

I don't want to say anything that's pejorative about folks that are undocumented in the country, but someone who is willing to cross the border, in violation of our laws probably has no problem saying that they are a US citizen on a document either. I wish it weren't that way in this world. I would like to see us have a more cohesive and sensible immigration policy that doesn't force people into that situation.

But at the end of the day, I don't think this is adequate to determine someone is indeed a US citizen. And as a result, I have an Amendment to address both of the concerns I just mentioned.

Mr. President, the clerk is in possession of Amendment it is 9150. And essentially, what it does is it strikes the language that I just mentioned, it keeps the Section whole it's not intended to undermine the entire Section.

THE CHAIR:

Senator Sampson? You--

SENATOR SAMPSON (16TH):

Yes, I did. I'm sorry. I didn't ask to summarize. I didn't know that I had to do it in any particular order. But I would ask the Clerk call the Amendment and I be allowed to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 9150. Senate Schedule B.

THE CHAIR:

You may proceed, Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you very much, Mr. President. So as I was saying, the language in the Amendment is not intended to undermine what we're doing here. It does not take out this policy in any way, shape, or form. All it does is it removes this language that says other evidence acceptable to said Commissioner, and then it also strikes the lines I just mentioned 196 to 201, which are the ones that say the voter registration agency can allow someone to simply attest to their citizenship.

I move adoption of the Amendment, Mr. President and ask for a roll call vote. Thank you.

THE CHAIR:

Thank you, Senator Sampson. Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Mr. President. Nice to see you up there this evening.

THE CHAIR:

Nice to see you as well.

SENATOR FLEXER (29TH):

Mr. President. We had a nice going there for a few minutes with Senator Sampson but I have to ask my colleagues to reject this Amendment. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Flexer. Would you care to comment? Would you care to comment? If have not. Mr. Clerk could you announce the roll call vote?

CLERK:

Immediate roll vote has been ordered in the Senate. This is Senate Bill 5, Senate Amendment "B". Immediate roll call vote has been ordered in the Senate. Senate Bill 5 Senate Amendment "B". Immediate roll call vote in the Senate on Senate Bill 5, Senate Amendment "B". Immediate roll call vote in the Senate. Immediate roll call vote in the Senate, Senate Amendment "B". Immediate roll call vote in the Senate.

THE CHAIR:

Have all Senators voted? If so, the vote will be locked. Mr. Clerk if you could announce the tally.

CLERK:

Senate Bill No. 5 Senate Amendment "B".

Total number voting	35
Total voting Yay	12
Total voting Nay	23
Absent not voting	1

THE CHAIR:

The Amendment fails. (Gavel) Would you get a remark further? Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Mr. President. Just to follow up on the previous conversation. I hope anyone watching this understands that there is just a minor,

philosophical disagreement on some of this policy information.

It certainly doesn't rise to the level of a dispute. It's just -- I respect my Chairman of the Committee very, very much. I just don't see that language as clearly as she does, I guess. And it's as simple as that. And we're going to continue through the Bill.

And I have no doubt that there are going to be levels of disagreement that are very minor, to very major, but they are always put forward with the utmost amount of respect, and how we deal with each other in this Chamber.

So that takes care of the first few Sections, 1 through 5. All have to do with the registration system and the use of an electronic system that we're developing.

Section 6 is a new section, which essentially is empowering the Secretary of State to develop and implement a system for electronic signatures. Hopefully this is a start to one of the things that I believe is so important if we are eventually going to have a significant expansion of and no excuse absentee voting in our state, which is signature verification.

That process is important. If we're going to provide increased access, we also have to have the proper ability and protocols to go along with it. And I believe this is a good start towards that.

Section 7, this is about a policy that was mentioned by my colleague in the opening about how the registration registers voters in each town would be required to visit the local high schools to distribute information regarding elections and how to register to vote and so forth.

I think it's a good policy. The only thing is the Registrars of Voters Association in the state did

reach out and ask that we put the Secretary of State themselves in charge of such a program. So as a result, Mr. President, I have another Amendment. And this one is LCO 9165.

I ask the Clerk call the Amendment and I be allowed to summarize.

THE CHAIR:

Mr. Clerk, would you please call the call the Amendment.

THE CHAIR:

LCO No. 9165 Senate Schedule "C".

THE CHAIR:

The question is on adoption. Senator Sampson, would you care to comment?

SENATOR SAMPSON (16TH):

Thank you, Mr. President. This is a very simple Amendment, it simply changes Section 7, so that the process will still continue. The distribution of election information in our high schools will continue. It will just change that responsibility from the Registrar of Voters to the Secretary of the State. And I urge - I move adoption and would like a roll call vote on this as well. Thank you, Mr. President.

THE CHAIR:

Thank you. And when the vote is ordered and it will be by roll. Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Mr. President. Mr. President, I would -- unfortunately have to ask my colleagues to reject

this Amendment.

I understand the suggestion that we received from the registrars or voters but this Amendment before us would basically make -- would ensure that the goal here which is to make sure young people in the fall, which is typically our election season are informed about their eligibility to vote and their ability to register to vote simply wouldn't happen.

The Secretary of State's office does not have the capacity to visit every single high school in the state of Connecticut, whereas there are more than 300 Registrars of Voters in our state in every single community.

And therefore they have the capacity to visit the one or two public high schools, maybe three public high schools that may be in their municipality, they could collaborate with local -- with other Registrars of Voters in surrounding communities whose students may attend that high school. If there's not a high school, in their community there are lots of ways for the Registrars of Voters to be able to accomplish this, again, there are at least two in every town or some in some communities, there's more than two.

And I think it's important to have that local connection as well, that local election official who's actually empowered to register voters in that particular community. That's why we have a local election -- a local -- a very locally based election system here in Connecticut. And I want to make sure that this actually happens.

I believe very much that young people need to be empowered to vote as early as possible. And I think that this provision in the underlying Bill, as amended is very important. And it will not happen if the Secretary of State's office is charged with visiting every single public high school in the state of Connecticut. Again, Mr. President, I

encourage my colleagues to reject the Amendment.

THE CHAIR:

Thank you, Senator Flexer. Would care to comment?
Senator to champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. You know, I was listening to this, and I have concerns that it's just sort of -- through you, Mr. President, to the proponent of the Bill.

Is this -- putting this on the Registrar of voters, this is going to be a requirement of the Registrar of voters, and are they going to be responsible for any expenses?

THE CHAIR:

Senator Champagne, for clarification, we are on an Amendment, the proponent of which is Senator Sampson. Senator Sampson.

SENATOR SAMPSON (16TH):

Yeah. Thank you, Mr. President. I'll do the best I can. The language that is in the Bill is not mine. And I'm attempting to amend it because I don't care for the language that is in the Bill. And then that is precisely the reason is says clearly the Registrar of Voters spoke up, they contacted me asking to change this, so that the Secretary of the State would take on this responsibility, and I think it's simply because they don't have the resources either.

They've got a lot of responsibility and with many of the election changes that are coming, I think they're concerned that they're going to be very busy with other things. And this is just something beyond their normal responsibility that they're not

prepared to tackle.

Whereas the secretary of the state might have access to much more in the way of dollars as far as resources and the ability to disseminate this information.

So I don't really know what the extent of the requirement would be. The language is somewhat vague, but I do read it to me that they would absolutely have to visit each school and distribute each year on the fourth Tuesday of September, this information, and I don't know that they have the manpower for that. Through you, Mr. President.

THE CHAIR:

Thank you, Senator Sampson. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. And now I'm gonna ask the same question to Senator Flexer. The good Chairwoman.

THE CHAIR:

Sir, Senator Duff.

SENATOR DUFF (25TH): Thank you, Madam President -- Mr. President. I apologize. Can we stand at ease for a moment?

THE CHAIR:

The Chamber will stand at ease.

Chamber will come back to order. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Mr. President. I will yield to Senator Champagne.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. And I will withdraw that question. You know, this is putting a burden on our local persons. And I don't think that's right. If this is -- if this is something coming from the state, the state should either pony up the money to pay for all the services required or use state personnel. And, you know, to just pass this down to the municipalities is not right.

So I'm for this Amendment, and I'm going to vote for it. Thank you.

THE CHAIR:

Thank you, Senator Champagne. Would you care to comment on the Amendment? Would you care to comment? If not, vote will be open. Mr. Clerk would you announce the pendency or a roll call vote on the Amendment.

CLERK:

Immediate roll call vote has been ordered in the Senate. This is Senate Amendment "C". Senate Bill 5. Immediate roll call vote has been ordered in the Senate on Senate Bill 5, Senate Amendment "C". Immediate roll call vote in the Senate. Senate Bill 5, Senate Amendment "C". Immediate roll call vote in the Senate.

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote in the Senate. Senate Bill 5, Senate Amendment "C". Immediate roll call vote in the Senate. Senate Amendment "C", Senate Bill 5. Immediate roll call vote in the

Senate. Senate Bill 5, Senate Amendment C. Immediate roll call vote.

THE CHAIR:

Have all Senators voted? Have all Senators voted? The machine will be locked and the Clerk will announce the tally.

CLERK:

Senate Bill 5 Senate Amendments "C":

Total number voting	35
Total voting Aye	12
Total voting Nay	23
Absent, not voting	1

THE CHAIR:

Thank you, Mr. Clerk, the Amendment fails. Would you care to comment? Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Mr. President. So moving on, we just got through talking about Section 7.

Section 8 was the section that would have made Election Day a state holiday. That has been struck by the Amendment.

So Section nine is the next section that we've got before us. Up till now, some of the concerns that I have raised had been more technical in nature, I wouldn't say they are deal breakers or something that I would consider to be -- you know, so significant, that they would make terrible policy. But things that I do believe that we should have addressed. And that was the purpose of those Amendments.

There are a few items in this Bill, even after the Amendment that I could not support. And this is one of them. Section 9, prior to the Amendment, would have required two hours of paid time off, that employers would have had to provide to their employees from their regularly scheduled work-day to go vote.

To me, that's definitely a bridge too far, I am very and sincerely appreciative that this new language, after the Amendment changes that from two hours of paid time off to two hours of unpaid time off. It's just still too much of a mandate, for me. It's not so much that I don't think employers should provide time off to their employees for election purposes. And in fact, I think most employers would do that out of courtesy and respect for their employees, I just don't believe it's our place to say so. It's just a fundamental belief that I had that the employer/employee relationship is between them. And, you know, if we are going to interject ourselves for some purpose, it has to be the highest of purposes, which is, you know, protecting someone from harm or public safety.

To be dictating to an employer, and an employee for that matter what that relationship should be as far as their time off, even for something as important as Election Day.

We are on the precipice of having early voting in the state, we already have 45 days-worth of absentee voting, which someone that was unable to, you know, get out of work would be able to take advantage of I don't see a reason for this. And I do believe it inserts the state of Connecticut in a place where we do not belong, frankly.

And as a result, I have another Amendment. Mr. President, this one is LCO 9151. I ask the Clerk if he would be kind enough to call that Amendment. And if I have leave at the Chamber to summarize.

THE CHAIR:

Mr. Clerk, would you call the Amendment?

CLERK:

LCO No. 9151. Senate Schedule D.

THE CHAIR:

Senator Sampson on adoption.

SENATOR SAMPSON (16TH):

Thank you, Mr. President. Very simple Amendment, strike Section 9 in its entirety. So there would no longer be a provision that would require -- essentially, that's the problem too. That it's not so much about whether it's a good idea for an employer to do this. It's about whether or not this body should make it a law that they must, whereas I think that's a relationship that those two parties the employer and employee should work out for themselves.

This Amendment strikes section nine in its entirety, there would be no time-off requirement for employers. I move adoption and would like a roll call vote. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Sampson. When the vote is cast, it will be cast by roll. Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Mr. President. Mr. President, I would urge my colleagues to reject this Amendment.

And this Section of the Bill in particular, speaks to one of the thoughts that I referenced in my opening remarks on the Bill and on Senate Amendment

A. I think that sometimes those of us who are so privileged and honored to be able to serve in this State Senate can forget what it's like to not be very, very focused on Election Day.

If we are involved in politics, we are focused on Election Day, most certainly when our names are on the ballot, but we're also often much focused on election day when other people are being chosen for office in an election. And I think it can be hard to understand the chaos in life that happens for people where it can be really hard to balance everything that's going on and make sure you exercise your right to vote.

And so I think this provision represents a compromise the original Bill did require that an employer give two hours of paid time off, we tried to listen to all sides on this issue. And that's why the Amendment that we adopted changed this section so that it's unpaid time off.

But again, I think it's important to remember that not everyone is squarely focused on exactly which day is Election Day. I had an experience just a couple of weeks ago. Like many of us, I live in a town where our municipal budget is adopted by a referendum of all the people in town coming out to vote for the town budget and the school budget.

And I'll be honest, it was a day I was supposed to come here. And I almost forgot. And when those moments happen, it is the brief glimpse that I ever get into what it's like to be a person who doesn't - - whose life doesn't revolve around an election calendar and an election cycle. And it was one of those moments when I had to scramble to get childcare and figure out how late I was going to be to get here -- my job. Luckily, I have a group of people I work with here who are very understanding if I was late to work, because I was exercising my right to vote.

But it can be a lot to juggle. And I think this provision of the Bill is very important. It does represent a compromise. And I think this is an important provision to ease people's participation in our election process. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further on the Amendment? Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. Although I like the idea of trying to get people to vote, putting a burden on an employer, by having to release employees for two hours, there's still a dollar value there. And it's loss of employee actually doing their job.

And, you know, when you're talking large employer that could be shutting the entire business down for the last two hours of the day. And that has pretty big value.

And there's other employees that work alone. In small businesses, they may be an employee, they may actually be the owner. But if they're an employee, then the employer may have to pay somebody overtime, to go cover those two hours.

You know, here we go again, we're coming off of COVID, which set a lot of businesses back. And we're coming up with new legislation, as well as a lot of other legislation that is going to hurt our businesses. And because of that, I'm going to support this Amendment. And I recommend everybody else does too, for the -- this is for our businesses that, as I said before, continue to struggle. And if we continue to pass laws that hurt our businesses, they're going to continue to leave Connecticut. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further? Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Good evening. I rise in support of the Amendment. But I do have a question for the proponent of the Amendment.

SENATOR SAMPSON (16TH):

Senator Sampson, prepare yourself. Please proceed, sir.

SENATOR FORMICA (20TH):

Thank you, Madam President. Good afternoon, Mr. Good evening, Senator Sampson. Thank you.

Looking at the file copy of Section 9 it talks about allowing employees to vote with for only state elections. And I looked quickly in the Amendment. Is that the intent of -- is that still in the Bill? The two hours through you? Would it be just state Amendment? I guess is what I'm trying to say. Madam President.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. And good evening to you, Senator.

Again, this is not my language. But you are looking at the proper section, which is section 9 in the file copy. The Amendment that I have proposed is to remove that section in its entirety, which would eliminate the requirement for any mandate on businesses for time off paid or otherwise.

The extent to which elections are covered, are -- I'm reading this section myself. I don't know whether this is limited only to statewide elections or for non-municipal elections, in other words. But either way, I believe the Amendment is valid. And the same argument I would make either way. Through Madam President.

THE CHAIR:

Thank you, Senator. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator. I don't have any other questions. I just wanted to verify that we're allowing time off specifically for state elections, but it doesn't seem like if this Amendment fails, we would be allowing time off for local elections or referendums or anything below the state level. So I just wanted that on the record. Through you, Madam President, and I thank you for the time. Thank you, Senator.

THE CHAIR:

Thank you, Senator Formica. Will you remark further on the Amendment that is before the Chamber? Will you remark further? If not, a roll call vote has been requested. I will open the machine. And Mr. Clerk, please announce the roll call vote.

CLERK:

Immediate roll call vote has been ordered in the Senate. This is Senate Amendment "D", Senate Bill 5. Immediate roll call vote has been ordered in the Senate. This is Senate Bill 5, Senator Amendment "D". Immediate roll call vote in the Senate, on Senate Amendment "D". This is Senate Bill 5. 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 on the Amendment.

CLERK:

Senate Bill No. 5, Senate Amendment "D".

Total number voting	35
Those voting Yea	12
Those voting Nay	23
Absent and not voting	1

THE CHAIR:

The Amendment fails. Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I am a little disappointed that that Amendment failed only because it's one of the more critical aspects of the Bill to me. And if had it passed, I could be a little closer to supporting the underlying Bill. But I completely understand. It's just a difference in perspective. And I understand the intention of trying to create access for working people for voting. It's something that I share a concern about. But at the same time, I don't agree that it is right for us to choose who to place another burden upon in exchange for that.

And I do believe that there are plenty of mechanisms in place to allow people access to voting between, as I said, early voting is coming, no excuse, absentee voting may be coming also. You know, we already have very lengthy hours for voting, as well as 45 days of absentee voting that would make someone eligible. I don't believe that that was a necessary provision of this Bill. And unfortunately, one of the things that prevents me from supporting it.

The good news, this is a long Bill, as I had mentioned, it's 50 sections, and that was Section 9. And just moving on, the next couple of sections are not significant. And a couple of them have been removed. I believe Section 13, for example, was removed. This is something I'm pleased about. Section 13 was one of the sections that created a prohibition on someone carrying a firearm within 200 feet, that is now gone. And I'm quite certain, there are a number of my pro-second Amendment constituents who are pleased by that. I don't believe it should have been made part of this Bill. We already have regulations in place. Most voting places are our schools. There's already prohibitions there. I don't think it was necessary to make that part of the Bill. So I'm glad to see it out of there.

The next section is Section 14, and I will speak about that in conjunction with Sections 15 and 16 also, these are the three sections that have to do with the restoration of electoral rights for those folks who have been incarcerated, but are still subject to parole, special parole, release, or furlough. And also, those folks who may have had their electoral privileges suspended because they have fines, or they will restitution something like that. These concepts have been a perennial bit of legislation that we've talked about in this building. And sometimes they come together like this, and sometimes they're broken up by individual, you know, parole versus special parole versus fines, that kind of thing.

This takes kind of a giant leap all at once, in my opinion, Madam President. I have tried very carefully when crafting our legislation and what our laws should be regarding elections, to make sure that we have fundamentally fair policy that has very bright lines, that we can specify why we're choosing to include this person or not that person as this section of law addresses.

To me, I believe very sincerely that if you have satisfied your debt to society, you have committed a crime, but then you were sentenced, you served your time in prison, parole, you've paid fines, or restitution, you should absolutely 100% have your voting privileges restored. I have no qualms with that whatsoever. In fact, I am a strong advocate for making sure there is an effort to encourage those folks as part of their re-entry into society at large as, you know, productive members to participate in the electoral process.

However, to me, it becomes a little bit of a gray area, a messy and blurry solution, when you start to say, "Well, we're not going to include folks that have actually completed their debt to society, but folks that have completed most of their debt to society." My understanding about special parole is, folks that some amount of parole was actually part of their sentence. So they're still serving their sentence while they're on special parole. And to me, that is something that you should have to complete before you become eligible to get your electoral privileges back.

Also fines and restitution. Maybe it's a restitution to a victim. To me, the bright-line solution is, when someone has actually completed their obligation and completed their debt to society, then their electoral privileges should be restored. It's not an effort to try and prohibit any class of people other than trying to make it very clear that there is a difference between someone who has actually completed their obligation and someone who has not.

