

CONNECTICUT GENERAL ASSEMBLY

SENATE

Wednesday, May 26, 2021

The Senate was called to order at 2:25 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 our newly elected Senate Chaplain, is Kathy Zabel of Burlington.

ACTING CHAPLIN KATHY ZABEL:

Help us to guard with care the things we say. Let us remember that our words have the power to build up or tear down.

THE CHAIR:

Amen. And then I'd like to invite Senator Cicarella, who is dressed in very patriotic colors to lead us in the Pledge of Allegiance.

SENATOR CICARELLA (34TH):

Is that how I got this role?

THE CHAIR:

Absolutely.

SENATOR CICARELLA (34TH):

That's my flag today, too. Here we go. Ready?  
(ALL): I pledge allegiance to the flag of the United States of America and to the Republic for which it

stands, one Nation under God, indivisible, with liberty and justice for all.

THE CHAIR:

Thank you so much, Senator Cicarella. And good afternoon, Senator Duff.

SENATOR DUFF (25TH):

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

THE CHAIR:

Mr. Clerk.

CLERK:

Clerk is in possession of Senate Agenda Item No. 1, dated Wednesday, May 26th, 2021.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move all items on Senate Agenda No. 1, dated Wednesday, May 26th, 2021, to be acted upon as indicating and that the Agenda be incorporated by reference into the Senate Journal and the Senate Transcript.

**No. 1**  
**REGULAR SESSION**  
**Wednesday, May 26, 2021**

**BUSINESS FROM THE HOUSE:**

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

**APPROPRIATIONS COMMITTEE**

**HB NO. 6344** AN ACT ESTABLISHING THE OFFICE OF THE UNEMPLOYED WORKERS' ADVOCATE. (As amended by House Amendment Schedule "A" (LCO 9145))

**ENERGY AND TECHNOLOGY COMMITTEE**

**HB NO. 6524** AN ACT CONCERNING THE SOLICITATION OF NEW FUEL CELL ELECTRICITY GENERATION PROJECTS. (As amended by House Amendment Schedule "A" (LCO 8206))

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SUBST. HB NO. 6205** AN ACT REVISING CERTAIN ABSENTEE VOTING STATUTES. (As amended by House Amendment Schedule "A" (LCO 8934))

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SUBST. HB NO. 5654** AN ACT CONCERNING AN ASSESSMENT OF THE UPDATING OF STATE FORMS, APPLICATIONS AND METHODS OF IDENTIFICATION TO INCLUDE A NONBINARY GENDER OPTION. (As amended by House Amendment Schedule "A" (LCO 9093))

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE**

**SUBST. HB NO. 6476** AN ACT CONCERNING A DISPARITY STUDY.

**GENERAL LAW COMMITTEE**

**SUBST. HB NO. 5312** AN ACT CONCERNING ACCEPTABLE FORMS OF CURRENCY AS PAYMENT IN LOCAL BUSINESSES. (As amended by House Amendment Schedule "A" (LCO 8921))

**GENERAL LAW COMMITTEE**

**SUBST. HB NO. 6100** AN ACT CONCERNING DEPARTMENT OF CONSUMER PROTECTION LICENSING AND ENFORCEMENT. (As amended by House Amendment Schedule "A" (LCO 8153))

**GENERAL LAW COMMITTEE**

**HB NO. 5305** AN ACT CONCERNING TOBACCO BARS.

**JUDICIARY COMMITTEE**

**SUBST. HB NO. 6505** AN ACT CONCERNING COURT OPERATIONS. (As amended by House Amendment Schedule "A" (LCO 9024))

**JUDICIARY COMMITTEE**

**SUBST. HB NO. 6506** AN ACT CONCERNING THE PROCEDURES OF THE OFFICE OF THE CLAIMS COMMISSIONER. (As amended by House Amendment Schedule "A" (LCO 9155))

**JUDICIARY COMMITTEE**

**SUBST. HB NO. 6605** AN ACT CONCERNING BUSINESS REGISTRATIONS, TRADE NAMES, THE COMMERCIAL RECORDING DIVISION WITHIN THE OFFICE OF THE SECRETARY OF THE STATE AND COMMERCIAL REGISTERED AGENTS. (As amended by House Amendment Schedule "A" (LCO 7849))

**JUDICIARY COMMITTEE**

**HB NO. 6564** AN ACT CONCERNING SECONDHAND DEALERS, PRECIOUS METALS OR STONES DEALERS AND PAWNBROKERS.

**JUDICIARY COMMITTEE**

**SUBST. HB NO. 6319** AN ACT CONCERNING PAYMENT RECOVERIES AND INCENTIVES UNDER PUBLIC ASSISTANCE PROGRAMS.

**PUBLIC HEALTH COMMITTEE**

**SUBST. HB NO. 6398** AN ACT CONCERNING VARIOUS REVISIONS TO STATUTES CONCERNING THE DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES.

**PUBLIC SAFETY AND SECURITY COMMITTEE**

**SUBST. HB NO. 6600** AN ACT CONCERNING SMOKE DETECTION AND WARNING EQUIPMENT IN ALL RESIDENTIAL BUILDINGS. (As amended by House Amendment Schedule "A" (LCO 9167))

**BUSINESS FROM THE HOUSE:**

**HOUSE JOINT RESOLUTIONS FAVORABLY REPORTED** - to be tabled for the calendar.

**JUDICIARY COMMITTEE**

**SUBST. HJ NO. 68** RESOLUTION GRANTING THE CLAIMS COMMISSIONER AN EXTENSION OF TIME TO DISPOSE OF CERTAIN CLAIMS. (As amended by House Amendment Schedule "A" (LCO 9101))

**JUDICIARY COMMITTEE**

**SUBST. HJ NO. 75** RESOLUTION CONFIRMING THE DECISION OF THE CLAIMS COMMISSIONER TO DENY CERTAIN CLAIMS AGAINST THE STATE. (As amended by House Amendment Schedule "A" (LCO 9110))

**JUDICIARY COMMITTEE**

**SUBST. HJ NO. 78** RESOLUTION CONFIRMING THE DECISION OF THE CLAIMS COMMISSIONER TO DISMISS CERTAIN CLAIMS AGAINST THE STATE. (As amended by House Amendment Schedule "A" (LCO 9118))

**JUDICIARY COMMITTEE**

**SUBST. HJ NO. 185** RESOLUTION VACATING THE DECISION OF THE CLAIMS COMMISSIONER TO DISMISS THE CLAIM AGAINST THE STATE OF JOSHUA KAHAN AND REMANDING THE CLAIM TO THE CLAIMS COMMISSIONER FOR A HEARING ON THE MERITS. (As amended by House Amendment Schedule "A" (LCO 9104))

**JUDICIARY COMMITTEE**

**SUBST. HJ NO. 211** RESOLUTION AUTHORIZING THE CLAIMANT, BARBARA MAKARA, TO SUE THE STATE. (As amended by House Amendment Schedule "A" (LCO 9108))

**JUDICIARY COMMITTEE**

**SUBST. HJ NO. 214** RESOLUTION CONFIRMING THE DECISION OF THE OFFICE OF THE CLAIMS COMMISSIONER TO DENY CERTAIN CLAIMS. (As amended by House Amendment Schedule "A" (LCO 9107))

**JUDICIARY COMMITTEE**

**SUBST. HJ NO. 264** RESOLUTION CONFIRMING THE DECISION OF THE OFFICE OF THE CLAIMS COMMISSIONER TO DISMISS CERTAIN CLAIMS AGAINST THE STATE. (As amended by House Amendment Schedule "A" (LCO 9112))

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

Report - Auditors of Public Accounts - Auditors' Report Core - CT System Information Technology General Controls as of March 2021. (Pursuant to Section 2-90 of the Connecticut General Statutes.)  
Date received: May 25, 2021.  
Referred to Committees on Energy and Technology.

THE CHAIR:

And that's so ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. I have some markings today.

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

Thank you, Madam President. First, I will-- I'm going to move several items to the foot of our Calendar.