And as a result -- actually, before I call the Amendment, I just want to bring up one other thing, which is that, a concern I have is that, just this past week, this body passed another Bill, which I believe has yet to run in the house. But it is the Bill that you folks might remember, about compassionate release. Where we are going to begin letting inmates out of correctional facilities for,

you know, various reasons which I think would make them eligible under this language that is in the Bill before us.

To me, that's a concern. I don't like the way those two policies are juxtaposed. I don't agree with the concept. Again, a bright-line solution makes much more sense to me. That's what we have in our current law. Which is that, once you complete your obligation, you have your voting rights restored. Madam President, sorry for rambling on there. I have an Amendment. It is LCO 9158. I ask that the Clerk call this Amendment, and I'd be allowed to summarize.

THE CHAIR:

Mr. Clerk, would you please call LCO 9158?

CLERK:

LCO No. 9158, Senate Schedule "E".

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. A very simple Amendment. It would strike Sections 14 through 16, which would eliminate this policy change that is contained in the Bill before us that would suggest that those folks who are on parole, special parole, or fines or restitution would have their ability to vote restored before completing their obligation and their debt to society. I move adoption, and I would ask for a roll call vote. Thank you, Madam President.

THE CHAIR:

And the question is on adoption. And we will have a roll call vote since one has been requested. Will you remark further on the Amendment? Senator Kissel.

SENATOR KISSEL (7TH):

Good evening, Madam President. Great to see you. I stand in support of the Amendment. And I'll be brief, since I believe there are further Amendments that will be offered. And again, I actually wish to be associated with the initial remarks of Senator Sampson, in reaching out and thanking Senator Flexer and her colleagues for the initial Amendment that I think made a Bill that I had a lot of issues with, much better.

But that being stated, I also believe that, those who have committed crimes should not, through the underlying Bill as amended, get their voting rights back prior to, as Senator Sampson so eloquently put, completely fulfilling their debt to society as imposed by either a jury or a judge.

When we were discussing the proposal regarding telephone and telecommunications rights of inmates, Senator Champagne very eloquently pointed out that, if one is on parole, that the taxpayers are still paying for those parole officers. And that was incorporated into his arguments regarding what kind of changes, if any, should be made regarding telecommunications rights of individuals, even those that are on parole.

And furthermore, when I look at this proposal, I remember a public television program that talked about the duties of parole officers in Connecticut. It was really well done. It was about an hour long. And what a lot of people don't realize is that, parole officers have a dangerous job. They have come before the Judiciary Committee on a number of occasions requesting equipment, requesting visibility for their motor vehicles that are

sometimes in very dangerous areas of our state. And indeed it's not an easy job.

Quite often, they get individuals that want to successfully get back into society, and they do all the requirements that their parole requires, and then they move on. But there are individuals that have been previously convicted of extremely serious felonies that are now on parole. And they require very diligent monitoring and check-ins and things of that nature, such that they do make a successful transition, and that they appreciate the fact that they're in that stage between being behind bars of a correctional facility and being completely free in a free and open society. And it's that in-between period.

I also, and it may seem surprising, have concerns regarding the lack of complete restitution and other requirements imposed by, again, a court or a jury or if it was through a plea bargain through some agreement with a state's attorney. Because in those matters, unlike which can be really bad but a crime against property and somebody typically owns or has some interest in the property, so it is a loss. But if there's restitution involved in the punishment, that means that there's an ascertainable dollar figure that's been ascribed to whatever criminal charges have been pled guilty to. And so, someone is truly suffering a financial harm.

And so, let's say someone defrauded me of \$10,000 dollars, and they were given a sentence, and part of that sentence was some form of incarceration. And I may feel that that's appropriate. But really, the incarceration is more in the nature of a punishment. It doesn't really do anything for me. So the court or the jury, or the state's attorney in a plea bargain situation might say, "And you Mr, or Mrs, or Ms prisoner or convict owe victim Mr. Kissel, \$10,000 dollars." Okay, and so, let's say they've made restitution of \$5,000 dollars, but they still owe me \$5,000 dollars before their record is

completely behind them, and that sentence has been completed. You know, and what the underlying Bill does as amended, to my understanding, is that that individual would still get their right to vote. And to my mind, I'm still owed \$5,000 dollars. That just doesn't seem fair. I'm the innocent party as the victim. Whomever that victim maybe, I'm just using myself as an example.

So, When you really drill down to the nub of it, what the underlying Bill as amended would do is to give a right, a privilege, a benefit, something that we all revere, the ability to cast a vote, to someone who perpetrated a crime and was found guilty of that crime. And I, or whomever the victim in that matter is, has not been made whole. And to me, that just doesn't seem fair.

I agree with Senator Sampson that, I feel much more comfortable philosophically and from a jurisprudential point of view as far as how we handle crime and punishment issues in Connecticut, that an individual should successfully complete all the requirements imposed upon them when they're judged guilty of any serious crime.

So there's a whole group of individuals that now would have their right to vote by this legislation, if passed into law, granted back to them. Whereas, the other part of the story, if not untold, has not been fulfilled such that there's balance on both sides of those scales that typically is depicted by a female, blindfold weighing both sides of that scale the scales of justice. And so we are putting something on one side, the side of the perpetrator of the crime, and to my mind that now scale of justice would be out of balance.

So the last point I want to make is, talking to advocates for electoral reforms, called reforms, from their perspective. There's also a belief by many, although not quite clearly evinced by the underlying Bill as amended, but there's an

incrementalism. And I used to be the Ranking Member of the Government Administration and Elections Committee, the Senate Co-Chair at that time. And this is like the bizarro world in that Seinfeld episode, because I am standing now where he sat, and that was Senator Bozek of New Britain. And it's just weird that as we're evolving through the pandemic, that I'm now standing next to where I typically sit, and now I'm standing over here.

But, that being the case, over the years, advocates of change have indicated that not only would they like to see the changes in the underlying Bill before us as amended, but they, at some point, would like to see people on probation have the right to vote, and people incarcerated have the right to vote. They really don't think anybody should be punished in any way, shape, or form by losing their right to vote.

And while I don't agree with, that there are individuals out there that firmly believe in that. And while they may believe that that may not be a palatable position at this point in time, it is not unusual to see things change gradually. And to my mind, this may be, if not a small step, a rather larger than typical step in that direction. It's a direction that I don't necessarily agree with. I don't think is in the best interests of our society.

And I also believe that, we call in Connecticut our system and where one gets sent the Department of Corrections. And there's a lot of things that fall underneath that, with the notion that we believe in redemption and correction. And I think that, if that is our aspirational goal for individuals that have commit crimes, and we want them to be a law-abiding, contributing citizens to our society, that there must be an underlying correlation between what has been done, the punishment, and fulfilling the obligations that that punishment entails, as imposed again by a state's attorney, a judge, or a jury.

And for those reasons, I am urging my colleagues to support this Amendment. Commend Senator Sampson for bringing this Amendment forward, and doing a great job on the Government Administration and Elections Committee, and working so well with Senator Flexer over the past several months. But on this particular matter, I think that the underlying Bill could be made better if this Amendment is adopted. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President. I rise to encourage my colleagues to oppose this Amendment. And I would say a couple of things in response to the remarks that we've already heard on Senate Amendment "E". I appreciate the remarks of my colleagues about this Amendment.

But I would say that I do agree with one point, there needs to be a bright line. And right now in Connecticut, we do not have a bright line. Right now, we treat people who are on probation. Which is very similar, and it's something a judge may choose to have be a part of a sentence, the same way they might choose to have the possibility of parole, be a part of a sentence, or special parole that might be chosen instead of probation. Right now, that line is very fuzzy in Connecticut because people who are on probation can have their electoral rights restored, and people who are on parole cannot.

The underlying Bill states very clearly that once you are no longer physically incarcerated, you can have your electoral rights restored unless you were convicted of a crime against the public trust. And so, I think that we need to reject this Amendment.

There is a very clear line so that people know when they've finished with their physical incarceration, when they're no longer in the physical custody of the Department of Corrections, that they can have their voting rights restored. That will give us the bright line that we're looking for. And so, I encourage my colleagues to reject this Amendment. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further on the Amendment? Will you remark further on the Amendment? If not, I will open the voting machine as a roll call vote has been requested. Mr. Clerk, please announce the roll call.

CLERK:

Senate Bill No. 5, Senate Amendment "E". Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Bill 5, Senator Amendment "E". Immediate roll call vote has been ordered in the Senate, Senate Bill 5. Senate Amendment "E". Immediate roll call vote in the Senate, Senate Bill 5, Senate Amendment "E". Immediate roll call vote.

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote in the Senate, Senate Bill 5, Senate Amendment "E". Immediate roll call vote in the Senate, Senate Amendment "E", Senate Bill No. 5. 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 on the Amendment.

CLERK:

Senate Bill No. 5, Senate Amendment "E", LCO No.
9158.

Total number voting	35
Those voting Yea	12
Those voting Nay	23
Absent and not voting	1

THE CHAIR:

The Amendment fails. Will you remark further on the legislation before the Chamber? Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Yeah. So again, very similar to the previous Amendment, a little disappointed because that was the other significant issue I had with the Bill. As discussed, some of these changes are more important than others. But those two issues, the mandate on businesses, and the establishment of a voting privileges for those who had not yet completed their debt to society, those two are the big fundamental issue. So disappointed, ultimately, that's going to lead to a no vote on the Bill for me. But there are a number of other changes that I think are worth discussing.

My purpose here today, Madam President, really was to kind of go through this Bill section by section, find things that I believe would result in a better set of policies for the State of Connecticut, offer my suggestions, in earnest hope that they would be adopted by the majority. I do appreciate the changes that were done with the Amendment that has changed the Bill. And I don't want anyone to get the impression that I'm not appreciative about those things because I genuinely am. But I do believe these Amendments that I'm offering would be further improvements.

We are up to Section 17 on the Bill, page 26 out of 68. The good news is that, I think it's going to go

a little faster from here. Section 17, I believe, has been removed by the Amendment. And that is correct. That was another section that had to do with the requirement for restricting firearms.

Section 18 and Section 19, have to do with the requirement for notices regarding elections that have to be provided by town Clerks, et cetera. And I believe those sections are perfectly fine, and I'm in agreement with them.

Section 20 has been removed from the Bill. This was about telephonic absentees. Section 21, it has been replaced as part of the Amendment that we adopted. So let me get that in front of me so I can address the items in section 21 that I wanted to. And actually, before we do that, I think I skipped over Section 20. And in section 20, there is some language about absentee ballot applications.

I received a bit of testimony from the Connecticut Town Clerks Association. And one of the things that they brought up was that as we venture down this new path of electronic voter registration, they want that system to work seamlessly with the Connecticut voter registration system CVRS that is managed by the secretary of the state. And it helps coordinate all of the different towns. What they have asked in their testimony is that, any electronic of generating an absentee ballot application must work in conjunction with the existing CVRS system, and shall have the barcoded voter identification number prominently displayed on the application. Any electronic system working in unison with CVRS would allow town Clerks, the ability to receive and promptly process absentee ballot applications. If needed the barcoded application may serve as a backup for printing should an electronic out outage occur.

I took this to heart. I think this is very, very important. I have been a strong advocate of advancing our voter registration system. We know

that in the most recent elections, we had, you know, problem with, you know, folks that are on the voter rolls that should not be there. Duplicates, and so on. The thing that we can do to improve that I believe is to adopt this advice from the Connecticut Town Clerks Association. And as a result, Madam President, I have another Amendment. This one is LCO No. 9200. I ask the Clerk call this Amendment, and that I'd be allowed to summarize.

THE CHAIR:

Mr. Clerk, if you could please call LCO 9200, please?

CLERK:

LCO No. 9200, Senate Schedule "F".

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Very simply, without having the Amendment in front of one, it's a lengthy bit of text. But it does pretty much what I've just described, which is to establish this electronic system that will work in conjunction with CVRS and require the addition of the barcoded voter ID number, at the same time. I believe this is a step towards modernizing our electronic voter system. I think it will be very advantageous as we expand absentee ballots in the future. And I move adoption. And I would like a roll call vote. Thank you, Madam President.

THE CHAIR:

Thank you. A roll call vote has been requested. Will you remark further on the adoption of the Amendment? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I urge my colleagues to reject this Amendment.

THE CHAIR:

Thank you, Senator. Will you remark further? Will you remark further on the Amendment before the Chamber? If not, a roll call vote has been requested. I will open the voting machine. And Mr. Clerk, please announce the roll call vote, sir.

CLERK:

Immediate roll call vote has been ordered in the Senate. This is the Senate Bill 5, Senate Amendment "F". Immediate roll call vote has been ordered in the Senate, on Senate Bill 5, Senate Amendment "F". Immediate roll call vote in the Senate, Senate Bill 5, Senate Amendment "F". 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 do announce the tally, sir.

CLERK:

Senate Bill 5. This is Senate Amendment "F".

Total number voting	35
Those voting Yea	12
Those voting Nay	23
Absent and not voting	1

THE CHAIR:

The Amendment fails. Will you remark further? Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Maybe I'll get one of these at some point. Moving on through the Bill, we are up to Section 21. Section 21 is actually completely struck, and then replaced in the Amendment that has now been adopted. And if I'm reading it correctly, Section 21 does a couple of things. It does allow an immediate family member to return an absentee ballot, which I believe is our existing law. But this expanded to include a sibling, which I have no objection to. I think that's a perfectly acceptable change in our current law. And I am in supportive of that.

The additional part of Section 21 as amended in this Bill does another thing though, which is to extend some of the provisions that were created during last year special session as a result of the COVID pandemic, and the government's response to it, you know, to change some of our voting parameters.

One of those things, and I will not belabor that this point too much tonight because I've debated it several times on this Senate floor already, which is the addition of drop boxes for absentee ballots. This language is a new edition, and it does allow that those drop boxes do become permanent. That's something that I'm not in favor of. I've testified several times in the past about my concerns about these drop boxes. I don't believe they were ever necessary, I guess, is my major bone of contention with them.

It has always been acceptable to return your absentee ballot to the local town hall, the town clerk and so on, which I don't think is particularly out of the way, if you're considering putting a drop box right outside the building as was done in most cases. And in the case of other drop boxes, that may not be right outside of town halls, there's also

mailboxes all across our state, which are perfectly acceptable places to drop an absentee ballot, also.

To me, what you're creating with these drop boxes is an attractive nuisance. If people are putting an absentee ballot into a mailbox, they're just putting that into a mailbox along with a lot of other mail. If you are putting absentee ballots all in one specified location that is out in the public in the case of a drop box -- and some of these are not monitored very closely. They are wide open during elections. If we have early voting, that means that there will be periods of time where they may contain ballots overnight over the course of a weekend, et cetera, where they're not being emptied, they're not being monitored. And I would hate to see something happen. Because I think if something does happen, it will create a problem.

Now, thankfully, Madam President, we did not have any problems in the most recent two elections. And I think that is a tremendously fortunate thing. But I have grave concerns that these drop boxes are indeed an attractive nuisance. And ultimately, someday, we might have a problem with them. As a result, I have offered an Amendment. This one is LCO No. 9160. And again, I ask the Clerk to call this Amendment, and that I be granted leave of the Chamber to summarize the Amendment.

THE CHAIR:

Mr. Clerk, If you would please call LCO 9160.

CLERK:

LCO 9160, Senate Schedule "G".

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. This is a very straightforward Amendment. It simply modifies Section 21 to "No longer make absentee ballot drop boxes permanent." That's all it does. I move adoption. And I would like a roll call vote.

THE CHAIR:

And there will be a roll call vote. And the question is on adoption. Will you remark further? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I would urge my colleagues to reject this Amendment. As I stated in the beginning of the debate, on the underlying Bill and the Amendment that was adopted, Amendment "A", I believe making the drop boxes permanent is an important thing to do, both to protect the boxes themselves and the resources that were spent, and the effort that's been made by all of our municipalities to have these drop boxes in all of our municipalities.

It's also important to utilize the resources that our Secretary of State was so smart to get in order to have these permanent drop boxes -- excuse me, these drop boxes, which I believe should be permanent. And I would also just say that I think that the drop boxes are important because they can cut down the amount of time you need to process an absentee ballot.

During last year's election, there was a lot of concern about mail service and the timeliness of mail service, and hopefully those concerns about how quickly mail can be delivered will be alleviated, and our postal service will continue to improve those times. And we won't have as grave concerns as many voters did last year.

The fact of the matter is, it will take longer if you drop a ballot or an application for a ballot in a mailbox. That process just inherently takes a longer period of time. And so, if your interest as a voter is to try to get your application process quickly, to try to get your ballot in and count it on time, you cannot put your ballot in the mailbox on election day in Connecticut and have your vote be counted.

But if you put your ballot in the drop box, your vote will be counted. I think that's the critical reason why these drop boxes should be made permanent. It gives more people time to vote by absentee ballot and have the confidence that their ballot has in fact been delivered to the Town Clerk and that their vote will be counted in that election they took the time to participate in.

Again, I urge my colleagues to reject this Amendment. Thank you, Madame President.

THE CHAIR:

Thank you, Senator. Will you remark further on the Amendment? Will you remark further on the Amendment? If not, the machine will be open. Mr. Clerk, please announce the roll call vote.

CLERK:

Immediate roll call vote has been ordered in the Senate. This is Senate Amendment "G" on Senate Bill 5. Immediate roll call vote has been ordered in the Senate on Senate Amendment "G" on Senate Bill No. 5. Immediate roll call vote in the Senate, Senate Amendment "G" Senate Bill 5. Immediate roll call vote in the Senate.

Immediate roll call vote has been ordered in the Senate. This is Senate Amendment "G" on Senate Bill 5. Immediate roll call in the Senate, Senate Bill

No. 5, Senate Amendment "G" 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 do announce the tally on the Amendment.

CLERK:

Senate Bill No. 5, LCO 9160, Senate Amendment "G":

Total Number Voting	35
Those voting Yea	12
Those voting Nay	23
Those absent and not voting	1

THE CHAIR:

(Gavel) Amendment fails. Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you very much, Madam President. So again, another Amendment that I believe was important. I just want to state for the record that my concern over the drop box is really as I stated a concern about whether or not they will create future problems for our election system.

I certainly respect the Chairwoman's comments about timing, but I would point out that mailboxes are actually picked up on a daily basis. In fact, I think there's a minimum of twice a day that they are picked up and these drop boxes are not monitored and there's no requirement within any of the statutes or this language here about when they would be emptied.

So, these are some concerns that I have. I hope going forward that we can, at least if there are going to be drop boxes, we can fine tune the policy in a way that is going to prevent any future

problems from coming up. Much in the same way as the next few sections of the Bill, I'm very pleased to see the next few sections section 22 was removed from the Bill.

This had something to do with the sorting of absentee ballots, which I don't disagree with this policy. I think it's just we all understood that we've got to kind of figure out how this is all gonna work and fit together before we jump into writing the policy. So, I'm pleased that we've kind of put a pause on that section.

Moving on section 23, I've got no issue with that. Section 24 has been removed from the Bill, 26 had to do with the timing for someone to correct their ballot. I'm very pleased to see this section removed. We had made changes during the special session to actually reduce the ability for someone to go ahead and pull back an absentee ballot.

The current law is, I believe election day at 10:00 AM and because of the number of absentee ballots and the influx of mailed-in ballots, I think that we modify that to be four days ahead of that time, so Thursday at 5:00 PM. This would have made that the law going forward and I'm pleased to see it removed.

I don't know exactly how it's all gonna work out in the future, but if we can accommodate the current law, which is the maximum convenience for voters, I think that's the best solution. So that brings me to section 27. Section 27 is something we've debated in the Government Administration and Elections Committee year after year, and I certainly respect people that are concerned about the information that is provided on our voter rolls being used for nefarious purposes.

I don't share the same concern. The information on our voter rolls is someone's name, address, and date of birth. This information, as far as I'm concerned is out there, I think most people put this

information out there publicly themselves in the form of social media and things like that. And my understanding from talking to people that are actually in the industry of fighting identity, theft and fraud they use this information as a mechanism to fight fraud.

So, I think we just have a minor philosophical difference on this section, which would limit the amount of information that is provided. I have received a notification both from the Freedom of -- I just want to make sure I get both of these names correctly, 'cause I get confused all the time, The Freedom of Information Commission and also the Connecticut Council on the Freedom of Information. Both of those organizations, one is the official state organization or one is an outside organization. Both of them have asked that section 27 of the Bill be removed.

And as a result, Madam President, I have another Amendment which is LCO 9177, and as always, I ask the Clerk to call the Amendment and I be given leave of the Chamber to summarize.

THE CHAIR:

Mr. Clerk, would you please call LCO 9177.

CLERK:

LCO No. 9177, Senate Amendment "H"

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Again, this section would limit the amount of information that is given out by the Secretary of State, as far as the voter list goes. One thing about this language I mentioned

before that actually describe the Amendment more clearly. It says used for a governmental purpose as determined by the Secretary of the State.

Again, this is another situation where I believe we're giving the Secretary of the State great latitude in making a determination about what she believes is an acceptable governmental purpose. Overall, I agree with the two Freedom of Information organizations and I disagree with this policy.

The Amendment would simply strike section 27 of the Bill, which has all the language I just described. I move adoption and I would like a roll call vote.

THE CHAIR:

A roll call vote has been requested and will be granted. Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I urge my colleagues to reject this Amendment and I would just say a few things in response to the proponent of the Amendment. First of all, I do think it's important to know when you look at the language in the underlying Bill that talks about a governmental purpose. The Secretary of State's office would not be able to do that just simply on their own, that there would be regulations that would be developed, and there would be a bipartisan review of that as is the case for all state agencies.

So, I think that's an important thing to add to the conversation, but more broadly on the policy. I do believe that this is an important measure. I have some broad concerns about the way we have put so much of our information available on there, online, and without much individual decisions in terms of being able to share that information online.

The good Ranking Member referenced the things that people share on social media and he's not incorrect about that, but that is a conscious choice that people make. But as I referenced in my opening remarks on this Bill, I don't think that most people, when they registered a vote, then know that people are going to be able to Google a database that has the voter registration information of every person on their street, every person in their community.

And I particularly think that the date of birth is an issue that that we need to think about a little bit more thoroughly. A date of birth can be an identifying piece of information, it can be used to verify your identity with a physician's office, many of the electronic medical systems they use to verify your identity bait by the date of birth, also, a pharmacy.

If you know, someone's date of birth and you know, what community they live in and, you know, there's one or two pharmacies in that town you could call and find out all of the prescriptions that they have through that telephone system. I had that experience a couple of days ago. It was shocking to me. Just by knowing someone's date of birth, I could hear all of the prescriptions that they had on file at the pharmacy and in an effort to refill them. Anybody could call that phone number, give that date of birth and find out that information. I think most people want their medical information to remain confidential.

That's one of the main reasons I think this provision is so important. It still allows people to be able to verify an identity, verify a general age, but it does not have the millions of people in Connecticut who are registered to vote, have their full date of birth disclosed on the internet so openly and freely as it as we do in current practice.

Now, it won't put the genie back in the bottle, as they say, for people who are already registered to vote, but this will protect people who are not yet registered, particularly our young people. I think it's very important that this measure be included in this Bill and I urge rejection of the Amendment. Thank you, Madame President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further? Will you remark further? If not, a roll call vote has been requested. I will open the vote and 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. This is Senate Amendment "H" Senate Bill 5. Immediate roll call vote has been ordered in the Senate, Senate Amendment "H" Senate Bill No. 5. Immediate roll call vote has been ordered in the Senate, Senate Bill 5, Senate Amendment "G". Immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

Senate Amendment "H". This is Senate Bill 5.

Total Number Voting	35
Total voting Yea	12
Total voting Nay	23
Absent and not voting	1

THE CHAIR:

(Gavel) Amendment fails. Senators Sampson.

SENATOR SAMPSON (16TH):

Thank you again, Madam President. So. just moving on through the Bill, we just completed section 27. The next several sections have been removed from the Bill, or I did not see a concern with them. Some of them have to do with various technical language regarding vacancies, circulators. Section 38 is more of a technical section. Section 39 creates a voting district for absentee ballots.

Something I would like very much to learn more about. We had a little discussion about this in the committee and I believe it serves a positive purpose, but I'm not quite certain how we'll work out in the future. But I'm curious to see what happens with that. Section No. 40 is a section that does concern me, however, which is a section that rises out of the policy again from the special session during COVID that gave the Secretary of State the tremendous power of being able to suspend the supervision of absentee balloting. And this is the kind of absentee balloting that folks might be familiar with, that happens in places like a nursing home, something like that, where typically someone who is a representative of the Registrar of Voters in a particular jurisdiction would go there to make sure that the absentee ballots are completed by the proper individuals and nothing nefarious occurs.

And during COVID obviously it made sense to try and limit the interaction of folks and therefore the spread of the virus. However, I believe that this policy is no longer necessary. I am well aware that it is limited to a situation where the Governor has issued a Declaration of a Civil Preparedness Emergency, or a Public Health Emergency.

However, as we have seen that Emergency Declaration in the most recent case has been extended and extended and extended for what I think even the

average person on the street would say beyond its necessary timeframe particularly when it comes to the supervision of absentee ballots. And as a result, I think it is prudent to remove this section and that authority, because we want to make sure that absentee ballots that are completed by folks in these types of settings, nursing homes, other types of institutions, such like that are certainly being carefully processed, so that we know that there is nothing, no funny business going on.

So as a result, Madam President, I have another Amendment. This one is LCO 9178. And again, I ask the Clerk to call this Amendment and if I can have the opportunity to summarize it.

THE CHAIR:

Mr. Clerk, please call LCO 9178.

CLERK:

LCO No. 9178, Senate Schedule "I".

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. A very simple Amendment. I just described my concern with section 40. This particular Amendment strikes that section in its entirety and therefore eliminates the Secretary of State having this authority to suspend the supervision of absentee balloting. I move adoption and I would like a roll call vote. Thank you.

THE CHAIR:

And there will be a roll call vote. And the question is on adoption? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I urge my colleagues to reject this Amendment. This section of the Bill is very narrowly tailored so that it only applies when there is a public health emergency or a civil preparedness emergency. So basically, there have to be extra ordinary circumstances that would require or would allow the Secretary of State to suspend this kind of supervised absentee voting.

We saw last year what a tremendous emergency we were under and there was gray area with regard to how these kinds of voting sessions could continue in these facilities. It's an important thing that happens to empower these folks to vote, but there was not clarity. And I think that this section is important because it will make it crystal clear what the Secretary's authority is in these sorts of emergencies and ensure that that safety is able to be protected and that there isn't a gray area that there's clear statutory authority for action to be taken during a public health emergency or a civil preparedness emergency.

I encourage my colleagues to reject this Amendment. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further on the Amendment? Will you remark further on the Amendment? If not, the machine is open. Mr. Clerk, please announce the roll call vote.

CLERK:

Immediate roll call vote has been ordered in the Senate. This is Senate Amendment "I" on Senate Bill 5. Immediate roll call vote has been ordered in the Senate on Senate Bill 5, Senate Amendment "I". Immediate roll call vote in the Senate, Senate

Amendment "I" on Senate Bill 5. 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 5, Senate Amendment "I".

Total Number Voting	35
Total Number Voting Yea	12
Total Voting Nay	23
Absent and not voting	1

THE CHAIR:

(Gavel) Amendment fails. Will you remark further on the Bill before us? Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you very much, Madam President. So just going through the 50 sections of the Bill, I think we have covered everything I wanted to tackle there. However, the Amendment that was adopted earlier did add a few additional sections. One of the things that it did was it removed sections 42 through 50 of the underlying Bill, which basically essentially were sections that had to do with requiring municipalities, the few municipalities in our state that have May elections versus November elections to instead switched to November elections.

Those sections were removed, but then they were added back in in the Amendment LCO 9130, that was adopted at the outset of this debate. I'm not exactly certain what the purpose behind removing those sections and then replacing similar language,

but different with the same ultimate goal was about but I do have concerns about that policy itself.

I simply believe that these municipalities ought to make up their own determinations on their own and that it is not right for this body to dictate to them that they should have their elections in November rather than May, especially through the process that is laid out through sections 507 through 513 of the Amendment, which states that the municipalities may in fact override our requirement that they hold their election November if they are able to achieve a three quarter's vote. This just doesn't strike me as good policy.

So, I have another Amendment, Madam President. I would be curious by the way to hear if there is a reason why the language was removed and then added back in as a part of the 9130 Amendment. But I do have an Amendment to take that policy out accordingly that is LCO 9249. I ask the Clerk to call this Amendment. This will be the last Amendment that I offer on the Bill tonight. I'm sure everybody's pleased to hear. And I'd love the opportunity to describe this Amendment once it's been called.

THE CHAIR:

Mr. Clerk, could you please call LCO 9249.

CLERK:

LCO 9249 Senate Schedule "J".

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. This is a very straightforward Amendment. It takes the now amended

Bill, which contains these new sections 507 through 513, and removes them in their entirety no longer requiring municipalities to hold elections in November that currently hold them in May. I move adoption and I would like a roll call vote. Thank you.

THE CHAIR:

And a roll call vote will be ordered. And we will entertain remarks on the Amendment. And will you remark on the Amendment? Senator Somers, good evening.

SENATOR SOMERS (18TH):

Yes, good evening, Madam President. I rise in support of this Amendment. I happen to represent a probably unique town, Groton Connecticut, which has two distinct boroughs within the town of Groton, which have their own taxing authority. So, in the town of Groton, we have a mayor and then we have a mayor in the city of Groton.

As I know that the good President has been to our city, actually swore in our new mayor just a few weeks ago after their May election. And it's complicated in Groton. So, the city of Groton's charter enables them to have their city elections in May, which they have just finished. And in order for the city to continue with this tradition, which has been since they were incorporated, they would have to go through the process in Groton of getting counsel and then a 45 member RTM approval to do so.

I do not understand the reasoning with disallowing municipalities who choose to have their elections in May versus November, why this was actually in this Bill and what the reasoning is behind it. And I fully support allowing municipalities to decide how they would like to run their elections and the dates in which they would like to have their elections.

And also, I will just add that the city of Groton just voted to reelect the current mayor, Mayor Keith Hedrick, and they elected him for two years, not two years in six months. And I think that's important for people to understand and I fully support this Amendment. Thank you very much, Ms. President.

THE CHAIR:

Thank you, Senator Somers. Will you remark further?
Senators Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I rise also in support of this Amendment. I also have a town in my district Union, Connecticut, which is the smallest town in Connecticut who votes in May and was contacted today. I'm trying to figure out exactly why the state is interfering with the municipalities' right to vote in May and why they would try to pass a law changing that date.

I understand that the Selectman can override this, but I don't understand why they would have to do that. If this is being put in place for one town, somewhere in the state of Connecticut, then we should have just named that town in this Bill and not gone after all of the towns, because I'm kind of thinking that's what's going on here.

You know, we overstep a lot up here at the Capitol that I've noticed, and, you know, we're doing that with businesses, and now we're actually going into the municipalities and basically saying, "You know, yourself rule, now we're going to over -- we want to override you. You can correct that if you want. But you know, we think you should do your elections in November and that's wrong.

I know they'll probably override it most likely. Actually, I was told they will, but that's not the fact. The fact is that we shouldn't be stepping in

and telling them when they should be voting. It's up to them. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further on the Amendment before the Chamber? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I rise in opposition to the Amendment and I encourage my colleagues to reject the Amendment. Madam President, when we began debate on this Bill a little over two hours ago, I talked about my belief that this Bill and Amendment A that was adopted was important for easing people's participation in our elections, for allowing people better access to voting. And I believe that this provision that's being debated in this Amendment, Madam President, the Amendment, just for clarification is not on the board. We are in fact debating the Amendment, correct?

THE CHAIR:

Yes, indeed, we are. And we are debating 9249. And Mr. Clerk, let us make sure that we have that on the board because the good Senator is correct. There we are, Senator Flexer.

SENATOR FONFARA (1ST):

Okay. Thank you. So, the underlying section of the Bill I believe is important because it makes it easier for people to participate. Again, I keep going back to this notion that those of us who're so honored by our constituents who elect us to serve as their state Senators. We have a different perspective on elections. I mentioned earlier in some of my remarks that we are, especially in tune to state elections were much more in tune with municipal elections than the average voter.

These elections in particular that happened in May have a historically low participation rates. I believe it's important for people to know that they can elect who leads their municipality in November. One of the municipalities, or I should say the boroughs that would be affected by this is in my district. I can tell you that in Danielson, there are some times eight, ten, 12 voters that show up to choose that borough council, because it's held on a Monday in May.

I remember when I was first registered to vote in Danielson, I had been registered to vote outside of the lines of Danielson, and then once I was registered to vote inside the confines of Danielson and I was very excited to vote for the first time in my borough elections. And I woke up on a Tuesday morning, I was ready to go over to the library and vote. And guess what? I read the newspaper and there were the borough election results because the election was on Monday.

Ask any voter out there in the State of Connecticut, what day is election day? What day is an election held? It's Tuesday. That reason alone is enough for us to have a change on when these elections happened. These elections should be consistent. When municipal elections are held all across the state, they should be held on the same day so that the most number of people can participate.

And when the rules are written by people who eat, breathe, and sleep elections, we can sometimes lose sight of that. Now this underlying Bill is a compromise. There was an effort to just mandate that all of these towns now have their elections in November. And I can see the strong merit in that, but we did put a compromise in here that allows for what would have to be a bipartisan vote of the legislative body in these communities to change it back to that first Monday in May.

I'm hopeful that most of these communities will not choose to do that. But again, like so many other Sections of this very important Bill, I believe this is an important provision so that more people have a say in electing their municipal leaders in the communities that would be affected by this. And so, Madam President, again, I urge my colleagues to reject this Amendment and support the underlying Bill. Thank you, Madam President.

CHAIR:

Thank you, Senator. Will you remark further on the Amendment? Will you remark further on the Amendment? A roll call vote has been requested, so I will open the voting machines and please do call the roll call, Mr. Clerk.

CLERK:

Immediate roll call vote has been ordered in the Senate. This is Senate Amendment "I", Senate Bill 5. Immediate roll call vote has been ordered in the Senate on Senate Amendment "I", Senate Bill No. 5. Immediate roll call vote in the Senate, Senate Bill No. 5, Senate Amendment "I". Senate Amendment "J". Immediate roll call vote in the Senate on Senate Amendment "J" on Senate Bill No. 5.

CHAIR:

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

CLERK:

Senate Amendment "J" of Senate Bill No.5:

Total number voting	35
Those voting Yea	12
Those voting Nay	23
Absent and not voting	1

CHAIR:

(Gavel) Amendment fails. Will you remark further on the Bill as amended? Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. This is the last time I will rise on this Bill. I'm disappointed to go 0 for nine on my Amendments this evening, but I do understand that's how it goes sometimes. I hope anyone watching understands that the effort made by me and some of my colleagues on the Republican side of the aisle tonight was simply to address concerns with the Bill before us, ranging from relatively minor, more technical concerns to things that we might consider more significant policy choices.

I want to, once again, thank my colleague, the Chairman of the GAE Committee for her efforts and her desire to work across the aisle to come up with a much improved Bill with the Amendment that was offered at the outset. I also want to appreciate-- make a note of appreciation about Section 506 that was added in the Amendment, which I know is something that she did in consideration for my concerns about how the Secretary of State should include many other state agencies in the process of automatic voter registration, other than what we currently use, which is the Department of Social Services and the State University System. This would include DCP, The Department of Public Safety, DEEP and so on. And I appreciate that very much. I know she put that in the Bill for me and that does not go unnoticed.

This has been an interesting debate; I think it's highlighted some of the differences between political ideologies in a pleasant and appropriate way where we're able to disagree politely and professionally. And I appreciate that very much. The last Amendment is a good example. I, fundamentally,

believe in the power of the individual as far as their rights go, and that everything should go from the individual on up in the process of freedom and decision making. And that means that I believe a local municipality should have more authority over determining their election date than a mandate from the state.

But I certainly respect the view that a state policy might make sense for some people. And that's just a philosophical difference, and it's one that I respect. And we have the great opportunity to debate in this circle on occasion. And I appreciate when it goes down in a very ethical and appropriate way.

With that, I'm going to just suggest to my colleagues, as much as I think this Bill is improved over its original iteration, it still contains a number of policy decisions that I do not think are beneficial to the state. I will remind everyone, that the big issues with this is the mandate on employers that they must provide time off to their employees to go vote, a well-intentioned policy, but one that has ramifications beyond simply the desire to let people go vote. You are forcing businesses to make a change to what is a private agreement between adult free citizens. And I don't believe this body has the right to do that.

There is also the issue of the continued use of those drop boxes, which I think are a danger. And possibly the number one issue, which I think most of my Republican colleagues would have concerns with, which is the expansion of returning voting privileges to folks who have not completed their debt to society, as far as their criminal sentence.

With that, Madam President, I will thank the rest of my colleagues for an informative discussion tonight. And again, I urge the Body to vote no on this Bill. Thank you, Madam President.

CHAIR:

Thank you, Senator. Will you remark further on the Bill, as amended? Will you remark further on the Bill as amended? Senator Haskell.

SENATOR HASKELL (26TH):

Good evening, Madam President. Thank you. I rise, very briefly, just to thank the proponents of the Bill, especially Senator Flexer, Representative Fox, Secretary of State Denise Merrill, and so many others who have worked hard on this Bill. It's been an honor to play a very, very small part in this Legislation as the vice-Chair of the Government Administration and Elections Committee.

I've enjoyed listening to the debate here tonight. And there are so many provisions of this Bill that I support, including, and especially, as somebody who's passionate about bringing more young people into government and into office, hopefully, voter registration drives at public high schools, e-signature systems to bring our election forms into the 21st century, providing time off to vote, which we know is just going to help get more working people to the polls. Drop boxes, which prove to be so useful and so safe, frankly, in our 2020 election, helping to see the highest participation that Connecticut has seen in decades. And, of course, restoring electoral privileges to individuals who are on parole.

Madam President, as you well know, as a former Secretary of State, this is an issue that's been long fought in the State of Connecticut. These are folks who are working in our community, living in our community and yet this this one right is held back from them, I believe, which in a manner that's tremendously unjust and prevents their full reintegration into civil society.

But Madam President, the reason I rise tonight is not to speak about any of those provisions, which

have been so thoughtfully covered by the proponents of the Bill, but instead to talk about something that's driven me crazy since I was in college, just a few years ago, and that's the process of applying for an absentee ballot in the State of Connecticut, it is antiquated.