THE CHAIR:

Okay. Please proceed.

Thank you, Madam President. On Calendar Page 2, Calendar 49, Senate Bill 265, I'd like to move that item to the foot of our Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 6, Calendar 135, Senate Bill 268,  
I'd like to move that item to the foot of the  
Calendar.

THE CHAIR:

And so ordered.

SENATOR DUFF (25TH):

On Calendar Page 11, Calendar 211, Senate Bill 693,  
I'd like to move that item to the foot of the  
Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 4, Calendar 94 Senate Bill 935, I'd  
like to move that item to the foot of the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 5, Calendar 113, Senate Bill 876, I'd  
like to move that item to the foot of the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 5, Calendar 116, Senate Bill 355, I'd  
like to move that item to the foot of the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 6, Calendar 120, Senate Bill 880,  
I'd like the move that item to the foot of the  
Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 6, Calendar 128, Senate Bill 877,  
I'd like to move that item to the foot of the  
Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 7, Calendar 141, Senate Bill 48,  
I'd like to move that item to the foot of the  
Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 7, Calendar 142, Senate Bill 49,  
I'd like to move that item to the foot of the  
Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 15, Calendar 273, Senate Bill 353,  
I'd like to move that item to the foot of the  
Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 16, Calendar 284, Senate Bill 761,  
I'd like to move that item to the foot on the  
Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 18, Calendar 303, Senate Bill 1015,  
I'd like to move that item to the foot of the  
Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 28, Calendar 397, Senate Bill 842,  
I'd like to move that item to the foot of the  
Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 3 -- On Calendar Page 19, Calendar 316, Senate Bill 1067, I'd like to move that item to the foot of the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 19, Calendar 324, Senate Bill 961, I'd like to move that item to the foot or the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 11, Calendar 212, Senate Bill 963, I'd like to move that into the foot of the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 20, Calendar 326, Senate Bill 1024, I'd like to move that into the foot of the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar 20, Calendar 327, Senate Bill 1026, I'd like to move that item to the foot of the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 2, Calendar 55, Senate Bill 36, I'd like to move that item to the foot of the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 8, Calendar 151, Senate Bill 934, I'd like to move that item to the foot of the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 8, Calendar 156, Senate Bill 984, I'd like to move that into the foot of the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 2, Calendar 60, Senate Bill 765, I'd like to move that item to the foot of the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 3, Calendar 63, Senate Bill 853, I'd like to move that item to the foot of the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 3, Calendar 64, Senate Bill 854, I'd like to move that item to the foot of the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 11, Calendar 211, Senate Bill 981, I'd like to move that item to the foot of the Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 18, Calendar 308, Senate Bill 1057, I'd like to move that item to the foot of the Calendar.

THE CHAIR:

And so ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. That's a big foot we have our Calendar there. Madam President, for markings for our goal list today.

THE CHAIR:

Okay. Please proceed.

SENATOR DUFF (25TH):

Thank you Madam President. On Calendar Page 1, Calendar 462, Senate Bill-- I'm sorry, House Joint Resolution 374, I'd like mark that item go. On Calendar Page 1, Calendar 463, House Joint Resolution 375, I'd like to mark that item is go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 2, Calendar 464, House Joint Resolution 376, I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 44, Calendar-- I'm sorry, yeah, Calendar Page 44, Calendar 181, Senate Bill 945, I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 27, Calendar 393, Senate Bill 948, I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 4, Calendar 79, Senate Bill 855, I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 9, Calendar 166, Senate Bill 931,  
just like to mark that item PT for the moment.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 14, Calendar 256, Senate Bill 928, I'd  
like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 42, Calendar 48, Senate Bill 962, I'd  
like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page--

THE CHAIR:

Did you mean-- excuse me, Senator Duff, did you mean  
262?

SENATOR DUFF (25TH):

Yes, Madam President, 262.

THE CHAIR:

Got it. So ordered.

SENATOR DUFF (25TH):

Thank you. Apologies for that. Calendar Page 42, Calendar 48, Senate Bill 262. Almost did again. I'd like to mark that item go.

THE CHAIR:

Yes. So ordered.

SENATOR DUFF (25TH):

Calendar Page 10, Calendar 188, Senate Bill 716, I'd like the mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 44, Calendar 227, Senate Bill 881, I'd like to mark that item go. On--

THE CHAIR:

And do we need to refer that?

SENATOR DUFF (25TH):

I think we're going to do an Amendment and then referral after that, Madam President.

THE CHAIR:

Got you.

SENATOR DUFF (25TH):

On Calendar Page 46, Calendar 268, Senate Bill 660,  
I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 3, Calendar 76, Senate Bill 696,  
I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 12, Calendar 216, Senate Bill 968,  
I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 5, Calendar 95, Senate Bill 123, I'd  
like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 17, Calendar 289, Senate Bill 889,  
I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 21, Calendar 343, Senate Bill 1093,  
I'd like to mark that item go.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Mr. Clerk.

CLERK:

Page 1, Calendar No. 462, House Joint Resolution No.  
374, RESOLUTION CONFIRMING THE NOMINATION OF ASHLEE  
FOX OF FAIRFIELD TO BE A MEMBER OF THE CONNECTICUT  
COMMUTER RAIL COUNCIL..

THE CHAIR:

Senator Duff, good afternoon, sir.

SENATOR DUFF (25TH):

Good afternoon again, Madam President. Madam  
President, I move acceptance of the Committee's  
Favorable Report and adoption of the Resolution.

THE CHAIR:

And the question is on adoption. Will you remark?

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, Ashlee  
Fox has been nominated from Fairfield to be a member  
of the Connecticut Commuter Rail Council. She passed  
by unanimous vote in Committee. She really was very

enthusiastic about her role on the Connecticut Commuter Rail Council.

Having knowledge of the shoreline East, of Metro North and wanting to learn more about the branch lines as well but has great experiences, not only with that, but commuting back and forth down to Washington as well. So, someone who has a deep knowledge of mass transit and commuter rail and I would urge adoption of the Resolution.

THE CHAIR:

And the question is on adoption. Will you remark further? Good afternoon, Senator Hwang.

SENATOR HWANG (28TH):

Good afternoon, Madam President. I rise to acknowledge and thank Miss Ashlee Fox for her volunteer participation on the Connecticut Commuter Rail Council, particularly in these difficult times, post-COVID, hopefully for a new normal, the importance of getting back and re-engaging for our commuters to ensure that the safety of the transit, the safety of the rail is essential to re-instill confidence for people commuting down to New York, as well has to Baltimore and DC. It is such an important part to our economy, but also our mode of transportation. So I want to acknowledge her efforts and her participation.

I also want to acknowledge that she is a great example and a product of being a Fairfield university graduate. And after that graduation, even though she went away to University Chicago Graduate School, she stayed in lower Fairfield County. And that is one such example where our great universities in this state are producing talent and keeping that talent in our state, not only for business, but for philanthropy and volunteerism as example by Ms. Fox.

So, I urge support, and thank you very much to the Committee for her unanimous approval. And again, I want to thank her for her efforts for a very important part of the economic and quality of life engine in our community, and that is the Rail Council, in what it does for its residents. Thank you, Madam President.

THE CHAIR:

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

SENATOR DUFF (25TH):

Thank you, Madam President. If there's no objection, I'd ask this item be placed on the Consent Calendar.

THE CHAIR:

And seeing no objection to putting this item on the Consent Calendar, we will move it to the Consent Calendar. Mr. Clerk.

CLERK:

Page 1, Calendar No. 463, House Joint Resolution No. 375, RESOLUTION CONFIRMING THE NOMINATION OF MISHONE DONELSON OF FARMINGTON TO BE A MEMBER OF THE CONNECTICUT AIRPORT AUTHORITY BOARD OF DIRECTORS.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move acceptance of the Committee's Favorable Report and adoption of the Resolution.

THE CHAIR:

And the question is on adoption. Will your remark?

SENATOR DUFF (25TH):

Thank you, Madam President. Mishone Donelson for Farmington looks to be a new member of the Connecticut Airport Authority Board of Directors and has a, really, a tremendous amount of passion and enthusiasm for this new position. And really feeling like be able to help take-- have Bradley go into even new heights, pardon the pun, and that really having new voices on there will help to get Bradley to the next step. And I would urge adoption. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the Resolution before the Chamber? Will you remark further on the Resolution? Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. If here's no objection, I'd ask this item be placed on the Consent Calendar.

THE CHAIR:

And seeing no objection, I will move that item to the Consent Calendar. And, Senator Kissel, did you want to remark on this?

SENATOR KISSEL (7TH):

No.

THE CHAIR:

Gotcha. Thank you so much. And that item, Senator Duff, is on the Consent Calendar. And, Senator Duff.

SENATOR DUFF (25TH):

Mr. Clerk.

THE CHAIR:

Oh, excuse me, Mr. Clerk.

CLERK:

Page 2, Calendar No. 464, House Joint Resolution No. 376, RESOLUTION CONFIRMING THE NOMINATION OF SCOTT GUILMARTIN OF SUFFIELD TO BE REAPPOINTED A MEMBER OF THE BOARD OF DIRECTORS OF THE CONNECTICUT AIRPORT AUTHORITY.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move acceptance of the Committee's Favorable Report and adoption of the Resolution.

THE CHAIR:

And the question is on adoption. Will you remark?

SENATOR DUFF (25TH):

Thank you, Madam President. Is another person for the Connecticut Airport Authority Board of Directors. Many people probably know Scott Guilmartin from interacting with him in other matters here at the state Capital. He is somebody who will look to be reappointed and has worked very hard, we believe, in the Executive and Nominations Committee, for the Board of-- on the Board of Directors.

And currently he's principal of New Power LLC for Green Energy and he passed by unanimous vote, and I would urge adoption. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Duff. Will you remark further on the Resolution? Good afternoon, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President, great to see you this afternoon. And I would like to be associated with the remarks of the Majority Leader, Senator Duff, when he said, regarding the previous nominee, that she will help the Airport Authority and Bradley International Airport achieve new heights, no pun intended. I like-- I love that line.

Scott Guilmartin and his lovely wife are pillars of the community in North Central Connecticut, indeed, in the great town of Suffield, which I've had the honor of representing for the past 29 years. This is a reappointment to the airport authority.

Mr. Guilmartin not only is a tireless advocate for growth at the airport, but is very mindful of the bucolic nature of North Central Connecticut, and constantly seeks that nice intermixing of thoughtful development and growth of a tremendous asset, not only for North Central Connecticut, but for all of Connecticut, and indeed, Western Massachusetts, but also is mindful about all the good families and individuals that live in North Central Connecticut, from Suffield to Enfield to East Granby, and Granby, and all the way down to Windsor locks and Windsor, and probably all the way out to Summers, the district that I represent.

Not only that, I've had the pleasure of knowing Scott or Mr. Guilmartin for a No. of years, many, many years. He's just a fine individual, an outstanding human being, straight as an arrow, with the very best of intentions, and extraordinarily hard working individuals as well.

So, he brings, to the Airport Authority, not only a passion and a great work ethic, but he lives right near the airport, so if anything ever comes up, he can just take a two-minute drive down the road and, boom! He's there. And that allows him insights that folks as dedicated and well-meaning as they may be, who live far away, maybe not to have the ease of access or the personal knowledge that Scott, Mr. Guilmartin brings to this post.

And so, I am tremendously honored to recognize Scott and, again, his lovely wife, who I believe is an educator. They're just great people to be my constituents and I have no hesitation, whatsoever, in supporting his reappointment to the Airport Authority. Thank you very much, Madam President.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further on the Resolution that is before the Chamber?  
Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If there's no objection, I'd ask this item be placed on the Consent Calendar.

THE CHAIR:

And seeing no objection, it is placed on the Calendar for Consent. Mr. Clerk.

CLERK:

Page 44, Calendar No. 181, Senate Bill No. 945, AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE DEPARTMENT OF EDUCATION.

THE CHAIR:

And good afternoon, Senator McCrory.

SENATOR MCCRORY (2ND):

Good afternoon, Madam President. How are you today?

THE CHAIR:

Excellent.

SENATOR MCCRORY (2ND):

That is wonderful. I think we're going to have an excellent day. Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of this Bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR MCCRORY (2ND):

Yes, Madam President. Madam President, this is our traditional Educational Bill, aircraft carrier with a lot of technical changes. I will refer to each Section very briefly, if I had to go in more detail will be inclined to do that also.

Section 1 of this Bill speaks to requiring PPTs for special education students. Section 2 of this Bill splits the elementary level biennial education certification into two classes, one for K9 and also one for 409.

Section 3 of this Bill requires the Education Commissioner to endorse of certification for STEM classes in humanities. Section 4 speaks to modifying the gray point areas for the teacher certification program.

Section 5 speaks to charter school Governing Councils incorporating agreements in their information in regards to their background checks. Section 6 removes the requirement that criminal

history records for charter school Governing Council and Management Members be included.

Section 7 allows the Attorney General, on behalf of the STE to bring civil suits against organizations for misuse of funds. Section 8 clarifies the appointment process for the TECH 2 Education and Career System.

Section 9 creates a new PPT process that must occur before students receive special education services in our technical schools. And Section 10, basically, removes obsolete language. Madam President, this Bill passed our Committee unanimously. And that concludes my summary. Through you, Madam President.

THE CHAIR:

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

SENATOR BERTHEL (32ND):

Good afternoon, Madam President, good to see you again today. Madam President, I do not have any questions. Surprisingly, for my good Chair and colleague on the Education Committee, I do rise in support of the Legislation.

As the good Chair explained, this does make some good changes to some existing Education Statutes. Specifically, the Committee worked very hard to work with the Department of Education regarding some of the changes to PPTs, and specifically for certain types of special education students, which I think will go a long way in ensuring that we are doing the right thing for those students with some really higher level of special needs within our public schools, and I think that's a very good change.

In addition to that, we have, as the good Chair explained, we made some important changes with

respect to expanding the ability for individuals to be hired, by removing that grade point average and looking more at-- more closely at their actual educational experience and their course of study.

I think we might-- I don't know whether we remove a barrier, but perhaps we lower a barrier, if you will, and are relying on something that's a little bit more substantive than just the GPA average.

So, and as the good Chair, I don't need to repeat what he said, as the good Chair spoke to there are some other changes in here that came to us from the Department of Education. So again, I rise in support and I urge passage. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Berthel. Will you remark further on the Bill that is before the Chamber? Senator McCrory.

SENATOR MCCRORY (2ND):

Madam President, if there's no objection, I will ask that this will be placed on the Consent Calendar.

THE CHAIR:

And seeing no objection, we will add that item to the Consent Calendar. Mr. Clerk.

CLERK:

Page 27, Calendar No. 393, Substitute for Senate Bill 948, AN ACT CONCERNING THE MODELING OF A PROPOSAL FOR EDUCATION FUNDING IN CONNECTICUT.

There is an Amendment.

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of this Bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR MCCRORY (2ND):

Yes, Madam President. This Bill does-- And initially, this Bill was going to be a huge, huge modification to how we fund education in the state of Connecticut.

Unfortunately, there are so many layers to the way we provide funding to school districts that it will take a great deal of time to explore this, look at it in detail and really come up with a solution to how we should fund education in the state in Connecticut.

And because it was such a huge task, what we decided to do, actually, was modify this Bill, and actually make it more of a study, so we can come back and do a really deep down analysis of how we should educate-- not educate, but actually provide the dollars for education and state of Connecticut.

There are so many different school systems, methods or vehicles that we use to fund schools in state of Connecticut. You have some places you have charter schools, you have magnet schools, you have your traditional school districts, we have technical schools, we have a whole lot of different schools and we fund them all different ways.