I remember my freshman year of college sitting down on my freshman floor with a whole bunch of folks as we all decided we were going to apply for an absentee ballot. My friends who lived in other states, one good friend who lived in Virginia, had applied for their absentee ballots in a matter of minutes, because they could simply go to the Secretary of State's website, fill out a few basic questions to confirm their identity, and a few weeks later receive an absentee ballot in the mail.

Problem was, in the State of Connecticut, we had an antiquated process, a process that required me to go to the library, to print out a form, to sign it and then send it in to my local Town Clerk. And, of course, most college students don't have an envelope and a stamp lying around their room, so I had to go out and buy a pack of envelopes and a pack of stamps and send that form in, and then a few weeks later to receive the absentee ballot in the mail.

Now, look, I believe in paper ballots, they're critical to the auditing process of our elections, but there's no reason, Madam President, and I've been a broken record about this since I arrived in the Senate in 2019, there is no reason that the application for an absentee ballot has to be submitted via paper. And Senator Flexer has taken up this cause as the Chair of the GAE Committee and making sure that we finally allow folks to apply for an absentee ballot through a secure portal on the Secretary of State's website, just as, Madam President, we know they can already apply securely-- I should clarify, they can already securely register to vote online.

Now too, they will be able to apply for an absentee ballot through a digital process. And this sounds like a small change, but I can assure you, Madam President, it's going to make a world of difference to young people who are, perhaps, going to school outside of Connecticut, are not going to go through the burdensome process as it currently exists for applying for an absentee ballot, but might decide to do so once that process becomes just a little bit easier. And that's what this Bill is about. In countless ways it makes our elections just a little bit more accessible.

And surely that's something that we can all celebrate, whether we are capital "D" Democrats or Capital "R" Republicans, we are all believers in democracy, with a lowercase "d". Surely, we all walk into this building, believing that our government is stronger when more people participate, not fewer.

I'm excited to vote for this Bill, Madam President, not because I think that it's going to result in more votes for one party or another or one candidate versus another, but because I think that it's going to enable more folks a more diverse, and frankly, a more representative portion of our electorate to show up on Election Day. That means folks who work nine to five, it means commuters, it means those who are living with a disability, and as I mention again and again, it means getting more young people to the polls. And if they can't make it to the polls on election day, well, then making it just a little bit easier for them to get an absentee ballot.

So, I rise in support of the Bill. I urge my colleagues to support it. And I want to especially thank Senator Flexer, for including this important provision in SB No.5.

CHAIR:

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

SENATOR SLAP (5TH):

Thank you, Madam President, is good to see you this evening. I rise for a few brief comments. And I do want to echo the comments of Senator Haskell in thanking Senator Flexer and Representative Fox for their leadership on this Bill. I requested last year after I secured re-election to serve on the GAE Committee, because this is one of these issues that I hear so much from my constituents about, is voting reforms. And, you know, especially through 2020 in the pandemic, and then after that I hear all the time from constituents who are dismayed at what is going on across the country right now. And they look in states like Georgia and in Texas, and they see that a baseless lie, peddled by our former President has been used to weaken democracy and disenfranchise people in those states. And they say, "Please, don't let that happen in Connecticut."

So, I am so proud that tonight we're taking a significant step to go in the opposite direction and to strengthen our democracy. And that's important for equity reasons, of course, because we're going to have more people vote, we're going to ensure that people who historically have been disenfranchised, they're going to have more opportunities to vote. You know what, if you look at one of the key indicators of voter turnout, it is education. And in Connecticut we are one of the most educated states, but our turnout performance is middle of the road. And that's one of the lowest, actually, in the Northeast. And one of the reasons is we have some of the most restrictive rules when it comes voting.

This is a significant step forward and I'm so pleased that our Senate President, Senator Looney, and our Majority Leader, Senator Duff, made this a priority, put it as Senate Bill No.5 and said, "We are not going to be like Texas and Georgia and all those other states." That is incredibly significant, it's a powerful statement. And what would be even

more powerful is that if we could pass this in a bipartisan manner, right now, and show the rest of the country that voting reform does not need to be a partisan issue. Thank you very much, Madam President.

CHAIR:

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

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I rise-- This Bill has some really good parts to it and it also has some parts that are hard to swallow. First of all, I want to thank Senator Sampson for trying to strengthen it. But a couple, you know, the two hours that employers are going to have to provide with employees leaving the job and the hardship this is going to create on businesses, that's tough to swallow, especially after what we've been doing to our businesses. And some people around the circle may not see that as a problem, may not see our businesses as something that's important, but I truly do. I believe it strengthens who we are here in Connecticut.

Another part of this is the middle November elections and having people around this circle saying they know more about elections than those that have been voting in May for decades. This is the town's choice, and we're trying to take that choice away. Yeah, they can change it, but they shouldn't have to, they shouldn't have to change it. If the towns wanted to change that day, then they could have voted and they could have changed their charters to change that day. The state shouldn't be stepping on them and saying, "You're going to change it. If you want to change it back, you can vote to do so."

And one other Section is when we have an individual who must, basically, attest that they are US citizens and if you're not a US citizen, basically, you just have to attest that you are. So we have so many breaking the law who would get up in attest that I'm not a US citizen or I am a US citizen, and we just take it on that. And so, I'm hoping that we get a little more than just that. But this law almost states that you don't have to. So when I look at the title and I say that, you know, we're safe and secure in person voting, that's the only part that I have a little bit of concern about.

So besides, you know, those three quick things, you know, this could have been a much better Bill. And I think if we would have went with some of the stuff that Senator Sampson had presented, we could have made this a stronger Bill. But it was kept partisan all the way through. I think some good things had worked out ahead of time, but I think we could have made this a much stronger and better Bill. And I'm not sure how I'm going to vote on this at this point. Thank you, Madam President.

CHAIR:

Thank you, Senator Champagne. Will you remark further? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I just wanted to rise briefly in support of the Bill as amended. We've had a very thorough debate here this evening that I actually believe was a really good one, because I think this is a large Bill. And it's an important initiative that our caucus has put forward. And I'm glad that we had a thorough conversation on the Bill. And I want to thank Senator Sampson and his colleagues for that. And I know that we may ultimately come to disagree on this Bill.

But I do believe that all of the provisions of this Bill that we're debating here this evening, are really important in accomplishing that goal of making our elections more accessible for as many people as possible in our state. And it does -- this Bill does so in a variety of ways, some of which are complicated, and some of which are limited by our state's constitution.

And I know we will debate soon in this Chamber, some ways to open up our constitution to the voters and make other areas other ways of voting much more accessible to people in our state. But I think this Bill is a really important initiative. And I'm grateful for the thorough debate on it this evening. And I'm hopeful that my colleagues will support it.

I do want to thank Senator Looney and Senator Duff for making this Bill, Senate Bill 5, for the Senate, starting out the year, recognizing that doing whatever we could to open up voting and our electoral process to as many people as possible that that was going to be a priority for the State Senate this year. And I want to thank them for their leadership.

And I want to thank some of the staff in our caucus who worked on this Bill. Courtney Kalinin. [Nita Virdee] and Carter Oliver, who worked very hard over the last several months to get this Bill to where it is today. And our wonderful, nonpartisan staff, particularly Michael Talerico and Kristen Sullivan.

I don't know if this is appropriate to do this, Senator Looney, but I'm going to do it anyway, because this is complicated stuff. And there was a lot of work that went into this. And I'm just grateful to everyone who worked so diligently to make sure we got this right.

I also want to thank our wonderful Secretary of State Denise Merrill and her staff who worked very closely with us on many provisions of this Bill.

Secretary Merrill has been advocating for many of these policies for quite some time. And I'm grateful for her partnership and her leadership, and getting this Bill to where it is this evening.

And last, but certainly not least, I do want to thank my wonderful Co-Chair, Representative Dan Fox, who does such an amazing job leading the government administration and Elections Committee in his partnership and working on this Bill.

I hope that my colleagues will support it. I'm heartened to hear that there are many sections of the Bill that my colleagues across the aisle do support even if that that that does not mean they're ultimately going to vote for the total package that is now Senate Bill 5.

But again, I'm grateful for the debate. And I'm glad that Connecticut can lead the way in not just expanding access to voting, but having a thorough bipartisan, respectful conversation around our state elections law.

I think that's a real victory here this evening. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further? Senator Formica.

SENATOR FORMICA (20TH):

Thank you so much, Madam President. I would like to stand here and let go some of the words of the good Chair of the Committee.

I think what we saw here this evening was the best of the process. There may be some disagreement on the final vote but at the end of the day, we saw a bipartisan combination working together to make a Bill better. Make a Bill more palatable.

And I'd like to just recognize Senator Sampson for the incredible amount of work he puts in not only on this Bill, but each and every day that he comes here to this Chamber he works very hard. He is prepared, and he makes an argument.

We also have staff standing over there, James Rocco, that's been worked very hard to so I'd like to add that to the long list of people that have worked hard.

And again, I don't know where our caucus is going to be on this Bill. There may be some Yes, there may be all No. But I do know that I like what I saw tonight with regard to the respect by two Senators who work very hard to make this Bill, an understanding between two parties.

And I believe we have a better process at the end of the day. So, we got a week and a half, two weeks to go. I'd love to see that happen more often. And I very much appreciate what I saw this evening. And 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 also rise in support of the Bill as amended. First and foremost, certainly I want to thank us and folks who brought us to this point today for a debate and ultimately a vote.

I want to thank Senator Flexer, Representative Fox for their leadership in bringing this to the floor and their work in the GAE Committee. I want to thank also our Secretary of State for her work and that she's done to help expand voting options.

I certainly want to thank our staff who has worked very hard as well, including our Deputy Chief of Staff, Courtney Coleman, Nita Virdee, Carter Oliver, the lawyers, and others who have been part of this process.

And most of all, I want to thank our Senate President, Senator Looney, for all his work and support in these efforts as well. Senator Looney I know has always supported expanding voting access for people in this state and understanding and knowing that, which has led us to have this as one of our top caucus priorities. And one that is a very strong Bill, and one that does a tremendous amount for the people of the state of Connecticut.

I also want to align myself with the comments of Senator Formica with regard to the tone in the debate. And I want to thank Senator Sampson for his work. And I know that while he may not agree with every single aspect of this Bill, the debate was respectful. And sometimes people don't agree and that's okay. But the tone and tenor of the debate between both sides, I thought was excellent. And brought up some points, and allowed us to have a debate on the issues that if people are listening, they certainly understand various perspectives on this piece of legislation.

On the Bill, Madam President, anytime we can help expand voting rights is a day we should celebrate. And this Bill helps to do that in a number of different ways.

While we see many states that are -- especially down south that are restricting voting rights, we are still at work, trying to expand voting rights. And Madam President, you know, as a former Secretary of the State, that Connecticut is certainly not perfect in this venue, or in the space, but we are working towards really more access for people.

And there are just so many sections in this Bill that help to bring about more access, such as automatic voter registration. Such as the provision, Senator Haskell talked about. A number of ways in which people have more access to help elect the Representatives that they feel will do the best job and sometimes that's Democratic sometimes as Republican.

And Madam President, you know, in -- you think about all of us here, who -- and I'll use the term of political animals, we think about these things all the time. We think about voting, we think about elections, we think about the policies that we're putting forward, and how that -- how our constituents react to that we listen to them about the Bills that we want to put forward.

And then we go back to them every two years to say, well, how did we do? And whether or not they reelect us or elect somebody else. And that is part of the fabric of what makes our country so great is that we go back and basically give our constituents a report card, or give them the work that we've done. And they, I guess, grade us by whether or not they elect us or not elect us.

And so, we want to have more people who have that opportunity to be able to say, and have their voices heard. But we know that not everybody thinks about voting, or our policy, or the political world or government, as much as we do all the time.

And that people may think at the last minute why I really want to vote absentee, Oh, I can't believe I've got to go down to the library or my printer and print out that form and send it out, why can't I just do this online?

You can probably hear my kids' generation who are my oldest, who's now able to vote, and completely frustrated by the fact that he would have to print out a form, I'm not even sure he would know what

that meant. Rather than just do it online, and not have that ability to do it quickly, and then get his ballot in the mail.

Or the fact that people who use those drop boxes, and I watched them this fall, when I dropped my ballot off to people who just coming in dropping off and dropping them off and dropping them off, because they were so excited to be -- to participate. And they could do it on their time, in those ballots.

And so, we saw that as more people voted absentee, it didn't help one side or the other, but it provided more access to our citizenry to be able to participate in their democracy. As a matter of fact, there's a report out a national report that that looks at because other states have done this stuff for far longer than we have and it showed very easily that it doesn't help one side or the other. But it does help to expand voting rights for people in the state of Connecticut.

And that's what we want to do. That's why we have those other House resolutions that have come up about our constitutional Amendments, to fix some of the things that have restricted people's ability to vote in the manner in which they think is most convenient and safe and effective for them.

So, Madam President, it's great that we want to give people some time off to be able to vote because how many times have we heard, I can't get time off to be able to vote and exercise my right. It's great that we want to be able to allow people to automatically register. That we've provided our other opportunities, like the drop boxes, and, and other measures in this Bill, there's just too many to name.

So, I just want to again, thank everybody who has had their fingerprints on this Bill, because it has truly been a collaboration of so many voices who have said, here's an issue we should be discussing,

here's an issue we should be discussing. And this will make our democracy stronger, by being able to provide better access to the people who want to vote on Election Day.

And you'd be surprised that there are a lot of people out there who want to vote and don't vote or can't vote, because they -- for a variety of reasons. And these kinds of Bills that we do here will certainly provide those who are registered or want to register to vote, to be able to vote and have their voices counted.

So that when we are passing legislation in here, and we go back to our constituents, and we provide them with all the information that we've done, they can greet us and say whether or not they liked the job we're doing didn't like the job we're doing, feel confident that the people in our districts, all of them, who can vote have had that opportunity to be able to vote.

So, Madam President, I urge my colleagues to support the legislation. Thank you.

THE CHAIR:

Thank you, Senator Duff. Will you remark further?
Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. And good evening. Madam President, this is a very important Bill for the reasons that Senator Flexer so clearly and effectively articulated earlier. And that I think also Senator Slap and Senator Haskell also noted in their comments. And then, of course, the summary from our great majority leader who has been an advocate for this Bill and help to, in his leadership role, advance it through the process, move it aggressively through screening and try to get it in the queue for action tonight, so that we

will get it down to the house with plenty of time over the house to take action in the next two weeks.

But first, about the Senator Flexer. I wanted to point out that that I think as a former GAE Chair, I chaired the Committee, as House Chair in 1987 and 88. I've always thought that it's one of the more difficult assignments in the General Assembly, for the reason that normally there is a certain degree of expertise and deference paid to Committee chairs who develop an expertise in a certain area.

But everyone who gets elected here, from the very first day they come in the building, believe that they are expert in one area, and that's election area because they've used the process successfully to get here in the first place. So, I think that the Chair of the GAE Committee, to be successful has to have an authoritative presence and demonstrate true expertise and, and a profound understanding of the long term policies involved in why we shape election law as we do. And I think that's what Senator Flexer has done throughout her tenure on the Committee. I

I also agree strongly with, with the comments earlier by Senator Formica, about the quality and tenor of the debate this evening. I think it has been a model of policy debate focused clearly on an issue and the merits of that issue.

And I think there really are merits to this issue, Madam President, because we are talking about expanded access, ease of access. We see other parts of the country where there's an effort to go in the opposite direction. Some of the southern states are looking to close down opportunities for access, or to foreclose those that already exist or to make sure that no new ones occur.

We hear extreme situations of states looking to impose a criminal penalty and those who might provide food or water to people standing in line to

register to vote. These are just appalling things and a narrowing of the franchise in those states.

I think Senator Haskell's comment about the need for the ease of electronic access to securing an absentee ballot is certainly important and that will have a significant impact for younger people who are looking for an opportunity to do something along the lines of what they do and so many other areas of their lives to retrieve information and gain access online.

This will ease access to voting. And I think that's important. And it leads to the question that we've had throughout this debate this evening as to some have asserted the need for local control. And this is one of the fundamental arguments that we have, Madam President, in so many areas of policy is which areas of policy are appropriate to be left to local decision-making, and which ones should be decided at the state level? And I would argue that anything related to election law of this kind is something that should be decided at the state level. Because voting is a fundamental right, a fundamental obligation of grave state concern, that transcends municipal concern.

It's a fundamental issue of our democracy. And that's not something that should be parceled out and decided separately. In 169 communities have different views, there should be one state policy on elections. And that's what we're moving toward with this.

And, again, Madam President, there are so many areas, I think, where, where the state really needs to step up its responsibility to, to guide and to provide leadership by adopting central policies. And I think that too many areas where we have chaos, because we do have so many municipalities and 169 cities and towns going in opposite directions. That's why I think the move to the November election

is a clear one. It's the state, I think, appropriately setting policy in a certain area.

And it's important to remember that all of the powers that municipalities have, are not inherent powers, they are derived powers, they are powers of Home Rule given to them by the state, the state makes a judgment that certain areas of power and authority should be delegated to municipalities. But that's a state decision to make on a case by case basis, because, Madam President, of course, while municipalities have a long history in our state, going back to colonial times, the US Constitution, Madam President, only discusses the relationship between two levels of government, not three.

It discusses the relationship under the concept of federalism, between the national government and the state governments, there is no mention in the US Constitution of sub-state governments. So what the powers and municipalities have, under the wisdom of states to share that power, parcel out that power, create home rule to whatever extent possible, but I think the decision fundamentally rests with the state as to where a municipal power sharing is appropriate, and where it is not.

So, Madam President in this area, I think it is important, given the climate around the country, which is moving so much in the opposite direction, to celebrate this Bill for what it does, which is, I think, demonstrate confidence in people and to try to take down barriers, that they will then use their franchise, engage in democracy, see themselves as having a role, and to break down the alienation that often exists when people don't vote, not out of apathy, but sometimes out of discouragement, out of disillusionment, out of despair, out of cynicism.

But we don't want to add to those excuses by also creating technical difficulties in the voting process. So, I think this is a move in the right

direction. It affirms our commitment to participatory democracy.

And for that reason, -- that's one of the reasons why we decided to make it one of the enumerated Bills of important Senate Democratic Policy, that it is Senate Bill No. 5, and I think it's an important Bill this evening, Madam President, that we should celebrate its passage and get it to the House of Representatives as soon as possible. Thank you, Madam President.

THE CHAIR:

Thank you. Senator Looney, will you remark further? Will you remark further? If not, the machine will be opened 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 No. 5 as amended. Immediate roll call vote has been ordered in the Senate. This is Senate Bill No. 5 as amended.

Immediate roll call vote has been ordered in the Senate, on Senate Bill No. 5 as amended. Immediate roll call vote in the Senate.

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote in the Senate. Senate Bill No. 5 as amended. Immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

Senate Bill No. as amended.

Total number voting	35
Those voting Yea	25
Those voting Nay	10
Absent and not voting	1

THE CHAIR:

And the measure is adopted. (gavel) Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President, will the Senate stand at ease as we prepare for the next Bill, please.