And somehow we one way, someday, we want to find out solution so we can make it-- not, let's say, one fit for everyone, but make it more updated so that all

our children will be able to use the resources that they properly need. So, Madam President, the Clerk is in possession of Amendment LCO 8662. I will ask the Clerk please call the Amendment.

THE CHAIR:

Mr. Clerk, if you could please call LCO 8662.

CLERK:

LCO NO. 8662, Senate Schedule "A".

THE CHAIR:

Senator McCrory.

SENATOR MCCRORY (2ND):

Yes, Madam President. This is just a small technical-- I'm sorry, I move adoption.

THE CHAIR:

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

SENATOR MCCRORY (2ND):

Absolutely. Madam President, there is just a small technical change in this Amendment. In line 34, we will strike the language which reads, "In accordance with the provisions of Section 11-4A", and in line 35 we'll strike the Section that says, "Of general statues." I move adoption.

THE CHAIR:

And the question is on adoption of the Amendment. Will you were you mark on adoption-- on this particular Amendment? Senator Berthel.

SENATOR BERTHEL (32ND):

Yes. Good afternoon, Madam President. On the very, very complicated and complex Amendment, I urge adoption of the Amendment in full support. Thank you.

THE CHAIR:

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

(MEMBERS):

Aye.

THE CHAIR:

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

SENATOR MCCRORY (2ND):

Yes, Madam President. Again, as I said earlier, this Bill will traditionally start out as a huge transformation of how we're going to fund education in the state of Connecticut, however, we're going to take our time, actually study the situation and come back with some just some suggestions by all the advocates.

Again, we have a multiple way of funding education, we have inter-district magnet school, we have state, and we have local charter schools, and we have a No. of ways, but we do want to get to a point that we can understand and properly finance education away again, so all children can be successful in education. Madam President, I move adoption.

THE CHAIR:

Will you remark further on the Legislation before the Chamber? Senator Berthel.

SENATOR BERTHEL (32ND):

Thank you again, Madam President. And again, I do not have a question for the good Chair, just some additional comments. This was some good collaborative work within Committee to take what was potentially going to be a very, I think, a very difficult Bill for us to have a discussion on originally, because of a, what I believe started at about a \$450 million price tag, and I think this is a, perhaps, a good example for some other Committees to look at, going forward, when we have these very large and onerous Bills, to ask OFA to get involved and essentially for the Legislature to commission them to do a study, if you will. I think we're calling it a modeling in the wording of this Legislation, but this is a good way, I think, to get to what is reasonable, without any cost at this point.

And with also understanding exactly how the-- a Bill of this nature had it moved forward in its original form. Before we move it forward, we have a better understanding of what the impact is and how it affects the way that we do business in the Education space. So, Madam President, I rise in support and I urge adoption and passage of the Bill. Thank you.

THE CHAIR:

Thank you, Senator Berthel. Will you remark further on the Legislation as amended before the Chamber? Senator McCrory.

SENATOR MCCRORY (2ND):

Madam President, if there's no objection, I will ask that this Bill be placed on the Consent Calendar also. Thank you.

THE CHAIR:

And is seeing no objection, we will move that item to the Consent Calendar. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If we could just stand at ease while we get ready for the next Bill. Thank you.

THE CHAIR:

And the Chamber will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. Madam President, will the Clerk please call the next item.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 4, Calendar 79, Senate Bill No. 855, AN ACT CONCERNING THE DECOUPLING OF THE PUBLIC UTILITIES REGULATORY AUTHORITY AND THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.

There is an Amendment.

THE CHAIR:

And good afternoon, Senator Needleman. It's nice to see you looking so well rested.

SENATOR NEEDLEMAN (33RD):

Nice to see you this afternoon, Madam President, thank you. 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, sir?

SENATOR NEEDLEMAN (33RD):

Yes, Madam President, the Clerk is in possession of an Amendment, LCO 9182. I would ask that the Clerk please call the Amendment.

THE CHAIR:

And, Mr. Clerk, if you could please call LCO 9182.

CLERK:

CLERK:

LCO No. 9182, Senate Schedule "A".

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Thank you, Madam President. I move adoption of the Amendment and ask that its reading be waived and seek leave of the Chamber to summarize.

THE CHAIR:

And please do proceed. The question is on adoption of the Amendment.

SENATOR NEEDLEMAN (33RD):

Thank you this Amendment, which does the following, it strikes the underlying Bill, and in its place that requires OPM to conduct a study to determine

how to decouple PURA from DEEP. There is no fiscal impact involved at this point, as OPM has the expertise and resources to conduct the study.

THE CHAIR:

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

SENATOR NEEDLEMAN (33RD):

Thank you, Madam President. If I may, briefly, the issue before us today is questions raised in the year since PURA has been brought under the jurisdiction of DEEP, regarding whether bringing a court-like regulatory agency under an administrative agency has been in the best interest of the ratepayers and Connecticut citizens. I would note that no other state has its regulatory agencies administratively dependent in quite the same manner.

We expect this study will perform a thorough analysis of the pros and cons of this combination and come back to our Committee, as well as to the General Assembly as a whole, with specific guidance and recommendations regarding the best path forward.

Utilities are monopolies requiring oversight, and as we all know, electricity in Connecticut is expensive. While utilities have legal rights and should be allowed to make a profit, we have a responsibility to the ratepayers and our citizens to ensure that they get the best and most efficient value for their energy dollar. We believe this study will help to accomplish that. I urge passage of the Bill.

THE CHAIR:

Thank you, Senator Needleman. And we are on the Amendment. So I will now ask if there is anyone who would like to remark on the Amendment that is before the Chamber.

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

(MEMBERS):

Aye.

THE CHAIR:

Opposed? The ayes have it. The Amendment is adopted. Will you remark further on the Bill as amended? Senator Formica, good afternoon.

SENATOR FORMICA (20TH):

Good afternoon, Madam President. I rise in support of the amended Bill. For all of the reasons my good friend and Chair of the Energy Committee mentioned, this is time to have this discussion. We know it's going to be somewhat of a big lift and so giving six or so months for the study to be developed and reported back to the Energy Committee seems to make perfect sense, so that we can act on implementing this separation next session, Madam President.

As was said, having a policy and a regulatory agency combined doesn't often lead to the best results and we look forward to the decoupling of this in a report and action in the next session. And I thank my good friend and Chair, Senator Needleman, for his work on this issue. I urge support for the Bill. Thank you, Madam President.

THE CHAIR:

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

SENATOR NEEDLEMAN (33RD):

Thank you, Madam President. And I want to thank Senator Formica and the rest of the Committee this passed in a broad, bipartisan way in our Committee. I move that this be placed on the Consent Calendar.

THE CHAIR:

And seeing that there is no objection, we will move that item to the Consent Calendar. Mr. Clerk.

CLERK:

Page 14, Calendar No. 256, Senate Bill No. 928, AN ACT CONCERNING RECYCLED CONTENT FOR PRODUCTS SOLD IN CONNECTICUT.

THE CHAIR:

And good afternoon, Senator Cohen.

SENATOR COHEN (12TH):

Good afternoon, Madam President, nice to see you. 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 COHEN (12TH):

Thank you, Madam President. This Bill would require no later than December 1st of 2022, for our Commissioner of the Department of Energy and Environmental Protection to come back to us, after they have consulted with all the stakeholders in the process, the retailers, the manufacturers, recycling businesses in the state, as well as various regional organizations, such as the Northeast Recycling Council, then come to us recommendations for content on recycled materials.

We all know this receiver that we have, somewhat, leads to crisis on our hands in the state of Connecticut. We really want to be examining this, talking about debris as much from our incinerators as possible and, really, recycling the products that we're putting into our buildings every day. So, this will certainly help to accommodate some of those standards, and I move adoption. Thank you.

THE CHAIR:

Thank you. And the question is on passage. Will you remark further on the Bill before the Chamber? Good afternoon, Senator Miner.

SENATOR MINER (30TH):

Good afternoon, Madam President. I rise in support of the Bill. We had quite a bit of conversation in the Environment Committee this year about the real problems that we have in the state of Connecticut with regard to solid waste.

This is just one piece of that puzzle, but it's an important piece, so that the more of these items, whether they be glass, plastic, cardboard, aluminum, that we can actually develop a kind of a circular system of reuse, the better off we're going to be.

It means that we need to bring fewer products in, and we can make better use of those commodities as we collect them at the end of whatever their first life was. So, I would share the interest in urging support. Thank you. And if it's alright, we'd like to put that Bill on Consent.

THE CHAIR:

And seeing no objection, we will place that on the Consent Calendar. And Senator Cohen, will you remark further on the Bill?

SENATOR COHEN (12TH):

Yes, thank you, Madam President. And seeing no objection, I'd love to put that on Consent. Thank you so much, Madam President.

THE CHAIR:

And seeing none, we will add that item to the Consent Calendar. Mr. Clerk.

SENATOR DUFF (25TH):

Madam President.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Can we stand at ease for a moment?

THE CHAIR:

And we will stand at ease.

SENATOR DUFF (25TH):

Madam President.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Just a few other markings, please.

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. The two items after this one, Calendar Page 10, Calendar 188-- Well, you know what? I'm going to hold off on that for now. But if I can make a referral, please?

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

On Calendar Page 18, Calendar 305, Senate Bill 1073, I'd like to refer that item to the Appropriations Committee.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 42, Calendar No. 48, Substitute for Senate Bill No. 262, AN ACT REQUIRING MANUFACTURERS OF BRAND NAME PRESCRIPTION DRUGS TO PROVIDE SAMPLES OF SUCH DRUGS TO MANUFACTURERS OF GENERIC PRESCRIPTION DRUGS.

THE CHAIR:

Good afternoon, Senator Maroney.

SENATOR MARONEY (14TH):

Good afternoon, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR MARONEY (14TH):

Thank you, Madam President. This Bill, I would like to thank Senator Looney, for his advocacy on this issue and bringing this Bill before us.

What this Bill does is, it requires brand name prescription drug manufacturers who are registered in the state of Connecticut to sell samples to eligible manufacturers of generics so that they can reverse manufacture those drugs.

They're required to sell them at a wholesale acquisition cost, and then upon approval, the generics company would be required to sell them to the public at that cost or lower. This is similar to a Maine Bill that was passed a few years ago and it is also similar-- It is also in federal law through the FEDERAL CREATES ACT.

THE CHAIR:

Thank you, Senator Maroney. Will you remark further on the Legislation that's before us? Senator Witkos. Good afternoon.

SENATOR WITKOS (8TH):

Thank you. Good afternoon, Madam President. I also rise in support of the Legislation that's before us. Although we did receive some opposition testimony during the public hearing, it was basically because they felt it was a duplication of federal law.

And I think-- but I honestly think it goes a little bit further than that, than the federal law, not a duplication, but it makes sure that those folks that are seeking to make an alternative, generally what's called a generic, at a cheaper price, lowering the cost of prescription drugs in the state of Connecticut, actually comply with federal law, which says that they have to do that, the manufacturer has to sell them their products, which is, as I said, already federal law.

Additionally, if they don't comply with it, then there's a Cap to violation that the Attorney General can go after the manufacturer for doing so. So I'd urge passage of that Legislation. Thank you, Madam President.

THE CHAIR:

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

SENATOR SOMERS (18TH):

Good afternoon, Madam President, I rise in opposition of this Bill. This Bill is complicating, I'll say, federal law that already exists. There is a federal law called the CREATES ACT, which deals with the situation, it also makes sure that those individuals or companies that are requesting the samples are actually certified suppliers and that have the capability to be able to manufacture the samples or the drugs with good manufacturing processes.

The FDA has actually established a process for this, currently, which allows generic applicants to requests from the FDA samples with a letter asking for samples of the product. And therefore, if we move forward with this, it complicates the schedule, it complicates those pharmaceutical companies that

are in, within the state of Connecticut by adding another layer of government, that in some times is a little bit different than the federal law and it also, quite frankly, is duplicative of what we have in federal statute.

Two, the idea that we have already implemented this CREATES ACT and the FDA has published information on their website, you can go there now, on how to obtain samples, but you have to be a authorized manufacturer. I think this is duplicative, I think it is another layer of state government that we do not need an already very complicated system. Thank you, Madam Chair.

THE CHAIR:

No problem. Thank you very much. Senator Somers. Will you remark further on the Legislation before the Chamber? Will you remark further? If not, I will open the vote and we will have a vote.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote on Senate Bill 262 has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Senate Bill 262. Immediate roll call vote in the Senate. Made a roll call vote in the Senate. Senate Bill 262. Immediate roll call vote.

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 262

Total No. voting

34

Total No. voting Yea	23
Total voting Nay	11
Absent and not voting	2

THE CHAIR:

(Gavel) The Legislation is passed. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, for marking, please.

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar Page 44, Calendar 227, Senate Bill 881, like to mark that item PT, please.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. And if the-- The Clerk can now call the next Bill.

THE CHAIR:

Mr. Clerk. 188.

CLERK:

Yeah, page 10, Calendar 188, Senate Bill No. 716, AN ACT CONCERNING THE FEDERAL STUDENT LOAN BORROWERS' BILL OF RIGHTS ACT OF 2019.

There is an Amendment.

THE CHAIR:

And good afternoon, Senator Slap.

SENATOR SLAP (5TH):

Good afternoon, Madam President. As the Clerk indicated, the Clerk is in possession of an Amendment LCO No. 9355. I would ask that the Clerk call the Amendment and give me permission to quickly summarize please.

THE CHAIR:

Mr. Clerk. Can you repeat that LCO, Senator slap, please?

SENATOR SLAP (5TH):

Yes, Madam President. It is LCO No. 9355. Is that-- Let me make sure that's the right one.

THE CHAIR:

We're looking for 9355.

SENATOR SLAP (5TH):

Okay, thank you, Madam President. I would like to move the Bill and ask for, you know, acceptance of the Joint Committee's Favorable Report and passage of the Bill, please.

THE CHAIR:

And the Legislation has been moved, and the question is on passage. Will you remark further?

SENATOR SLAP (5TH):

Yes, thank you, Madam President. I'm just going to briefly summarize the key-- couple of key parts of

the Bill, and then I would like to yield to my colleague, Senator Lesser, who has been a champion of this Bill to provide a little bit more context.

I would say that the Amendment makes it very clear that the provisions of the underlying Bill do not apply to banks, Connecticut credit unions or federal credit unions or their subsidiaries.

THE CHAIR:

And Senator before you go any further, because we are still looking for that LLO 9355. Mr. Clerk, have we found that?

CLERK:

Yes.

THE CHAIR:

Excellent. So, why don't we now--

SENATOR SLAP (5TH):

Should we move adoption of the--

THE CHAIR:

Yes, please do that.

SENATOR SLAP (5TH):

Perfect. Okay, well, thank you. Clerk, would you like to read the Amendment? And it's, again, LCO No. 9355.

CLERK:

LCO No. 9355, Senate schedule "A".

THE CHAIR:

Excellent. Senator slap.

SENATOR SLAP (5TH):

Thank you, Madam President. So, this Amendment makes it very clear that the provisions of the underlying Bill do not apply to banks, Connecticut credit unions or federal credit unions or their subsidiary, and I would ask for adoption of the Amendment by voice vote, please.

THE CHAIR:

Excellent. And so, we now have an Amendment that is before the Chamber and the proponent has moved adoption of the Amendment. So will you remark further on the Amendment that is before the Chamber? Senator Witkos, good afternoon.

SENATOR WITKOS (8TH):

And good afternoon, Madam President. Yes, I also rise in support of the Amendment and urge my colleagues to do the same.

THE CHAIR:

And will you remark further on the Amendment that is before the Chamber? Will you remark further? If not, let me try your minds. All in favor of the Amendment please signify by saying aye.

(MEMBERS):

Aye.