THE CHAIR:

Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, will the Clerk, please call the next Bill, please.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 27. Calendar No. 388 House Bill No. 6105 AN ACT CONCERNING ACCESS TO ORIGINAL BIRTH CERTIFICATE BY ADULT ADOPTED PERSONS, as amended by House Amendment. Schedule A LCO 7098.

THE CHAIR:

Good evening, Senator Cassano.

Let's get your microphone. There you go.

SENATOR CASSANO (4TH):

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, sir.

SENATOR CASSANO (4TH):

Yes. It is a pleasure for me to present Bill -- House Bill 6105. This is a Bill that we've been working on for at least five years. A Bill that has taken time, energy in trying to develop a cooperative effort, like we've seen tonight, earlier in the night is an example.

Is it a new Bill? No, it's not a new Bill. Back maybe before I got here, actually, Senator Bill Finch and I think Mary Mushinsky, introduced a Bill at that particular time to try and change the rules for adoptees. And it just didn't go anywhere. And it kind of died in time.

The reason they did that was the same reason that we on Planning and Development went and looked at this again. Because if you were an adoptee that was born before 1983, you had no access to records of your birth. And there were a lot of consequences for that that bothered people, and so they came to us about five years ago, and asked if we would consider a Bill, dealing with the situation for these adoptees.

This was an interesting effort for us on the Committee because we had never come across things as this particular Bill. We put out a Bill that came to the floor. The Committee at that time, I think we were 50-50 pretty much halfway split, because there were real concerns about invasion of privacy.

Well, that all changed about a year later, because of technology. And with technology, people could simply go online, pay a certain amount of money and get their history and birth records that we had sealed here in Connecticut and other states simply weren't available anymore.

You could go on a genealogy program and get all that information. The difference was you paid for it. Whatever they charged, you paid the Bill, something that probably should have been done through your Town Clerk or through your state government.

And so that was the thing that kindled us into moving forward to try to develop a Bill, again, because of the fairness factor. The fairness factor being very simple. Why should you have to pay a large amount of money to get your own history? Your own internal history, if in fact, we have government that issues birth certificates here, at that level? Particularly it was the state level at that time.

Because of technology, the changes were made. Under the current law, access to adopted persons, anybody that was born before 1983, simply unless they got a court order, had no access to their birth records. The Bill expands that situation so that all of those people now are eligible for those records.

The second part of the Bill of significance is that at this level today, currently, the state government compiles the records and releases the information. This Bill switches that responsibility to local municipalities. And that's significant. If you have to come to Hartford to get your records, that's unfair. If you live out in the Berkshire Hills, you live down along the shore, whatever it is, to drive two hours to an office in Hartford just is extremely difficult to do. And particularly with the stress of trying to get this kind of information. A lot of people weren't doing it.

This Bill says that all of them will now go from the -- from the state to local government. Is there a financial loss? There was a report done last year, on the fiscal impact, the state lost 20 -- will lose. If we go by last year's numbers, they will lose \$28 in revenue that they collected last year for the birth certificates. So, there's no real fiscal impact.

Also, under this Bill, the responsibility to issue the certificate no longer will stay with DPH. And the other issues that the state has to do regarding birth certificates will be transferred to local governments.

Currently, if you were born before 1983, you needed a court order to get your birth certificate. Under this legislation, the need for the court order disappears.

I said earlier, it's not a new Bill, it's been around for a while. When it first came to P&D the vote was basically 50-50. This year, the vote came out of Committee unanimously. That's a substantial change.

The House voted 115 to 28 to pass this Bill, a Bill that couldn't get enough votes in prior years. Part of that, in fact, a great deal of that we owe to the people the adoptees themselves, who came to this building over the last few years on several occasions to try to get changes.

Why should we change it? Well, as the Bill points out, by allowing you to get that kind of information, individuals born or adopted after 1983 had access. If you were born before 1983, you don't have access. There are 38,000 Connecticut residents who were adopted before 1983. They could take advantage of this Bill. 38,000, and what does that mean for them genetic health problems as an example, they can learn more about their own heritage, access to vital information about the health problems.

These are things that are really significant. And quite honestly, in talking with many of those that have come to the Capitol, they have described firsthand because they were able to get information, they found out things that they just didn't know existed in the past before.

Does the Bill get support besides the Committee? I think that's significant because there has been a real attitude change in the state of Connecticut.

I'm not going through all of these. But if you look here, the Town Clerks Association, the Executive Directors of North American Council on Adoptable Children, Catholic Mothers for Truth and Transparency, Connecticut State Medical Society, Executive Director of the Connecticut Alliance of Foster and Adoptive Families for their group. The list goes on, of people that are supporting this whole effort. Because it's time it's time for people to get information on their own lives, to be able to move forward, to plan differently, and to think differently, medically.

There are at times -- there already been people that have come forward to us that have received because they've gotten information found out of have traits of diabetes, one particularly that I know of came to me and had no idea of a history of diabetes, they were having different difficulties, and because of that information, she was able to be treated.

The Bill has tremendous support in this building. It has tremendous support in the community. I don't think I've seen a group work harder and more sincerely than this particular group of people. They just want legally the information that they deserve, they're entitled to, and this Bill will change that. I would urge adoption of the Bill.

THE CHAIR:

Thank you, Senator Cassano. And the question is on Adoption. Will you remark further? Good evening, Senator Hwang.

SENATOR HWANG (28TH):

Good evening, Madam President. I want to thank Senator Cassano as Chair of Planning and Development for his articulation and explanation of this Bill and the process, and the journey that it went through. And just for a couple of quick clarifications, legislative intent, through you, Madam President. If I can ask a couple questions of the proponent this Bill.

THE CHAIR:

Please proceed, sir.

SENATOR HWANG (28TH):

Thank you. Through you, Madam President, and to the good Chair. This Bill was amended by house Amendment A. Could the good Chair explain what some of the particular language or content changes resulting from that Amendment for legislative intent? Through you, Madam President.

CHAIR:

And Senator Cassano.

SENATOR CASSANO (4TH):

Yes, and Senator Hwang, thank you for the question and for your help and your cooperation. As Ranking Member of the Committee. It's been a pleasure. The house Amendment removes a provision in the underlying Bill, extending an expired requirement for the Department of Children and Families to report annually on birth, parent contact preferences, and health history forms.

This would now be transferred to be done locally with the town departments if it was to be done.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. And just for an additional point, does it also transfer from the Department of Public Health to various municipalities in the production of birth certificates, which also perhaps may have a positive effect on reducing the fiscal note on this Bill, through this Amendment? Through you, Madam President to the Chair.

CHAIR:

Senator Cassano,

SENATOR CASSANO (4TH):

Thank you, Madam Chair. And yes, I indicated that earlier. And I should have reiterated that here. But it clearly transferred from DPH the municipalities the responsibility to get these certificates. And you can tell it many people weren't going to the state as I said it was \$28 in income for the state. Last year's there was only one. You'll see, I think a lot more activity locally because of that.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. And as a House Member I was I was honored to participate in the debate that led to the current legislation, which extended birth certificate access to adoptees up to October of 1983.

And as the good Chair cited earlier, that there has been a progression and a progress and an evolution of this Bill, leading to this current Bill language, which expands and affords adoptees the access to information beyond October 1983 without a court order.

Through you, Madam President, could the good Chair elaborate a little bit in regards to the evolution of where we went from 1983's concept to current language, and I know the good Chair articulated it, but could you take through for legislative intent, how this evolution and how the rationale came to be? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam Chair -- Madam President, I'm sorry. I forgot the actual number here. The numbers be prior to 1983. All of these people simply did not have access. They did not know who their parents were. They didn't know that the -- any of the family lines. They didn't know any of the medical conditions and so on. 38,000 is the number I was looking for 38,000 current residents, current people born, still alive, according to the statistics.

And so for those people, this is kind of an opening or reopening the life opening because now they can get evidence -- information I should say. That can tell them more about their background, about their families, about their health issues about concerns they might have, about fears they might have that are not necessary and so on.

And of course the curiosity factor, if you know that you're adopted, but you don't know from where you are or what your background was. That has got to be

truly satisfying for somebody to get answers to those questions.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President, and thank the good Chair for his for his explanation, and it shows that obviously, he has been a longtime champion and advocate of this issue, and is intimately engaged and aware of many of the challenges of this Bill.

And through you, Madam President, one of the challenges that we have heard from advocates, and individuals, raising concern about this issue, through you, Madam President, what would the good Chair offer in regards to concerns that were raised by birth parents who've said that they have had an agreement when they made that decision to give up their child that that we should honor that agreement from a standpoint of a promise kept? What would you say to those individuals and to those mothers that says this Bill betrays that context?

And I wanted to ask the good chair through you, Madam President, to articulate the rationale and the concern moving forward of why this Bill is more is currently necessary? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Yes, thank you, Madam President. Senator Hwang, thank you for that question. I've had the opportunity because I've been working on this Bill for a couple of years, to meet many of the birth -- some of the birth mothers I should say. Many of

these adoptees who are finding information about their lives that they have never had before.

It is almost like an exploration, an exploration in life. It is just mind boggling to see the joy that many have had. And they've been in this building, people that have found their parents, found -- not too many of their parents, because of age, quite honestly, many have passed by now. But they have found their families.

There are many that - it was ironic, one woman, her mother lived literally two streets away from where she was living, and neither one knew each other was there. And through research, was through the online, where they paid for the information. But that's how she found her mother. And when she found a mother, she lived two blocks away. And they still weekly, get together and do things and so on.

So, for some people, it is going to be a stress, there is -- I can't imagine that if a mother has to give up a child. And in most cases, it was for real difficult circumstances, trying to raise the child safely and so on. That had to be a strain. For many of those maybe that has passed. I don't think it ever disappeared from a mom.

And many have been welcome, welcoming to their son or daughter. Many don't want anything to do with it. I can understand that. But generally, the percentage has been very positive. And we've seen that right here.

THE CHAIR:

Thank you. Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. I want to thank the good Chair for his articulation, and his appreciation and respect for the contrasting decisions and values and

potential viewpoints of those that may pose his viewpoint. And I think he articulated very effectively, that a mother's choice, however difficult, is always important in this consideration. And in any consideration, we have in lawmaking.

That being said, I appreciate the good Chair's explanation, and I would want to just simply close in my commentary that, as I talked about being privileged to participate in the debate in the House, on the issue of extending to 1983 October, I remember the emotion, I remember the dynamic and it was one of the most thought-provoking and emotional debates that I've ever experienced in the General Assembly.

I remember that moment. And I remember at that moment, I had voted No, on the Bill from the consideration of respecting those viewpoints, but the evolution that I have come to, in learning more about these issues and considerations, but ultimately, respect for an adult individual who has a very strong interest in finding their identity, finding their value and also, most importantly, their medical data history.

The ability to have a family history background and a better understanding regards to their health and well-being as a point of consideration is an important part with regards to genomics and genetics testing. It is very important for us to be able to have some semblance of family history and potential health history to be able to base decisions on.

But I think the most important part is the evolution over time and trying to understand that individual choices. Individual body choices as we talk many times in this building is important. And when you have consenting adults that have reached an age that want to find out how their body and genetics are impacted, they should have a right to know.

And I know there are many emotional parts to it. But for me, I think the evolution for me through the leadership efforts and the initiative of Senator Cassano and many the advocates that I've had a chance to talk to, I'm grateful. I'm grateful to be in this position to have the dialogue and the interaction, and to admit that I have indeed learned, I have indeed learned, and through this Bill, I think we will all continue to learn to see if there is indeed, compromise and respect as we move forward.

This is not the end of the conversation, I believe, I think it's a step forward. But at the same time, through the words of the good Chair, the empathy and the respect that he has for birth mothers that have contrasting viewpoints to this policy change, I'm grateful. And it also shows that we do not tread through this change lightly. We will do it with respect and consideration. But ultimately, it is one respecting for an individual's right and desire to know how their birth parents and their impact on their long term health and well-being needs to be addressed.

So, I urge support of this Bill through you, Madam President, I want to thank the good Chair for his incredible leadership and statesman on this issue. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further?

SENATOR CASSANO (4TH):

Yes, Madam Chair. I do want to thank Senator Warren for his tremendous help. When we first voted on this a few years ago, I as I said earlier, the vote was 50-50, basically half and half. The vote this year was unanimous. The vote was unanimous because of the contact that we've had with many of these adoptees that have gone through the process and some birth

mothers. It was 22 and nothing that says how far we've come and trying to recognize that how important this is. Thank you.

THE CHAIR:

Thank you, Senator Cassano. Will you remark further? Senator Needleman? Good evening, sir.

SENATOR NEEDLEMAN (33RD)

Thank you, Madam President. And thank you, Senator Cassano, and Senator Hwang, I rise in support of this Bill. I think it's about time that we've done this. And I agree with what has been said that there's been an evolution here.

I want to commend Senator Cassano for sticking with this for so long. It's an example to me that you don't always get what you want the first time, but over time, you work hard enough and you commit to the cause. And this is a really worthwhile cause for the 38,000 people in the state of Connecticut who do not know who their birth parents birth mother is. And it's about time, times have changed. The shame and the other things that led people to make those decisions should no longer be a factor.

And the health reasons I think override everything here. We know so much more medically about people's pasts and genetic makeup and health issues that get passed on from generation to generation, that for that reason alone, it's important that people know it.

So again, I urge my colleagues to support this Bill. I want to thank the entire Committee and especially Senator Cassano for all of his hard work.

THE CHAIR:

Thank you, Senator Needleman. Will you remark further? Senator Somers. Good evening.

SENATOR SOMERS (18TH):

Yes. Good evening, Madam President. I rise with just a few comments on the Bill.

And first, I have great respect for Senator Cassano and his efforts with this adoption Bill, I know that he has been steadfast in his pursuit of this particular Bill for years.

I have heard tonight a lot of suggestion about empathy and evolution of thought going forward with adoption and for the 38,000 adoptees that are in Connecticut that would like to have the right to know who their birth parents are.

And we have heard people speak about the importance of family history and knowing your medical history. But if you actually talk to clinicians, you will find that knowing your family history is such a minuscule part of making a medical assessment that it is not really critical, and that there are so few genetic disorders that really make a difference in how you treat them. I find that argument sounds great. But however, clinically, it's not really a justified argument.

And that may sound cold but that's coming directly from clinicians. So, you don't really need to know someone's family history to treat them with disease. That's just not how it is, and medical medicine has advanced so greatly, that it's only a very, very miniscule part of the true over-reaching medical assessment that you will give to someone.

So, I'd like to talk about this Bill from a different standpoint. And partly because I have somebody in my district who, a few years ago came to me about this Bill when we heard it before, and has once again, reached out. And this would be a perspective coming from a birth mother's perspective, someone who made the decision during

the time period that we are now considering exposing, and dealing with a crisis pregnancy, maybe it wasn't the best crisis, but a crisis pregnancy and choosing one of the options, which was to give a child up for adoption.

Under the premise that this would be kept confidential, and guaranteed her an anonymity and also the secrecy moving forward. Now, many years ago, these might not have been, you know, traditional pregnancies so to speak, they could have come out of a variety of different circumstances that we have really evolved here in this state and country, whether it be domestic violence, date, rape, all those things that really probably were not even coined, or determined -- had a term to define them years and years ago.

And it was never easy as a woman to continue with the pregnancy, with the knowledge that nine months later, after carrying a child feeling a child move, that you would be giving up this child forever. And you would be giving it up and hoping that it would be placed with a family that would love this child and give it the life that you could not give for whatever reason that was.

But these were secret, these were confidential. These were circumstances where these women were told no one would know. And that was a promise that was made years ago, as we've heard in the circle, many women finding themselves in that position faced fear, stigma, even being disowned by their own families, because of the shame, so to speak, that came along with an unplanned pregnancy or a pregnancy out of wedlock.

And they made their decisions, again, based on a guarantee of confidentiality, a guarantee that this child would be adopted, but that they would remain unknown to the child. As with the father, if the father is on the birth certificate.

We have come a long way since then, and things are now much different. It is not uncommon to have obviously single mothers having children to not be married and have children, or for people to decide adoption is their choice, but it is an open adoption. It is something that is known from the start that the adopted child will have access to the birth certificate. Whether only the mother's name be listed or the mother and the father's name be listed. It is known going into the process that you as the person giving up a child which is one of the most selfless gifts, I believe anybody can give to anyone else will not have the confidentiality prior to 1983.

So, I believe that this Bill, and this situation is difficult because it's putting the right of the adult adoptee in direct contrast with the right of the adult birth mother. And who is the one who wins here? Who is the one that has the right to either secrecy or the right to the information? And I feel for both sides. I feel for the adoptees that want to reach out and want to feel whole in themselves and know who they are or where they came from, or what their family history is.

And I do believe that there are times when connected it can bring great joy and as we heard, an exploration of one's life. But I do think that the birth mother has a right when they went into this in a confidential agreement with a guarantee that they would remain anonymous. They have a right to be able to consent to that. They have a right to be able to say yes, things have changed. And guess what? Myself, as the birth mother I'm okay with giving that information out. I want to meet the child that I gave away at one point in my life.

And I also think that they should have the right to consent to say no, this woman in my district, I don't want to say too much, because I don't want to expose who she is. But she has made it very clear to me, the only person that knows of what happened to

her are her mother, who is now passed on and herself. Her husband, her children do not know. And the last thing she wants, is to have somebody knock on her door, or call her or have this information exposed.

She was a very young person. She went into it with a guarantee that she would not have to face the situation and not be exposed. So, I do believe, in many cases, the birth mother has already paid in some way a huge price that she will carry with her entire life. She gave life to something to someone, and had to give it up to someone else. I think that is a huge burden that will never leave a woman who does that. It's selfless. And it is a blessing for those who are able to adopt the child.

But in these circumstances, when someone is promised, confidentiality a guarantee, and then we as a state go back on that we are only as good as our word. And what does that mean for anything else that we promise going forward? We can just change our mind as we evolve. I think right now we have a process where adoptions are open, and people understand the circumstances, but we are changing the rules that can affect people's lives. Yes, maybe in a positive way, but also in ways that can be unintended and very negative for those particular birth mothers that made this choice years and years ago.

And I do believe that they should be afforded consent. And I think the process right now that we have with DPH, is if an adoptee would like to have the birth certificate, they reach out to DPH, even if they were adopted before 1983. DPH contacts the birth mother, and the birth mother has an ability right now to decide, yes, I would like to meet the adoptee and my child or not.

So, they have that choice right now. And there is availability for that reach out. And that at least gives the mother the birth mother and it always

falls on the mother, by the way, it never falls on the father. That's another thing that's just maddening. We're not asking for the birth father's record. We're asking for the birth mother's record. And it's always the woman that carries the burden.

And we have a process right now. So that DPH as I said, if I was somebody who was adopted, I would have the ability right now to go through them. And they contact the birth mother, I think I checked with DPH and I think last year there was only four people that -- if I have that number correctly that had requested that. So at least that gives the birth mother the opportunity to consent to the process.

So, I wanted everyone to think about that. It's a different perspective. We've heard a lot of people list Geez, this, this organization is supporting it. The Medical Society is supporting it. But guess what, I don't hear a lot of birth, mothers supporting it, they can't come and testify because they -- this is secret, this is not something that they can come in in front of the Legislature or submit testimony, saying I gave up my child before 1983. And I would like to remain anonymous, I do not want my child reaching out to me, they don't really have that opportunity like others do to come in support of this Bill.

And those people that are supporting this Bill, they are not the birth mothers that had to make that sacrifice and give up a child. So, I just would like people to think about that before they cast their vote. And think about the many women, the 38,000 women in the state of Connecticut, that may have given up their child under the guarantee that they would remain anonymous and the records would be confidential moving forward, and what kind of impact that we could have on their lives.

And again, we do have a process right now. So, if they have evolved in their thinking, if they are comfortable and ready to make that disclosure to

their family or in their lives and they are contacted by the child that they gave up from adoption, they absolutely have an opportunity to say yes, right now, through the Department of Public Health. Thank you, Madam President.

CHAIR:

Thank you, Senator Somers. Will you remark further? Senator Maroney. Good evening, sir.

SENATOR MARONEY (14TH):

Good evening, Madam President. I rise in support of this Bill. First, I'd like to start by thanking Senator Hwang for sharing his story and his evolution and his thought on this Bill. I think it's important that for many of us, we realize that what we may think is right at one time may change as facts change and as the times change.

I want to thank Representative Vahey for her guiding this Bill through the House, but most importantly, I stand to thank Senator Cassano for his leadership on this Bill and his persistence in this Bill. I've heard it said that it takes three years to get a big idea through both Chambers of the Legislature, but this has been a passion project of his that has taken more than those three years. We've seen his persistence, not just in this Bill, but over the last few sessions through his overcoming many obstacles, and he hasn't stopped with this Bill. So, I'm very excited to be here to be able to join him and support him in voting for this Bill.

And as he mentioned, this will impact 38,000 residents in our state. And we often think of the statistics, but those are 38,000 stories of people who this is a very important Bill to. One of them is my constituents, Cindy Wolf Boynton, and I would like to share some parts of an editorial she had written that was published in the CT Mirror a few years ago.

"My birth certificate is a legal lie. What's true on it is that I was born at 4:44a.m, October 27th, 1967. It's also true I was born in Norwalk hospital, and I'm guessing that Eric G. Norrington, MD, who's listed as the attending physician really was there. What's not true are the names typed in all caps under full name of the child's mother and father.

Barbara and Edward Woolf were the parents who raised me. However, on the October morning, Dr. Norrington put an anesthesia mask on my biological mother's face and then pulled me out with forceps, the Woolfs had no idea of my existence. They learned about me six weeks later on December 6th, 1967, the day before they brought me home, yet my birth certificate, the legal document that shows where, when and how I came into the world, states that Barbara and Edward Wolf were the ones who biologically conceived me.

Nowhere is there a stamp, handwritten note or any hint suggesting my birth certificate is actually an amended version created after my adoption was finalized in 1968. There are more than 38,000 adults like me in Connecticut, who have as legal proof of our identities, birth certificates that are essentially lies.

All of us were born before 1983, the year that currently decides whether a Connecticut adoptee can or cannot have access to her or his original birth certificate. And approximately 29,000 of us were born during the Baby Scoop Era of 1945-1972, a time when being pregnant without being married, was just about the worst thing a woman could do."

Cindy goes on for a little bit, but she closes with saying, "The truth of my birth should not be locked away like a state secret. Give me and all adult adoptees in Connecticut access to our original birth certificates so our lives are not built on lies."

Tonight, I'm proud to join Senator Cassano and the rest of my colleagues in making that so. So thank you very much.

CHAIR:

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

SENATOR BERTHEL (32ND):

Good evening, Madam President. And, Madam President, I rise in opposition to the Bill before us tonight. And I would actually associate my remarks with those of Senator Somers a few moments ago. And I think this is a difficult discussion that we're having here for many of the reasons that have already been spoken to, already, tonight.

And, Madam President, I do also have the highest respect for the work of Senator Cassano with many years of bringing this to the discussion in this circle. But I think, for me, what it comes down to as one of the 36 around this circle tonight is that, we made a promise and we have a process in place right now, as my good colleague Senator Somers spoke to, that gives a birth mother to whom we've made that promise a choice as to whether or not they want to reveal their identity.

And I fully understand the discussion tonight that we have friends we have neighbors, some 38,000 individuals who don't know who their biological parents are. And along with that, we have 38,000 parents who made what I can only imagine was a remarkably difficult decision to give up a baby, to give up their child for adoption. And whatever the reason was, at that time, whether it was economic, societal, family, cultural, they couldn't support a new baby in their life and entrusted that child to their church, or perhaps to the state.

And perhaps these parents made the wonderful decision to not terminate a pregnancy. Madam President, whatever the situation was, the condition was, at that moment in time, that mother and that father, perhaps, just the mother, had to make that remarkably difficult decision to give up their child. And while there was a great amount of testimony submitted both in favor of and against this Bill, one piece of testimony that came in among others that was against this Bill came from the Catholic Church.

And that testimony spoke to exactly what I'm speaking to now. The church had people that came to them and asked for help, as many people do. They reach out to religious leaders, their church, their religious organizations, and that there was a promise that was made, a promise to keep the identity of the parents private. And I think that as a legislative body, we have a responsibility to maintain that promise.

As much as we feel that it should be right to let someone know who their biological mother or father is, when I received a call yesterday in my office from a mom who is nearly 80 years old, and told me that she gave up a child 60 years ago, so that child is now 60, and pleaded with me, as an old lady, an 80-year-old mother said, "Please do not support this. There's a reason why I had to give my child up for adoption. And there's a reason why I needed to protect and need to have my identity still protected."

She said there was a promise that was made to me and you can't break that promise. And, Madam President, I can tell you, I'll share with this circle and with the rest of anyone who's listening, that even within my own family, I have a relative that gave up a child for adoption some 50 years ago. And she chose, as the birth mom, to make her identity known. And I can tell you that her child, that child was reunited

with their mother and they have an incredible and wonderful relationship this day.

But, Madam President, that was the choice of the mother to make her identity known to the child, it was not a mandate from this Chamber or from under this gold dome. So, as much as I think this is a difficult moment for us, and arguably, we've had a number of those already this session, and maybe in the remaining 14 days we'll have a few more. And this is not the first time we've had this Legislation before us.

This is just something that I cannot support, because this Legislative Body, many years ago, in this room and around this circle, worked to pass Legislation that became law that we would not reveal information and identities about birth parents to anyone without the permission and without that process that Senator Somers spoke too before. And Madam President, I think we have an obligation and responsibility to uphold that promise today. Thank you very much.

CHAIR:

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

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I rise to support House Bill 6105 in concurrence with the House. And first I want to thank Senator Cassano for his years of diligence on this particular issue. He has worked so hard on this with a lot of heart and a lot of passion, never giving up at the moments when most of us would have moved on to the next issue. He always heard in his head; the 30,000 people who have been impacted by the law as it stands right now. And I know that he took this on as a, almost as a personal cause because of his sense of decency and

fairness. And so I want to thank him for the work that he's done over so many years.

Madam President, I don't-- It's hard to try and, I guess, think of the right words to say with an issue that is so emotional and personal for people who I don't know and have never met and have gone through some very difficult times. But I will say this, that I know I do have constituents who have been impacted by the lack of being able to get their birth certificate. And they have spoken over the years to me about supporting this Legislation, and so I have taken that on because of their sense of urgency and their sense of fairness, and to not have them feel like they're being regarded as second-class citizens.

And so, I think that while, certainly, all sides of this have a point, I think it comes down to ensuring that those who've been impacted by this law feel like they have the rights everybody else does, and that they have the ability to understand who they are, their history, and no longer feel like they are somehow in the shadows, because in some ways I feel like that's how they might view the way the law is today.

So, again, I want to thank Senator Cassano, Representative McCarthy Vahey and all the others in the advocates who have just tirelessly worked on this Legislation so much. Thank you.

CHAIR:

Thank you, Senator Duff. Will you remark further?
Good evening, Senator Kelly.

SENATOR KELLY (21ST):

Good evening, Madam President, and thank you. I also rise in opposition to this Bill, and we'd like to align my comments with those of Senator Somers and Senator Berthel, who made very cogent and thorough

arguments as to why the passage of this Bill would be improper.

There have been 38,000 promises made and with the adoption of this Bill, 38,000, promises will have been broken. The promise was to 38,000 mothers and fathers, was that they would remain anonymous for giving their child the greatest gift, the gift of life. Senators who were in favor of this Bill, spoke about the modern technology that has evolved over the years to where now, through DNA testing and genetic information, we can find what our heritage is, where we're from.

And medical and scientific technology and advancements are making their arguments obsolete, but yet there're still individuals who made decisions at times in their life that were very, I'm going to say, stress filled, Senator Needleman talked about shame, and in a way, breaking, the promise that was made, is going to put that individual right back through that same event. Because that is their culture, that was what they were, that's what they experienced at the time.

And so, while I understand where children want to know more and want to understand their past, I also recognize that now we have more advancements in science and technology that make that information more readily available. And I think what we should be looking at here, is a process that would look and balance these interests, which I think is what we have under current law, rather than deciding that one interest, that of a child, is more important than that of the mother. I'm still mindful that 38,000 promises were made. I don't want to vote to break those 38,000 promises. Thank you, Madam President.

CHAIR:

Thank you, Senator Kelly. Will you remark further?
Senator Looney.

SENATOR LOONEY (11TH):

Thank you very much, Madam President, and speaking in support of the Bill. First of all, I want to commend Senator Cassano for his years of effort and consensus building on this issue since he first introduced the Bill, I think more than five years ago. And at that time, he was really swimming against a tide of opinion about where the greatest equity on this issue resided. And I think that tide has shifted and moved, over time, in the direction that he has been advocating, and that is for the adoptees to be able to secure information that might be significant and important to them and connecting them with their past and helping prepare them for their future.

It's important also that the birth certificates could also be sought by the children or grandchildren of the adoptee if the adoptee is passed away and is not in a position to do that, but the information may be vital in any way. It is really not a tenable system, Madam President, for us to have a one standard for those who were adopted before October of 1983 and those who were adopted after.

It is a difficult issue, as we've known, otherwise, this Legislation might have passed earlier, because as we said, there are the 38,000 women who gave their child up for adoption under certain conditions, that are, in fact, be altered by this Bill.

But on balance, I think, given the changes in medicine and also some of the other issues that society has come to deal with since then, in terms of, of helping allow people to have some sense of their own place, what is their history? Where do they fit in? Where in the circle of genealogy do their traits come from? On balance, I think that the

equity has shifted to that side, as is difficult, we saw the strong vote in the House in this direction.

And again, I think it's important for us to pass this Bill this evening, to adopt the policy reflected in this and the leadership of Senator Steve Cassano over five or six sessions, when this was first broached and introduced with a strong element of compassion behind it. So, Madam President, I want to, once again, thank the Chamber for the thoughtful debate on both sides of this question and would urge passage of the Bill.

CHAIR:

Thank you, Senator. Will you remark further? Will you remark further? The machine will be open. Mr. Clerk, please do announce the roll call vote.

CLERK:

Immediate roll call vote has been ordered in the Senate. This is House Bill 6105. Immediate roll call vote has been ordered in the Senate, House Bill 6105. Immediate roll call vote in the Senate. Immediate roll call vote in the Senate.

CHAIR:

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

CLERK:

House Bill No. 6105

Total number voting	35
Those voting Yea	27
Those voting Nay	8
Absent and not voting	1

CHAIR:

And the Legislation is adopted. (gavel) Mr. Clerk.

CLERK:

Page 42, Calendar No. 473, Substitute for House Bill No. 6451, "AN ACT CONCERNING THE AUTHORIZATION, LICENSING AND REGULATION OF ONLINE CASINO GAMING, RETAIL AND ONLINE SPORTS WAGERING, FANTASY CONTESTS, KENO AND ONLINE SALE OF LOTTERY TICKETS." (As amended by House Amendment Schedule "A" LCO 8985).

CHAIR:

Thank you, Mr. Clerk, and good evening, Senator Osten.

SENATOR OSTEN (19TH):

Good evening, Madam President, I hope you're well tonight. And I expect this to take about five minutes or so.

CHAIR:

Excellent.

SENATOR OSTEN (19TH):

So, let's go ahead and move this along. Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the Bill in concurrence with the House of Representatives.

CHAIR:

And the question is on passage. Will you remark?

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, this Bill before us, House Bill 6451 is a Bill that modernizes and creates an update to gaming

that we have not done since the 1990s. It expands, modernizes and strengthens protections on gaming activity and Connecticut, some of which have been taking place illegally for years.

Connecticut has been working towards this comprehensive offensive update having been put before the legislature over the last four Legislative sessions. In many ways we, in Connecticut, like to think that we're very unique, but relative to gaming we truly are. We operate gaming with two of the largest casinos at our two sovereign nations, both the Mohegan's and the Mashantucket's that have set a standard for gaming in New England that is the best in the world, as a matter of fact. We also have a state lottery that is a quasi-public entity and a private corporation that has had the sole authorization for parimutual betting. We also have racing and highlight that has been authorized.

A little over three years ago, the Supreme Court cleared the way for states to legalize sports betting. Since that timeframe, more than half the country has already taken action to legalize it. I would wager that many of the people that sit around this circle participate in sports betting in one form or another. The Bill before us represents years of work, to both expand gaming in our state to include sports betting, online gambling, but also to modernize our regulatory framework and significantly enhance consumer protections, both in terms of legal requirements and financial investment.

At its core, the Bill allows the Governor to amend the compacts with the Tribes that govern gaming in the state. Passage of the Bill would begin the process which requires approval from the Federal Department of the Interior. The Bill permits expanded gaming to be conducted by the Mashantucket Pequot tribal nation and the Mohegan tribal nation who currently operate Foxwoods and Mohegan Sun casino respectively.

It allows the Tribes, on the reservation sports betting in person, online sports betting on the reservations and fantasy contests on the reservation. Off reservation it allows online sports betting, online casino games, and online fantasy contests.

The Connecticut Lottery Commission is expanding its eye Keno to online, its eye lottery to online and online sports betting, with retail sports at 15 locations, including requiring one in Hartford and one in Bridgeport. Those expanded activities generate revenue for the Tribal nations and the people that make up those nations, and for the state of Connecticut.

The tax rates on that activity, online gaming, is 18% for the first five years and it moves up to 20% after that, sports betting and fantasy contests 13.75%, and it's calculated on the gross gaming revenue, something that a lot of people have never recognized that in Connecticut the slots have always been on the gross revenue, not on the net revenue, meaning that the Tribal nations take up the expenses there.

We have new consumer protections in updating our gaming laws for the 21st century. We've kept a close eye on the dangers of gambling and built provisions into the Bill to fund problem-gambling programs and regulate the games to make them less addictive. 21 for all gaming, the fantasy games are you have to be 18. The financial contributions significantly are enhanced. The Tribal contributions which have always been given willingly without a requirement in law now require \$500,000 each. Connecticut lottery will go from 2.3 million to 3.3 million and 43 million for DHMAS, which will establish programs for prevention, treatment and rehabilitation. There will be no betting on state college sports.

This has allowed us to, actually, fund many of the things and the Mohegan Pequot fund, Mohegan-Mashantucket Pequot fund gives every municipality in the state a certain dollar amount. Over the years that number has dwindled, and my hope and one of the things that I'm working on, is to ensure that the amount of money that goes to municipalities returns to the level it was at its highest. Right now it's at \$51 million. And we would need to add another \$80 million to bring it up to its higher level.

I could talk about this for a very long time because I think it's important, but the hour is late and I've done so much work on the Gaming Bill and work with the two Tribal nations too, which both reside in my district, and for the people that they represent, that I don't want to bore the circle with unnecessary chatter about something that should be just matter of fact.

So I asked my colleagues to support this, the Bill. And I'm hoping that the Governor signs it tonight and that we send it down to the Bureau of Indian Affairs where it should get quick review and come back to us so that those people who like sports betting and online gaming will be able to participate as early as this fall. I would ask for adoption, Madam President.

CHAIR:

Thank you, Senator Osten, and good evening, Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I rise in general support of this this Bill. This is a long time coming and there's been a lot of negotiations and a lot of people working on this Bill. And I think Cathy knows this Bill-- I'm sorry, Senator Osten knows his Bill a lot better than I do because she's been working on this for many years. But I do want

to ask one question if that's okay, through you,
Madam President.

CHAIR:

Please proceed, sir.

SENATOR CHAMPAGNE (35TH):

I just want to understand what the State Sports
Wagering and Online Gaming Regulatory fund is.

CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Could you
refer to the specific line in the Bill, sir.

SENATOR CHAMPAGNE (35TH):

It's Section 8. And it's actually in Section 8, 9
and 10. And it just says it's money from the Section
which is mainly for the licensing is going to go to
the State Sports Wagering and Online Gaming
Regulatory Fund.

CHAIR:

Thank you, Senator Champagne. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much. I believe that that fund is to
support some of the fees that are relative to this
particular Bill, through you.

CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. So, I'm guessing that this does not go through the general fund, but this helps offset those in charge of watching over the gaming.

SENATOR OSTEN (19TH):

That would be correct, through you. I'm sorry, Madam President.

CHAIR:

Yeah, no worries, the hour is late. Thank you, Senator Osten. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. So the only other concern that I had with this Bill was the fact that these wins are—Casino is put on hold for 10 years. But I was assured that that community-- Mainly because that community is in generally close to my district. But I was assured that there will be money set aside from the revenues and that East Windsor would be taken care of. So, I want to thank Cathy—Senator Osten for her work on this. And I do urge passage of this. Thank you, Madam President.

CHAIR:

Thank you, Senator Champagne. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. And I just want to be really clear, the revenue part has not yet been all worked out. And I would wish that the East Windsor community would receive dollars out of the Gaming Revenue. And parameters I would like to see put on that is that they get money until either a casino is built or the land is sold. There are two

opportunities there. But I don't want, for the listening public, make that promise until we actually finished filling out and getting the revenue that will be coming in identified and where it will be going.

So that is something that I would like to see, I think it's important to do. I think it helps out the East Windsor community, which is not seeing the revenue that they thought they would see, should this happen, and I think the state of Connecticut, as this was a compact agreement between the state of Connecticut and the Tribal nations that the state of Connecticut has some responsibility to the community of East Windsor, and I'll be working towards that. But there is no guarantee as of this moment. Thank you very much, Madam President.

CHAIR:

Thank you. Will you remark further? Good evening, Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Madam President, good evening to you as well. I rise to make some comments about this Bill. I first wanted to thank Senator Osten for her leadership and her work, and also her statements that she made just now about the town of East Windsor.

Madam President, I'm quite concerned about this Bill. It's pretty difficult to understand for me that this Legislative Body, a similar Legislative body like this one in the past had said that there is going to be an investment and they will be a casino in the town of East Windsor. And this led-- The Legislative Body had given the permission and the town of East Windsor had agreed to it.

And the Tribes had invested some \$20 million in prime land and had done all the groundwork, in

collaboration, in partnership, with the town of East Windsor. And everything is in place, we have a pandemic. Of course, with a pandemic there is a slight delay in all projects, especially economic development projects. But then we hear, not from the Governor's or the Administration Office or any other source, that there is a contract between the Tribes and the state of Connecticut which is going to restrict any construction of a casino in that land for 10 years.

So, the First Selectmen of the town learns about this through a Facebook post. And the Legislators on both sides of the aisle, myself and others, learn it, not directly as a part of those conversations, but indirectly through other sources. And it is highly unusual to learn that one of the important projects in our state, which was going to create 2000 jobs, 2000 jobs for construction and 2000 jobs in future in the capital region of the state of Connecticut, and that project conversation happened in the absence of the Legislators. And in the absence of the legislators, there was a blockade placed on any construction of this project in the state of Connecticut for the next 10 years.