THE CHAIR:

Opposed? The ayes have it. The Amendment is adopted. Will you mark further on the Legislation that has just been amended? Senator slap.

SENATOR SLAP (5TH):

Thank you, Madam President. The underlying Bill that I'm now speaking to does a No. of things. I'll briefly describe a couple of them and then hand it over to my colleague, Senator Lesser.

The Bill requires private student loan services--servicers, I should say, to provide certain information to private student loan borrowers, prohibit student loan service licensees or control persons from engaging in abusive practices, and it also allows student loan borrowers or classes of student loan borrowers or legal representatives to bring a lawsuit against a student loan servicer for violating state requirements.

And finally, the Bill also expands the definition of servicing in State student loan service laws to include a No. of things that are listed in the analysis. So with that, I do want to yield to my colleague, Senator Lesser, for further explanation. Thank you.

THE CHAIR:

And good afternoon, Senator Lesser.

SENATOR LESSER (9TH):

Yes thank you, Madam President. And Madam President, I'd like to thank Senator Slap, and before him, his predecessor on the Higher Education and Employment Committee, Senator Haskell, and of course, my good friend, Senator Witkos, for their work on this, as well as Senator Kassar and the Banking Committee, who passed companion Legislation that we voted on earlier, Senate Bill 890.

I agree with Senator Slap's characterization, but with one quick note, which is that there is no longer a private right of action in this Bill that was included in Senate Bill 890, and the Amendment did strike that.

Since we passed the 2015 law, states have worked to update their servicing standards and their definition of services. This Bill will do that and bring us into compliance with similar laws in other parts of the country as well as federal standards.

And it's important to protect borrowers, as well as co-signers. Has important protections, as well, for people with disabilities who have student loans. And, Madam President, this Bill as amended will make a strong gesture to make sure that Connecticut is at the forefront of states protecting students with private student loans. I urge passage.

THE CHAIR:

Thank you, Senator Lesser. Will you remark further on the Bill before the Chamber? Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. If I may, a few questions the proponent of the Bill as amended.

THE CHAIR:

Yes, please proceed, sir. Senator Slap, prepare yourself.

SENATOR WITKOS (8TH):

Thank you, Madam President. If it's okay with you, I'll defer to Senator Lesser to answer the question. It's somewhat historical, I guess, the question I have initially.

THE CHAIR:

Certainly.

SENATOR WITKOS (8TH):

Thank you, Madam President. A few years ago, we passed this student rights Bill in this Chamber, and I believe it came through the Banking Committee at the time. And I was-- and Connecticut was on the forefront of passing this, and I applaud you for your efforts IN leading the charge.

And could you please describe to me what was the impetus as to the reason why we did that initially? Through you, Madam President, Senator Lesser.

SENATOR LESSER (9TH):

Yes. Thank you, Madam President. Madam President, through you to the Honorable Ranking Member, so in the wake of the housing crisis, the state started regulating mortgage servicers, and in 2015, as we started hearing an increasing No. of complaints from people with student loans, we copied and pasted, essentially, the existing regulations that we had around mortgage servicing and applied that to student loans servicing. We were, at the time, the first state in the country to do that.

And it's since become a national model for how to regulate servicers, which are the companies that are contracted to collect student loans. That has been battle tested, it's been a success, and it's something we're just hoping to tweak here today.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you. And through you, Madam President, when we talk about-- and these are college loans, if I'm not correct. Is that correct? Through you, Madam President.

THE CHAIR:

Senator Lesser 30.

SENATOR LESSER (9TH):

Through you, yes.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. And how does one go about obtaining a servicer? Could you just explain to me what the process is? Like, you make an admission to a-- or an application for admission to a college and then they send you, "Yes, you're admitted, here's the price tag." And how does it flow through? Are there federal grants that come first and then you get name put on a database and these different loan service providers contact you or? If we could just explain through that.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Yes, thank you, Madam President. Through you to the good Senator. You know, students can take out loans from any No. of different sources, often, they're from the federal government, but they can also be from, in the case of this Bill, from a private bank or lender.

And you go in, you may walk into your local bank, but what they then do is they then contract out the business of servicing that loan, that means collecting the payments and applying it towards the amount that you owe. And it's those acts of servicing the loans that we're attempting to regulate.

I will point out that Amendment that we did, expressly makes clear that if the bank does it in-house, they're already regulated by the state. So this doesn't add any imposition on banks, or credit unions, but it does go after these contracted third party entities.

And you wouldn't know them on the front end, you would just find out because you've taken out a student loan from a bank or another lender, and then you would be contacted by your servicer saying, "Actually pay us monthly, you know, towards the loan." Through you.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you. And through you, Madam President, wherever the applicant went to make the application for the loan, is the deciding factor base at that entity, and then once we know it's already approved, then a servicer gets involved? Or are they in any way involved in the negotiation as to the terms of repayment of the loan? Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

No. Yes, through you, Madam President, the terms of the loan are dictated by contracts between the borrower and the lender. The servicer is a third party contracted by the lender.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you. In that third party contract from the lender, how are those fees paid for the servicing of that additional loan? Is that included in the price of the loan from the borrower? Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

That's a good question. My understanding is that it is. Through you.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. And is there a mechanism if a student, or a borrower, I guess I'll say, does not have a good relationship with a servicer, does this attempt to address those by, I guess, I'm going to say behavior, not modification but behavior controls. Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

I want to be sure I'm answering the question properly and I hope I understood it. If a student loan borrower is unhappy with their servicer, obviously, that may or may not be for a cause or for violation of the law. Certainly, you can always

complain to your bank or to the lender about the servicer, I think that that would be appropriate.

But I would say that in 2015, and then in subsequent years, we've also adopted a series of servicing standards to make sure that servicers operating in Connecticut are adhering to basic principles. You know, this is common sense, but if you pay a servicer that payment should be applied against your principal of your loan and to any interest outstanding. There's a standard formula for how that is applied.

All of that is codified in the law, and if a servicer is violating that, certainly, a borrower can file a complaint with the Connecticut Department of Banking alleging a violation of the law. Through you.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. And I noticed that, and we have some new language in the Bill that has been amended under servicing. And was there a reason why we had to add in that you should communicate with your student loan borrower during certain periods? Did something happen that caused this to be put into state statute? Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

I would just say that the whole Bill is attempting, through you, Madam President, to conform to the way that Legislation around the country has been drafted, as well as to the way to which the Consumer

Financial Protection Bureau has been regulating and overseeing student loan servicing at the federal level in conjunction with US Department of Education.

And I think the hope is that we're mirroring many of the standards that apply to federal student loan servicers on to private loan servicers with this Legislation. I'm not familiar with this specific complaint that led to that language, though.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. And line 43, we define what a student education loan is, and it means any loan, including private education loans. And what would a private education loan be? I didn't see that defined in the Bill. Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

A private education loan is defined in lines 22 as having the same meaning as in 15USC 1650 parentheses A as amended from time to time. And if the Senator would give me a minute, I'm happy to look up that reference. But I believe that is a loan from a bank. Through you.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. Yeah, if Chamber stand at ease while we look that up, I'd appreciate it.

THE CHAIR:

And the Chamber will stand at ease for a moment.  
Senator Lesser.

SENATOR LESSER (9TH):

Yes. Thank you, Madam President. Madam President, I was correct in my earlier guess, I did look up 15USC 1650, paren as amended from time to time. And the definition of a private education loan is, a loan provided by a financial institution, a federal credit union, or any other person engaged in the business or soliciting making or extending of private education loans. So that would include a non-bank lender. Through you.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam present. Would that include a foundation? If the good gentleman is aware.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

I don't see any language that would prohibit a foundation, so I suppose you that it could.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you. And then further on down in the Bill, it talks about standards, and that a loan service provider must abide by all laws and regulations and set forth by the Commission, then it references a CONGRESSIONAL ACT, the DOOD FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT, as amended from time to time. And is that-- My assumption is that if something changes at the federal level, then we automatically adopt that on a state level. Is that correct? Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Through you, Madam President, yes.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. And in Section 3, these are new things that a service loan provider is required to do when they take a loan on a student, and talks about how the loan will appear on somebody's consumer report. I guess, is a consumer report the same thing as a credit report? Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Through you, Madam President, yes, I believe so.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

I'm sorry, I couldn't hear the gentleman.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Through you, Madam President, yes.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you. Is there a reason why or how somebody could determine, because isn't a consumer report or a credit report, generally, two major reporting bodies? I'll use TransUnion and Equifax as examples. And aren't those two entities responsible for designing how something looks on their own report?