It is beyond my ability to understand why we were not involved and did this happen, and I will remain confused about why that happened. And I would love to know the answers to that. But in the absence of those answers, I just want to share my concern about the fact that, in my opinion, this is wrong and the fact that this Legislation in front of us, Section 25 and 26 talk about the town of East Windsor, which I proudly represent, which is going to be impacted negatively with this current Legislation. I am quite concerned and opposed to this Legislation.

And, Madam President, in view of my concerns and what I brought forward, I do have an Amendment and I want to ask our Clerk, he may be in possession of an Amendment, LCO No.9125. With your permission, Madam President, if that can be called.

CHAIR:

Yes. Thank you, Senator Anwar. Mr. Clerk, kindly call LCO 9125.

CLERK:

LCO No. 9125, Senate Schedule "A"

CHAIR:

Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Madam President. Actually, I will just read it myself, if you will, because I don't need to summarize this. This is-- It strikes Section 25 and 26 in their entirety and number the remaining Sections and internal references accordingly.

Madam President, and in summary, what this Amendment is saying is that, the Sections that are going to negatively impact our town of East Windsor and the entire capital region of the state of Connecticut should be eliminated from this specific Bill. And with that, I would ask if we can have a vote on this.

CHAIR:

Thank you. 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 please signify by saying aye. All opposed.

(MEMBERS):

Nay.

CHAIR:

And the Amendment fails. Will you remark further on the Bill, without the Amendment, before the Chamber? Senator Anwar.

SENATOR ANWAR (3RD):

Thank you, Madam President. I just want against it for the record. For the reasons that have outlined I will not be supporting this Bill in the current form and I will remain engaged to find out why this happened to get to the bottom of this. Thank you so much, Madam President.

CHAIR:

Thank you, Senator Anwar. Will you remark further on the Bill before the Chamber? Good evening, Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. I know the night is late and I will be quick. I want to acknowledge Senator Osten and Senator Formica for their tremendous efforts in advocating for their member businesses in their district. They have been absolutely tireless champions, and I applaud them for their efforts. And I'm sure their respective businesses and employees in their community also recognizes their efforts.

And in the collegial aspect of this circle, I also want to be an opposition to this Bill, as I've always been. But that being said, so I just wanted to offer my notes in this circle and acknowledge that the Tribal compact has created a unique business model in which many in our state have benefited from the Pequot fund, and their contributions as in employment and a business entity in our community. It's a unique relationship that merits acknowledgement and appreciation.

But I am opposed because of my concern in the expansion today, through this Bill of online and sports gambling. We talked about the business, we talked about the economics, we talked about the revenue, these are all important and positive aspects. But we have not spent enough time addressing the incredible societal cost that these increases and expansion of gambling, particularly, in the online and sports gambling arena.

That being said, I want to just break out the societal cost impact. I'll just make a quick contrast in regards to New Jersey, our neighboring state, and talk about how there is a direct impact and correlation on increases and expansion in gambling addiction. In 2013, New Jersey embraced online gambling, and the data from a New Jersey Social Work at Rutgers University came out with a study that said, it had an addiction rate of 6.3%. That's nearly three times the national average of 2.1%. Dramatic impact cause in effect.

In 2018, sports gambling by the aftermath, the United States Supreme Court ruling that allows sports gambling in our states, New Jersey embraced it, and in 2018 Sports gambling-- Before 2018, sports gambling addiction accounted for only 4-6% of all problem-gambling calls. Since 2018, with the implementation of sports gambling, their calls have constituted nearly 12-16% of all gambling addiction problems in New Jersey. Again, cause in effect.

When you look at online gambling, you're looking at a new generation of individuals, young kids, individuals in isolation with COVID, access to rapid technology and innovations and screen technology in your phones, in your computers, in your entertainment through your TV, online gambling is a venue to those individuals. You can put a game, you can put a denomination, you can gamble, the idea and concept for many of these people, for many of the people that are accustomed to technology through their phone technology.

Just imagine the idea of Candy Crush as a game and being able to put a dollar denomination, a penny denomination for every candy that you can get from a mind-numbing game. You can put a gambling denomination and you have a new generation of young people that have grown up in accessing online technology. We have COVID isolation, the idea when you have gambling in an institution or at your casinos, you run out of money or you get into a certain point of social interaction, there is a stop. But if you're at home, you're in isolation, you're bored, boy, gambling is the way, there's no stopping. Online gambling is, potentially, addicting and dangerous.

Another part in regards to sports gambling, we're talking about an entire generation. We are a sports-craze world-Country. From 18-25 is the hotspot of young adults, they love their sports. If we wanted any analogy, take a look at what happened in Australia. When they approve sports gambling, the game didn't matter anymore, it was a point spread, it was a determination, who's going to get the next hit? Who's going to score the next run? It wasn't about the merits of the game anymore; it was about the excitement of betting on a sports event.

If you thought you saw enough commercials of draft King in any sporting venue that you see now, just imagine, just wait, the idea that we will now approve sports gambling, your airwaves and any sporting event you will look at and see, will be flooded with calls, flooded with TV ads, promoting of the quick-rich dynamic of betting on a sports game. Again, those numbers I share with you in New Jersey reflects a cause in effect.

We've benefited this state from gambling, we truly have. They've done great things, but it comes at a cost. So I will not belabor this point. There are two suggestions I would ask of this circle and of the leadership in the respective Appropriations and

Finance Committee, that beyond what is offered by this Bill, that we increase the allocation of money for addiction services and prevention, to raise awareness that the \$500,000, an increase from 1.3 to 2.3 additional million dollars is insufficient.

We know there's going to be addiction issues. We need to be proactive and protect those that are vulnerable. For many people who say, "I play this for fun, it's not an addicting issue", they're equally the same number of people who would not likely be prone to it, but when exposed to it will become addicted. We as Legislators have an important responsibility to not chase after the mighty tax revenue, but to be conscious of the societal costs that we have. But again, this is seem a fate to complete. So, I ask my leadership and the Finance and Appropriations, I'll repeat again, I would ask you to consider to increase the allocation of money for those whose lives will be irreparably damaged by access and increase expansion of online and sports gambling.

Another area of consideration, the study that I just pointed to, that talked about cause in effect. The state of Connecticut has a statutory requirement that we have to do a study on the economic and social costs of gambling in the state of Connecticut. The last study that was done was in 2008. I think we have a moral, social, and an economic responsibility to conduct another study as soon as possible, for us to truly understand that as we go headlong into this expansion, as we all pat ourselves on the back that this is a long road achieved, that we convene a study to truly measure the onset of expansion into these new arenas.

I certainly hope that as I speak on the record here, in opposing this Bill, I certainly hope that we don't come back here in 10, 15 years and say, "Boy, did we make the mistake? Did we unleash a scourge of addiction and problem-gambling onto our future generations?" And I hope I'm wrong. But you know

what? The datas don't lie. So, with that being said, I will be brief. I will be voting no on this Bill, I will consistently, and fight for those individuals whose lives will be irreparably changed by gambling addiction.

And I do believe if you study the data, and if you study the science, we're going to make money from people who are most vulnerable, most at risk, and we are increasing the possibility of creating more addicted gamblers. And for me, as a Legislator, it's one that I would never want to be associated with.

So, thank you, Madam President, thank you for the indulgence, and again, I urge opposition to this Bill. Thank you.

CHAIR:

Thank you, Senator Hwang. Will you remark further?
Good evening, Senator Witkos.

SENATOR WITKOS (8TH):

Good evening, Madam President. I'd like to start my remarks by offering a sincere congratulations to Governor Lamont in his successful negotiations to bring this over the finish line and then for the Legislative folks that were involved in crafting the Legislation and bring the Bill before us today. I'm a little concerned, and I haven't spoken yet this evening on any other Bills, but I felt it important to come and speak on this because, let's face it, there's not going to be an Amendment on this Bill, even if we all agree that there should be one. It's in its final action before this Chamber before it goes to the Governor's desk for signature, which I'm sure will be signed.

But I felt it important to point out a couple of things in the Bill that I would hope that the Administration and others will find similarities in my comments, that maybe we could offer an Amendment

on some other Bills further down the line that will address what I believe is an omission and a Bill before us, because I certainly don't want to Pete Rose moment here in Connecticut.

And I'm referring, specifically, to Section 15 of the Bill, where it speaks about an athlete or a coach or a referee who takes part in a sporting event. But it doesn't go on to say what is the definition of taking part. Is that an active participation? Does that mean you're actually out on the field doing something? Or just take part meaning that you could be sitting on the bench or you're on the disabled list, but you're still part of the team? Do you know the place that you're going to be called? Do you know how everybody's feeling? Do you have inside information that you'd gain an advantage by placing a wager or a bet?

I think that needs to be addressed and define what taking part is. I think if you are an actual member of a team, if you are a member of-- If you are a coach or referee belonging to an association you should be barred or prohibited from wagering a bet in the state of Connecticut. Secondly, Mr. President, the Bill prohibits family members or immediate family members of the betting organization from making wagers. But it doesn't prohibit family members of coaches, referees or athletes.

And I think that might have been an oversight in the drafting. I'm hoping, and I'm going to support the Bill, but I'm hoping that we find some time and some Legislation that's going to become before this Chamber again. We can all agree that immediate family members of those outlined in Section 15, athletes, teammates, coaches and referees should be barred from making the wagers. And also clarifying the fact that taking part means being an active participant or being a member, thereof, and not necessarily being out on the field, because I just think that just clouds the issue, and as I said, I don't want Connecticut to have a Pete Rose moment.

And we need to tighten up the language. I'm going to support it this evening, but going forward, I'd like to do some assistance in drafting some Amendments on another Bill that will take care of some of the things I cited tonight. Thank you, Mr. President.

CHAIR:

Thank you, Senator Witkos. Would you remark further on the Bill? Would you remark further? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Mr. President. To a great extent, I'd like to associate myself with the remarks of Senator Hwang. I represent seven towns in North Central Connecticut, the largest town in my district, Enfield, borders East Windsor. I also represent all of Windsor Locks, which is right across the Connecticut River from East Windsor. You take the bridge from Windsor Locks over to East Windsor, you're in the warehouse point section of town, it's the World War One Veteran's Memorial Bridge. There are other areas of East Windsor, Broad Brook, and the like. And I know many people that live in East Windsor it's a very nice small town, bucolic in many respects, again, in North Central Connecticut, just east of the Connecticut River.

I feel bad, in many respects, for the town of East Windsor because, they were looking forward to having casino on the more modest size, but one built in their town. I used to bring my two sons to the showcase cinemas there that no longer exist because it was torn down. It hadn't been used in a number of years, but it was a beautiful theater, it wasn't really old or anything like that. And we saw a lot of nice movies there and it's just too bad to see it vacant right now.

I know the plan was to be concerned about the casino that was built in Springfield and the competition that that was to bring to the two Tribal Casinos in Connecticut, I don't think materialized, or certainly did not materialize to the extent that people were concerned with for a variety of reasons, and this happened well before the pandemic.

So, I take a step back with this Bill, because gambling is big business, whether it's run by our, in many respects, wonderful and historic, Native American tribes here in Connecticut, that through the essentially slot machine gross revenue, 25% agreement has willingly, by agreement, turned over tens if not hundreds of millions of dollars to the state of Connecticut as a really good partner. I respect that.

Anyone who's ever gone down to either of those casinos recognizes these are magnificent. I think I read somewhere that our two Tribal Casinos in Connecticut are like three and four in the world, or something like that. I mean, these are magnificent enterprises. It's big, big business.

Now, unfortunately, the nature of gambling is that for there to be large profits, there's going to be losers. There are winners and if you watch an ad, whether it's Keno, or lotto, or whatever, come down to one of the Tribal Casinos, they are replete with wonderful pictures and videos of winners and people looking beautiful, and having dinners, and cocktails, and dancing, and going to historic museums and attractions, zip lines, playing golf, things like that. I mean, they're more than just-- The heart of the gambling there're resorts, there're destinations.

Indeed, in many respects, and I don't say this disparaging to the Springfield Casino, but my wife likes to take a trip down to the Tribal Casinos and for her, it's more than just the gambling, it's the

nice drive, it's getting away from North Central Connecticut. Yeah, it's 10, 15 minutes up the road to Springfield, but it doesn't have the charm. And just on balance, she enjoys once in a while being able to go down to one of those Tribal Casinos, enjoys slot machines, primarily, not a table games kind of person, not a big roller or anything like that, but it's a day trip, it's nice.

And there's wonderful restaurants and things like that. There's a lot of other things than just the gambling. I've thought long and hard about this Bill. I realized many, many key parties have sat around the table and hammered out the best proposal that they can. There's still some things that have to be worked out.

I'm really happy that Senator Osten has pledged to try to come up with a solution as far as revenues for the town of East Windsor, that we're so waiting to try to get their share for, really wanting to be a partner in these endeavors, and now they just have this torn down building and there's nothing there. And it's not going to be great seeing fallow land essentially for years to come if that's what eventually takes place.

I think we can do better as a state, as a partner to help that community out and that's as a neighbor. The part that bothers me is the part that was really nicely articulated by Senator Hwang and that's the online gambling. Trust me, I don't view this issue as one of morality. I am certainly not holier than now by any respects. I'm not a huge gambler myself, but I like scratch tickets and stuff like that. So, there's high rollers and there's low rollers and I'm much, much less than that. You know, if I get a scratch ticket and I won two bucks, "I say, Hey, that's great."

But other people have the wherewithal to use that, and whether you get a wonderful meal or you do something else, it's not for me to judge how you

spend whatever money you can. And unfortunately, what I've seen even with the gambling that we have in the State of Connecticut now is if you sort of pull away sort of the skin of the onion a little bit, you do see that there are families that have been hurt by gambling.

It's not as prominent as other bans to our civilized existence, that can cause problems to families and individuals; drug addiction, alcoholism, other kinds of obsessive activities, but there are individuals that get the gambling bug and they have gambled more than their family can sustain. And I've bumped into it and talking to people where it was and it's not man or woman or anything like that, but it was traditionally one spouse was doing something and the other spouse wasn't quite aware until the problem got so bad that the financial difficulties had to be confronted.

So, it's out there. It's attractive, it's alluring, but it is a little bit dangerous unless it's handled with respect and with a healthy understanding that you're probably going to lose because there's more losers than winners, even though should you win should it be that lucky day, you might win a real lot of money. And then the whole trick is if you win a real lot of money leave, don't just stay there and plow it back into the gambling that you're doing.

There is, and there has been over the last 10 years or so, this is sort of new thing out there on the web and it's called freemium games and people might say, "Well, what's a freemium game." It's very clever and if you take a step back and then all of a sudden you sort of look for it, you'll find it. It's not as prevalent now as when it first hit, because when things first hit, there's that sort of allure of something new and shiny and dazzling and, you know, it's, you know, whenever something's new on the marketplace, it always has that initial bump. And then it's like, where does it land? And if it

lands is still in the profit zone, it's going to keep going.

And the freemium games are these games where you can grow a farm. They have like images of like gangland, stuff like that, whatever it might attract your attention on the web and you play it. And the attraction is that you originally get into it for a half hour, hour more than that and it's free. That's why it's called a freemium game. It gets you in because it's attractive. It's fun to play. You can grow crops, do things, build up accounts, you know, imaginary accounts. And you get used to going on and you can play these things.

The reason that there should be taken very seriously as freemium games, maybe start off as free for the people that are playing, but the idea is to hook you. It doesn't have to be to hook you every single day, but it has to hook you so that you have this desire to go back and play some more. People aren't Pavlov's dog, right? But if you give someone an incentive, some kind of something that gets the things going in your brain, give you satisfaction, make you feel good, whether it's, you know, back in the olden days, you know, pinball, the bells and stuff like that, the numbers rolling around. All those noises, all of those things are calculated to get you to want to put more quarters in.

Well, now it's technological era and they want you to sit in front of that laptop or whatever you have and click things in or use your mouse or whatever the device is and, you know, cell phones, it's, whatever the, wherever the technology will lead us. And if you blink your eye, it's changed in the last five to 10 years. And if you blink your eye, it's going to change even more exponentially. Such that we're going to be able to carry these things with us 24x7 and be able to do all of this gambling wherever we are.

And my concern is that if they take what has been learned already with these freemium games and the last part of that puzzle is once they hook you, then all of a sudden four or five days into the game you playing it, they'll say something like you can grow more crops if you buy a plow that's 50 cents. And it starts off with these little nickels, dimes, quarters until eventually, maybe at the end of the month, you've through a credit card or account or something like that plunked \$50 into this game.

You never started off thinking you were going to pay a penny, but by a certain period of time, they've made their money. Is this possible? Oh, it's more than possible. It's happening. You get your best computer technologists, engineers, actuaries, accountants, attorneys involved in this. You can create something that will bring people in. You don't think it's true. If you have a little bit of insomnia, like I have on occasion and you're watching late night TV and you see this ad for California Psychics, you take a step back and you go California Psychics, who could believe that?

And they have these people saying, Oh, I call this up. And they told me, you know, X, Y, Z, and it all came to fruition. And you say, come on, you know, who's going to get sucked in for that. Well, somebody who's lonely, somebody who has time on their hands, somebody who has access to a credit card, someone who doesn't recognize that a dollar 95 or two 95 or three 95 a minute adds up and adds up fast because those ads run, someone's making money.

An illustrious mayor from the great city of Bridgeport, P.T. Barnum said sucker born every day. I think that was it. The problem with online gambling is as Senator Hwang really nicely pointed out is you're going to get a whole another group of people that wouldn't happen to have a car, wouldn't travel to casino. And it's really hard to spend lots and lots of money if you're doing Keno tickets in a restaurant or something like that.

But Boyle boy, you can sit in front of your computer at one o'clock in the morning with a debit card or credit card and let's just say you had a bad day and all of a sudden, you're doing online slots or you're doing online sports gambling or online fantasy. And the online stuff is 18 and older.

You know, we have a problem with a form of drugs. It's not your old-fashioned heroin. It's not your old-fashioned marijuana. All new fancy and it gets cut and it used to come in from China. But now the China goes to Mexico and Mexico comes to United States and it's killing people. People die in Connecticut at numbers, more than died in the entire war of Vietnam over the entire history of that war and we have people dying of drugs that we can't get our arms around each year.

With the advancements of technology and the desire of big businesses and I'm not saying these are negative impulses that folks have. I don't say that the tribes are bad neighbors or groups within the State of Connecticut, absolutely not, but the purpose of gambling, like any other businesses to make a profit and keep that profit rolling. And once you enter the world of online gambling, it's a brave new world and I'm not -- I have a hard time figuring out technology. I'm behind that curve, but young people, oh, it's second nature. I don't know about you. I have a 17-year-old. He's my youngest. I love my children dearly, but if I run into a problem with my computer, I call my son and boom, boom, boom, boom. It's taken care of. It's second nature

Well, welcome to online gambling because those are the folks, they're going to feel completely comfortable in that world. And God forbid, and I know Senator Hwang said it as well, I hope I'm wrong. I hope I'm wrong that five or ten years from now, we don't have some kind of catastrophe where someone spent five hours in their cellar and they lost the mortgage or somebody went online and

gambled thousands of dollars that they needed to feed their family.