How would a service loan provider give information to a borrower or student how the information is going to appear on another party's website or report? Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Yes, thank you, Madam President. It's a good question. My understanding is that this language is attempting to replicate on the state level language that already exists on the federal level. And it's

supposed to create that symmetry so that we have harmonization of our laws.

How that exact mechanism would work is a good question, I don't know the answer to that.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. And if the good gentlemen could explain to me what happens if the cosigner of the note becomes disabled or is unable to fulfill their obligation, and the loan vault goes into default? What is the requirements of a loan service provider to do?

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Thank you, Madam President. In that event, I believe the cosigner is released from their obligation, but the other party would still be required to repay the loan.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. That's all the questions I have at this time.

THE CHAIR:

Thank you. Will you remark further on the Bill that is before the Chamber? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. I rise to get a better understanding this Bill, but also to compliment Senator Slap for his interim assumption of the Chairmanship. I'm reading through the public hearing, it was a previous Senator and for Senator Slap to join in and facilitate the passage of this Bill, I want to applaud him for his quick adaption.

But through you to the proponents of this Bill from Middletown, if I may, through you, a couple of questions to better understand this.

THE CHAIR:

Please proceed.

SENATOR HWANG (28TH):

Thank you. It describes with new language, I believe, in Section 4. It's always tough to get this, it now incorporates the application to the federal DOOD FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT. Why are we using this federal statute for regards to abusive behavior and conduct? And what are some of the examples of the threshold established by that federal statute?

And if I may, through you, Madam President, the rationale of using a federal statute are there no comparable state statutes and regulations? Thank you. Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Thank you, Madam President. Through you to the Honorable Senator from Fairfield. I don't believe

he's referring to Section 4. Section 4 right now just simply makes clear that the Bill does not apply to banks or credit unions.

The language pertaining to Dodd Frank is simply to ensure that we have harmonization to the best ability possible between the state standards and federal law, and that's what this Bill is intended to do. Through you.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. Through you, I wanted to ask the good proponents of this, were there any other considerations of using more aligned state statutes in regards to adherence? Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Through you, Madam President, this Bill amends an existing state statute around servicing standards for private loan servicers and federal loan servicers. Through you.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, and I appreciate that clarification, it's very helpful, thank you. And, as the good proponent, use the word, "Servicing", I know it broadly expands the definition of servicing as we understand it

under normal language terms, could the good proponent explain the expansive definition of servicing in this Bill? Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Through you, Madam President, servicing is defined in lines 29 through 42 of the Bill as amended. And it includes a No. of different practices, but the-- you know, I could read the lines in reference, but it refers to the contracted practice of accepting payments on behalf of a student loan issued by a lender. Through you.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. So, perhaps a yes or no question, and perhaps if the proponent can extend a little bit further in regards. Does it expand current service state law, in regards to its definition? And if it does, how does it expand beyond current law? Through you, Madam President.

THE CHAIR:

Senator lesser.

SENATOR LESSER (9TH):

Yes, thank you, Madam President. Yes, absolutely, it does expand the definition of servicing to include maintaining account records for and communicating with the student loan borrower concerning the

education loan during the period which no scheduled periodic payments are required.

So, for example, right now, Senator, as you may know that there are some loans that have been paused during the pandemic, but the definition of servicing would still apply. It includes interacting with a student loan borrower for the purposes of facilitating the servicing of a student education loan, including but not limited to assisting the student loan borrower to prevent such borrower from defaulting on obligations arising from the student education loan.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. And I think that the good proponent did say it does expand it, and obviously, it's outlined the statute. The reason I asked that for expanded definition, as the good proponent confirmed, is the fact that I don't see a fiscal note on this. But the fiscal note only applies to municipal impact.

Through you, Madam President, with this increased expansive definition of servicing, are we looking to place an additional burden and responsibility for loan companies and purveyors of these loans, student loans that may not be captured on a fiscal note? Through you, Madam President.

THE CHAIR:

Senator Lesser.

SENATOR LESSER (9TH):

Through you, Madam President, I'm not aware of any testimony against this Bill, either this Bill or a previous versions of it. We, in fact, would hope

that by bringing this Legislation more into harmony with federal standards, as well as emerging laws in our sister states, we're going to decrease compliance costs for private loan issuers. Through you.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President. And I agree that there were very scant testimony in regards to this Bill, and we did not get any from the business sector. And I appreciate the intent in the idea of a student loan borrower's Bill of Rights.

It is important because there has been basis of miscommunications and, maybe, even perhaps some onerous strategies of trying to clarify and retrieve loan money. But that being said, I just wanted a much better and truer measure that the cost must come from somewhere.

And if it indeed needs to be balanced between what needs to be done as right, we need to account for it. And that being said, I don't think any part of this Bill accounts for that additional cost or burden on our service loan companies.

And perhaps in their lack of input in providing that as a point of concern it may, indeed, not be a major fiscal concern. But I also want to be on record to offer the fact that it is not captured in here and the cost has to come from somewhere. Every good deed does have a price.

So, I appreciate the explanation of the proponent this Bill, it is a noble concept and I'll look forward to hearing more dialogue on this but, nevertheless, I appreciate the proponent for bringing up this in light of concerns and loan

obligation and challenges for our students and borrowers and families. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further on the Bill as amended? Will you remark further on the Bill as amended? Senator Slap.

SENATOR SLAP (5TH):

Thank you, Madam President. If there is no objection, I do ask that this item be placed on the Consent Calendar.

THE CHAIR:

And, I am looking and I am discerning no objection, so we will move it to the Consent Calendar. Mr. Clerk.

CLERK:

Page 46, Calendar No. 268, Senate Bill No. 660, AN ACT EXPANDING WORKERS' COMPENSATION BENEFITS FOR CERTAIN MENTAL OR EMOTIONAL IMPAIRMENTS SUFFERED BY HEALTH CARE PROVIDERS IN CONNECTION WITH COVID-19.

There are Amendment.

THE CHAIR:

Good afternoon, Senator Moore.

SENATOR MOORE (22ND):

Yes, Madam President, Good afternoon. I would ask that the-- stand ease.

THE CHAIR:

And the Chamber will stand at ease.

SENATOR MOORE (22ND):

Thank you.

THE CHAIR:

Good afternoon, Senator Moore.

SENATOR MOORE (22ND):

Good afternoon, Madam President. I ask that we come back to order.

THE CHAIR:

And we are indeed back in session.

SENATOR MOORE (22ND):

Thank you.

THE CHAIR:

And good afternoon, Senator Kushner.

SENATOR KUSHNER (24TH):

Hi. I believe there's a-- the Clerk should call the next Bill.

THE CHAIR:

And--

SENATOR KUSHNER (24TH):

Oh, it's been called.

THE CHAIR:

I do believe the Clerk has called the Bill.

SENATOR KUSHNER (24TH):

Oh, good. I didn't see that. Great. Thank you. Thank you, 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.

SENATOR LESSER (9TH):

This Bill expands Workers' Compensation benefits for certain mental or emotional impairments. And this is a Bill that we passed in-- We did an expansion of coverage under Workers' Comp for post-traumatic stress injuries that would cover police and fire.

And at that time it came to our attention, there were other employees that were really faced with the same situations, almost part of the team, to police and fire that were not covered under this, the Bill that we passed in 2019.

And so, after holding hearings and researching the issues more, we learned that in order to really complete what we intended, in terms of protecting workers who suffered from post-traumatic stress injuries, that we needed to include the emergency services personnel, that we needed to include Department of Corrections and telecommunicators.