Can these things happen? Oh, they happen. They happen in other aspects of our society, where there's lures and where there's temptations and where there isn't the ability to self-reflect and say, "Hmm, is this the right thing? Is this the wrong thing?" Because when individuals are allowed to do this on their own, there's no one looking over their shoulder and saying, "Hey, you may want to pull back.

I mean, even if the oxygen is being pumped into the casino, and you're up at three o'clock in the morning and you're pulling that thing or punching that button, there's still usually a lot of people around there. Even at the wee hours, you're not like isolated typically, unless things have changed, but now we're going into a whole another world. And I am concerned about that.

So, I would wish we would walk before we run. Certainly, sports gambling has a lot of opportunities for revenue, certainly online gambling, I don't think that we can put that genie back in the bottle and I hope that's not politically incorrect in some way, shape or form, but I think the dangers are right here and I think it's new territory. And I don't think that we've envisioned all the pitfalls that can be out there. And the dangers.

It's almost like we're going to build highways and roadways, but we haven't really figured out lines in the middle of the roadways and speed limits and things like that. And trust me, when we started to go down this road with automobiles, we didn't have all that stuff. I've watched enough history shows. We didn't have lines in the roadway. We didn't have speed limits. We didn't have good maps. It took like decades of people getting killed and maimed and lost.

Well, get ready, 'cause I think we're in for some interesting times and I hope it's all good. And I hope we get the revenues that we anticipate, but my concern is we need to continue analyzing this, examining this and always being mindful of new territory and great new dangers. And we owe it to our neighbors and friends and loved ones and the people of the State of Connecticut to keep a wary eye and be watchful, because I think the Wild Wild West here is dangerous and we need to be honest with ourselves and say, we need to have safe guards.

We need to have limitations. We need to protect people from losing their mortgages. We need to protect people from losing vast amounts of money when they didn't see it coming. We need to have oversight. And we need to think these things through, and we need to take a careful analysis of other states that may have already moved down this road and figure out what's working really well and what has been a disaster and what can we guard against and what can we do better?

So, on balance, there's some good here, but I'm going to have to vote no. I urge no one to vote one way or another. I know everybody's given us the deepest spot and I apologize, I probably spoke way longer than I thought I was going to, but I feel very passionately about this. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further?
Senator Osten?

SENATOR OSTEN (19TH):

Thank you very much, Madam President. And before we move on, there are a few people that I have to thank for bringing this to a resolution. of course, the Governor and his staff who sat and worked through

the details, Commissioner Lehman and secretary McCaw, but mostly what I want to also thank are the two tribal chairman who sat at the table who represent people in our communities, who represent their families in the negotiations who look at the length and the generations that will be representing their families in the future.

So, I really want to thank Chairman Gessner and Chairman Rodney Butler who know that this is about so much more than gaming and gambling. It's about the reflection of their family as we move this through. And I can't thank the two of them enough for staying in our communities for representing in our communities and for the 12,000 plus workers that are at the two Tribal Nations, I thank them for calming to our communities and living there and being good community partners.

Around this circle, I really want to thank Senator Formica and Senator Somers for representing our communities and fighting for years for this piece of legislation. I can't thank them enough for being here in support. And I also want to thank the whole Southeastern delegation who worked in the house for coming forward and fighting this battle to get this piece of legislation to where it is today. And Maria Horn, who was a Chairwoman of the Public Safety Committee and all the hard work that she put in to it.

There are many, many people to thank, but those are the people that I think should be called out all of the members of the Mashantucket Tribal Nation and all of the members of the Mohegan Tribal Nation for standing firm together with us arm in arm for representing Eastern Connecticut. Thank you very much, Madam President.

THE CHAIR:

Thank you, Senator Osten. Will you remark further?
Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I've been listening closely this evening to the debate on this Bill. And this is a very important piece of legislation and a very consequential one. I want to thank Senator Osten for her tremendous work on this Bill and on these issues for a long period of time and Senator, I don't have any questions for you. I just feel very conflicted and wanted to just stand up and say as much. On the one hand as has been detailed very well by Senator Osten and others this evening, this piece of legislation is critically important to our two Tribal Nations in Connecticut who have been great partners and neighbors, and they have suffered a great deal over the last year and three, four months or so.

And I think, over the course of the pandemic, they've had to make a lot of difficult decisions and as a result, many of the members of the nations and also their employees have struggled. And this legislation is a critical piece of legislation to help them move forward after this long and difficult year where they chose to put public health and safety, first and foremost in difficult decisions they made to close for the first time in their history a year ago, and the various decisions they had to make with laying off so many of their workers and we felt that pain acutely in Eastern Connecticut.

And so, as I contemplate this Bill, I have to think of that first and foremost, but I also, for a long time have been very concerned about gambling. And some of my colleagues here this evening have also detailed very well how problematic gambling is and how devastating it can be to individual people and their families and the long-term ramifications and damage that a gambling addiction can cause the financial devastation, the emotional devastation. Gambling can ruin people's lives.

And I'm heartened by the fact that this Bill does have some key provisions in it. And I'm grateful to everyone who worked on this legislation to make sure we are investing some additional resources to prevent problem gambling and to provide supports to people who have a gambling addiction. I would be remiss though if I did not stand up this evening and say that I wish it was more.

I know that many Members of the circle had the opportunity to read a great article last week in the Connecticut Mirror that detailed the much stronger programs they have in the State of Massachusetts and the thorough analysis that they do in Massachusetts with regard to gambling and its effects on individuals, on families and on society as a whole. And I wish this legislation was more aggressive in that way.

Again, I am grateful that there are some new initiatives and new resources in here to help address problem gambling. And this is one of the toughest votes I've ever had to take in the time I've had the privilege to serve in this General Assembly. At the end of the day, I think the economic impact and the great partners that our neighbors little Mohegan and the Mashantucket Pequots are, have to win the day over my concerns with the effects of gambling as a policy in our state and the devastating impacts that gambling can have their key important economic partners, their employees are, my constituents, who I'm charged here to represent.

And for that reason, Madam Chair, despite my deep reservations about gambling as a whole, I will support the Bill this evening. And I thank those who worked to make this initiative better. Thank you very much, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further?
Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. I rise in, excuse me, strong support of this Bill this evening. And I want to go back a little bit just to recognize some of the conversations that were around the table or around the circle today, that with concerns about the gambling aspect, about the problem gambling aspect, that certainly has been around.

But I want to tell a story starting in the early nineties, 1991, when Foxwoods was first coming into being, I was a newly established business, six or seven years, eight years. And out of this vast piece of land, there was this proposal from a bingo hall to a casino with a potential resort. And in those days, Madam President, electric boat was coming down to the lowest number of employees that they could have and still maintain critical mass at their facility. It was around 7,000.

And I remember as President of the local Chamber of Commerce, the spokesman for electric boat came and said they were teetering. They weren't sure whether they should close the plant or not. That's how close it was. We needed diversity in our economy and the hospitality industry led by Foxwoods led that diversification. Joyce Reznikoff, who was one of the great leaders of Southeastern Connecticut in business and in hospitality form the Mystic Coast & Country campaign.

And I joined that, I was some 35 or 40 miles away from where this was going to be and knew that it probably wouldn't have any direct impact on my business, but I thought it was important at the time, Madam President, to invest in say that, yes, we can have an opportunity here in Eastern Connecticut beyond the brand that was mystic. And so, I joined that organization \$250, Madam

President, it cost more than I've probably spent on any advertisement to that point.

But what happened, Madam President, was as the diversification grew, the jobs that they provided. at Foxwoods and subsequently the Mohegan Sun helped the Southeastern Connecticut economy diversify away from the losses that electric boat and other manufacturing positions. People were able to go to work, not for the same quality of job, perhaps, but for a job that would pay their rent, would keep the lights on, would put gas in their vehicles and help their children enjoy a life.

And that diversification has grown in Southeastern Connecticut. And it grew, now as we know, the manufacturing sector is up to about 18,000, 17,000 18,000, just at electric boat. And it's thriving throughout Southeastern Connecticut. The two tribal resorts grew to be two of the largest casino resorts in the world, Madam President, in the world. And they made us Connecticut a destination. They became partners, not only in our economic growth, but our philanthropic growth. They're generous partners to the community, leading the way in many causes that support the people, that support them.

Competition set in, the job started to fall a little bit, but they worked hard. And they continued to do well, and they are, I believe the fifth or six largest employers here in the State of Connecticut. The pandemic devastated them, Madam President, as much as anyone else. And as people turn to buying things online, the opportunities for this Bill tonight, online gaming became more apparent as other states were generating revenues far in excess of what was happening here in Connecticut.

So, Madam President, I understand the concerns of problem gambling, but in the 30 years that these two tribes have been here, they have addressed that to the extent they could. You never going to impact

everything. And this Bill provides for additional resources.

I agree with Senator Hwang and Senator Kissel and Senator Flexer that we could do more. And I think the study that's 11 or 12 or 13 years old, certainly needs to be updated. And I would support my good friend, Senator Hwang in pushing the effort to have that study updated. And I appreciate his concern and his passion for those people who may be addicted to problem gambling.

But there is money in this Bill. Could there be more? Yes, let's work on that. But now it's time for the diversification of this great resort and tribal casinos into the next generation. And I believe that will help further the economy in Southeastern Connecticut and beyond. And I think it will help preserve two of the largest and best tribal resort casinos in the world.

I too would like to recognize Senator Osten who has been tireless in pushing for these, for this Bill. And on behalf of both of these great resort casinos, Senator Somers, the Southeastern delegation, everybody, we came together as one to stand up for the people that worked and lived in the communities that we serve and to support the great philanthropic nature and the economic success of these two tribal resort casinos.

So, I'm hopeful that as we stand around here tonight in the final phase, the Governor, I should mention did a nice job bringing everybody together and negotiating this final deal. But as we stand around the circle tonight, I hope that everybody can join me in supporting this Bill and supporting the opportunity that it provides, not only for this tribal nations, but the people in the communities in which they serve and the State of Connecticut and the economy, which these partners have contributed billions of dollars since their initiation almost 30 years ago.

So, thank you, Madam President, for the opportunity. I know the night is late, but I want to, again, urge my colleagues to support and I thank the circle for bringing this forward.

THE CHAIR:

Thank you, Senator Formica. Will your mark further? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. And Madam President, I rise and support the legislation before us, and I want to align myself with everyone who has been thanked so far though. Though, I will say one person who has not been thanked yet, who needs to be is our Senate President, because this has been a long and strange trip to get to this point. We started probably seven years ago when we had a press conference in the old judiciary room with regards to when the two casinos were going to come together to work together for a potential third site in East Windsor.

And at that point, who knew where that would actually end up leading because of the fact of MGM building in Springfield. And that was a huge announcement to really bring the two tribal nations together for the first time to protect and to save jobs in our state. And we all came together in a bipartisan way because we knew that Eastern Connecticut was so important to all of us, those of us in Central Connecticut and in Western Connecticut, we understand the value of the jobs in Eastern Connecticut, whether it's at electric boat, whether it's in manufacturing places, whether it's at the two casinos. We understand that Eastern Connecticut is so vital to our economy just as much as the way is my area Fairfield County is as well.

And that sparked a lot of conversations, a lot of discussions and then, right after that, a few years after the US Supreme Court made a decision on sports gaming that really was not to use a pun, but it was a real game changer. But we were really not able to take advantage of that right away because of the fact that we had to work with the Tribal Nations to ensure that based on the compact that we had that there was an agreement so that there was, we were protecting jobs. We were protecting the interests of the state and we were setting up a mechanism for this to happen.

And I will say that none of this stuff is without controversy because of the comments we've heard here today. They are people with legitimate concerns about gambling problem gambling and how do we address that? But on the other hand, this is -- in our small state of Connecticut, we have now sports gaming and internet gaming around us and other states and we needed to make sure we were controlling our own destiny as well, and not leaving again with another pun money on the table 'cause we have been over the last few years.

So, this for us tonight is really the culmination of so many years of work between the executive branch, the tribes, the legislative branch, partners, all of, you know, many Legislators across all sides of the aisle across the state. And I am just extremely happy that we are here tonight, ready to ratify this agreement that will then be sent down to the Department of Interior Bureau of Indian Affairs. Hopefully they will approve it quickly and then we could begin the process.

And this is not an endorsement for anybody to go out and say, you know, to gamble recklessly, but it is an endorsement of the fact that the rules of the road have changed. And we're keeping up with the rules of the road and changes in that. And that's why I think that it's important for us to keep an eye on it, always keep a focus on the jobs that

exist at Mashantucket and Mohegan, so that we understand why this policy is so important for us to have here in the State of Connecticut.

So again, I want to thank everybody who's previously been thanked for their work. Again, with so much has been done behind the scenes as well and the Governor certainly deserves a lot of credit for bringing us here with the ratification, certainly his Chief of Staff Paul Mounds, his OPM Secretary Melissa McCaw and David Lehman, the DECD Commissioner who's also worked very hard as well.

So, again, thank you to everybody who's been involved. Thank you to Senator Osten and others for their work and Senator Formica and everyone in the Eastern Delegation. This is a good day for all of us in Connecticut, no matter where you live because we know that this will impact us for a very long time and will help save jobs across the state. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Duff. Will you remark further?
Senator Kelly.

SENATOR KELLY (21ST):

Thank you very much, Madam President and Good evening. I also rise in support of this Bill and it shows what good can come when it doesn't matter who gets the credit. And certainly, there is a lot of credit to go around 'cause there was a lot of hard work that went into getting this Bill to where it is today. I'd like to thank Senator Looney for his leadership and Senator Duff as well as Senator Osten for her stick-to-itiveness and of course, our Senators, Senator Somers and Senator Formica, who I know worked tirelessly with regards to this issue, kept our caucus involved and knowledgeable with what was transpiring, as well as the entire Southeastern

Connecticut, and for that matter, all of Eastern Connecticut Delegation.

This is a good Bill and good for the region, good for the state. I would also be remiss if I didn't thank the Governor and his staff. I know that these negotiations were not easy, but once again, staying focused on what good can come from it has brought us to this day. And most importantly are the tribal nations. They have been outstanding neighbors and partners. After all, they were the first citizens, if you will, in Connecticut. Unlike any other enterprise, they can't leave the State of Connecticut if they don't like what's going on, this is their home. This is their land. And I was happy to see not only the Governor, but both the House and the Senate work collaboratively with the Tribal Nations to get to a point where everybody would succeed.

For those reasons, Madam President, I would urge my colleagues to support this endeavor. Thank you.

THE CHAIR:

Thank you, Senator Kelly. Will you remark further?
Senator Looney?

SENATOR LOONEY (11TH):

Thank you, Madam President and good evening once again. I rise in support of this Bill. And I certainly look forward to a bipartisan result given the bipartisan cooperation that we have seen all the way through the process on this. It was strongly, the Bill was strongly supported in the Public Safety Committee on a vote of 22 to two. And then on March 24th, 34 to six in the Appropriations Committee. On May 20th, that's about as close to solid consensus as we generally get in the General Assembly on any issue, the House vote last week was 122 to 21. So, I certainly hope that we will see at least that strong

a preponderance on both caucuses tonight in support of this Bill.

Madam President, I want to begin by thanking Senator Osten who has done so much work on this issue over so many years as a champion of equity for Eastern Connecticut on so many fronts, Senator Formica, Senator Somers and others from Eastern Connecticut to have spoken up and advocated for their region and the, -- all that depends in terms of a successful continued operation of the casinos and their related businesses so important as a job creator and job sustainer in Eastern Connecticut.

And this really is an important economic development Bill. That's what this is about. It will provide new resources. That'll provide ways for Connecticut to retain its share and this new expanding field of remote gambling, because as we know other states in our region and around the country, they've already moved ahead on this substantially, partly because their process to do so was simpler and less complex. They did not have to negotiate a compact with the tribes who had a preeminent position through an existing compact in order to make modifications of that in order to go forward. And that took a considerable period of time. But now that that has been done and I want to commend the Governor for finally finding a way to get through all of the competing interests in that process and to get a consensus agreement with the tribes, now that we have been able to do what at our difficult process inevitably made it longer to do than what was the opportunity in other states to just go ahead and directly legislate.

Since we have now jumped that extra hurdle, I think it's worth celebrating that we're at this point tonight to take final action on this Bill. Of course, the process, as we said earlier, it's not yet finally final because of the fact of the tribal compact involvement, it does have to be submitted to the Department of the Interior for approval. And so

there are still a couple of more hurdles to jump, but the reality is we will at some point soon be generating revenue from this new source. It's critically important for us. We need to diversify our revenue sources going forward, as will be the case, I hope that with cannabis very soon as well.

Again, there are problems, as we know of a problem gambling can be a siren for people that they may often get themselves into deep before they even realize that they are trapped in something they had not anticipated. And we will have to, I think, accommodate that in terms of what we budget for counseling, training, for assistance to people who do fall into that pattern.

In addition, I think as Senator Osten said, we need to look at a fair and equitable way of distributing funds that will be generated out of this. I think for a significant portion of them, I think the old Pequot Mohegan formula did serve as well in the past when it was funded at a sufficient level to both recognize the needs of municipalities close to the casino sites in Eastern Connecticut, and also just distributed some assistance to other communities, that of course is now funded at a much lower level than it was when it was first created. And I hope we will be able to replenish that fund.

So again, for many reasons, I also want to thank our Majority Leader who was very much involved in trying to bring equity and harmony to this process. He worked closely with Senator Larson some years ago when the East Windsor casino was first proposed, was gaining momentum to try to generate support for an alternative that would be beneficial to that region.

And I think, as said earlier by Senator Anwar, I think we do owe some additional assistance to that region in terms of replacement compensation. Also of course, Senator Duff being from Fairfield County worked very closely with Bridgeport and its Representatives as well with their competing plans

over the years. So, he has been at the heart of trying to find a reasonable solution to all of this.

So, Madam President, I think with all of those hurdles and labyrinths and obstacles to be around, I think this is a word celebrating to finally reach this point this evening. So, thank you, Madam President and I urge strong bipartisan vote.

THE CHAIR:

Thank you, Senator Looney. Will you remark further? Will you remark further? If not, the machine is open. Mr. Clerk, please announce the roll call vote.

CLERK:

House Bill 6451. Immediate roll call vote has been ordered in the Senate on House Bill 6451. Immediate roll call vote has been ordered in the Senate on House Bill 6451. Immediate roll call vote in the Seante on House Bill 6451. Immediate roll call vote.

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate on House Bill 6451. Immediate roll call vote in the Seante on House Bill 6451.

THE CHAIR:

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

THE CHAIR:

House Bill 6451

Total number voting	34
Those voting Yea	28
Those voting Nay	6
Absent and not voting	2

THE CHAIR:

And the legislation is adopted. (gavel) Senator Duff.

SENATOR DUFF (25TH):

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

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. I will yield to any points of personal privilege or announcements. Hold on. Yes, and I need to do a -- Thank you, Madam President. Thank you everybody. Madam President, I need for referral on Calendar Page 48, Calendar 294, Senate Bill 1002, I'd like to refer that item to the Judiciary Committee.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you. Madam President. Seeing no points, we will convene tomorrow at noon, 12 hours and 30 minutes from now. And would 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 11:58 p.m. adjourned Sine Die.)