And so, since working on this in 2019, we heard incredible testimony from dispatchers and from EMTs and Department of Corrections about the trauma that they endure, and often in occasion after occasion when responding to critical incidents.

And so, as a result, this Bill will expand the existing statute to include those classifications and provide for them the opportunity for the benefits that police and fire currently receive under previous Legislation.

The Clerk is in procession of LCO No. 9334 and I would ask that the Clerk please call that Amendment and that I be given leave of the Chamber to summarize.

THE CHAIR:

And, Mr. Clerk, if you could please call LCO 9334, please.

CLERK:

LCO No. 9334, Senate schedule "A".

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. And this Amendment, while correcting a couple of technical changes, it primarily includes, in the Bill, it modifies in the Bill, we currently include home-- we currently include health care providers.

And we did this because we learned during the pandemic, so many of us heard stories from health care providers of the stress and the trauma that they endured taking care of COVID patients. And so, during our discussions we determined that at this moment, in particular, it was important to provide this kind of relief also for healthcare providers.

However, the Amendment deals with the fact that currently, when we cover personal care attendants, under Workers' Compensation, it's required that they

are employed by the occupier owner of the dwelling for more than 26 hours per week. So we added that as an Amendment.

Additionally, there was some interest in making sure that when we described telecommunicators, that we were speaking to those individuals, those employees who actually are assigned to take that call or hear it over the telephone or radio while they're directly responding to an emergency, that would qualify-- one of those emergencies that would qualify as an event under this Section.

So essentially, it was a clarification of the underlying Bill. So, this is something I feel like is very, very important for us to take up this session, both to meet the obligations and the responsibilities we have to our EMTs and to our dispatchers, and to the Department of Corrections, but also in recognizing that we have just gone through a very stressful time for healthcare providers, and they too, deserve our coverage for post-traumatic stress injuries.

So I think this is an important Bill, it had unanimous support in our Labor Committee, and I hope that my colleagues will all join me in voting yes, on the Bill.

THE CHAIR:

Thank you. And we are on the Amendment, so I do want to clarify with you, Senator Kushner, or do you move adoption?

SENATOR KUSHNER (24TH):

Yes. Thank you. Thank you, I'm a little rush today, but, yes, Madam President, I move adoption of the Bill.

THE CHAIR:

Excellent. And so, the question is on adoption of the Amendment before the Chamber. Will you remark further on the Amendment? Will your mark further on the Amendment? If not, let me try your minds. All in favor of the Amendment please signify by saying aye.

(MEMBERS):

Aye.

THE CHAIR:

Opposed? And the ayes do, in fact, have it. So the Amendment is adopted. And now, will you remark on the Bill as amended? Good afternoon, Senator Sampson.

SENATOR SAMPSON (16TH):

Good afternoon, Madam President. Delighted to join you again. I just want to start by saying that I'm very, very pleased to stand up in favor of this Labor Bill that is before the Chamber today. I'm pleased that our Labor Committee was able to put together what I think is an excellent work product, something that will really positively impact each of our districts and members of our communities.

It's an interesting subject, I could go on for quite a while about what has happened on the subject of Workers' Compensation coverage for PTSD, and the various policies that have been through this Chamber. But suffice it to say, I'm pleased that we're finally doing something which I believe should have been done a long time ago, which is to include EMTs, and Department of Corrections workers.

I don't think there's much debate about that. There was some significant debate about how we were able to include health care providers in a sensible way, because, obviously, we want to make sure that we provide as much coverage to those folks that are in our communities, who work in our world in various

different types of employment, where they may have an exposure to something that could cause them to suffer a post-traumatic stress injury.

And certainly with COVID, over the last year or so, people that work in the healthcare industry, have been through unbelievable set of circumstances. We heard from testimony in the Committee that really impacted each of us, I think, very deeply and very personally, when listening to the personal stories of many of the folks involved.

I can also say that I've heard from constituents, personally, in almost every category that this Bill covers, that had a personal story. And it really, really did impress upon me the need that this coverage really has to exist in our system of laws in Connecticut.

Generally, when it comes to expansions of policy coverage like this, I find it difficult, because I am always concerned about the cost to taxpayers, the cost of doing business in the state, things like that. I know there were some testimony from various insurance carriers, expressing their concern over how this might raise costs and potentially put, you know, coverage at risk for others.

I think that the final Bill really does do this in a measured and very, very precise way that expands the coverage where it is needed without doing it in excess. And I am very, very pleased to be part of this Bill and to say that I support it wholeheartedly and I encourage all my colleagues to get behind this.

It is something truly important as-- and it's a thank you, really, to people that do put themselves in the public, and sometimes in very, very difficult positions. We want to make sure that they continue to do so and we have to let them know that we are here backing them up. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Will you remark further on the Bill as amended? Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. And I appreciate the words of the Ranking Member from our Committee and appreciate working with him on this Bill and his encouragement.

I do just want to say one final thing, that I do want to acknowledge and rise today, on behalf of one of the constituents from my district, Brittany, who works at Danbury hospital as a nurse. And I think some of the testimony that Senator Sampson mentioned really struck us also deeply. And she was one of those who testified about her experience in dealing with COVID, and so I really, I thank Brittany, for bringing it to our attention, and I thank all of the nurses who are there on behalf of all of the people of Connecticut.

So, Brittany Manley, you should be very proud today, that you were helpful in getting this passed. So, thanks so much.

THE CHAIR:

Thank you, Senator Kushner. Will you remark further on the Legislation that is before the Chamber? Good afternoon, Senator Haskell.

SENATOR HASKELL (26TH):

Good afternoon, Madam President, it's good to see you today. I wanted to rise, very briefly, in support of the Bill and to thank its proponents Senator Kushner, and of course, the Ranking Member, Senator Sampson for their hard work on this.

You know, when this Chamber passed, in 2019, an extension of benefits for those who suffer from post-traumatic stress for police officers and firefighters in 2019, I was excited to vote for the Bill.

But I remember my stomach being absolutely in knots that day, because I had just spent the prior weekend, the prior weekend had been Memorial Day weekend, and I had marched in parades alongside EMTs and other first responders who weren't necessarily included.

And I remember stepping outside of this Chamber and having really honest conversations with people like Mike Schlechter in Weston, their EMT Coordinator and Director, and other folks who serve every day running towards problems when the rest of us, perhaps, run away from them.

And letting them know just how sorry I was that in this initial Bill-- in that initial Bill, that they couldn't be included. But we as a Chamber resolved to come back and remember the important work that they do and perhaps expand it. And Senator Kushner has certainly made good on that promise.

And it makes me so happy to vote in support of this Bill and even more happy to, perhaps, the next time I am in a parade with those EMTs or the next time I see my friend, Mike around Weston in his EMS gear, coordinating volunteers and making sure that our community stays safe, to tell them that this Chamber came back, remember the important work that they did and that they do every day, and extended this crucial benefit for post-traumatic stress.

So, thank you, Senator Kushner, for your work and I look forward to spreading the word in the 26th district about this critical reform.

THE CHAIR:

Thank you Senator Haskell. Senator Kushner.

SENATOR KUSHNER (24TH):

Madam President, I so apologize for getting up a third time, but I do-- you know, as soon as you start mentioning somebody you remember somebody you forgot, and I couldn't leave today without mentioning one of the EMS workers who was here the night we voted in 2019.

And I think Members of our Chamber met him and spoke with him. And he was passionate about the need to include the EMTs in this Bill, and that's Robert Glasby. And so, I do want to acknowledge. He wasn't just here that night, but he worked tirelessly to get this done. I know it's dangerous to name names under these circumstances, but there are so many people we need to thank for, not just serving us, but for making sure we're doing the right thing here in the Legislature. So thank you for giving me another opportunity.

THE CHAIR:

Great. Thank you, Senator Kushner. Will you remark further on the Legislation before the Chamber? Will you remark further?

And we will open the vote and have a roll call vote. Mr. Clerk, would you please announce that vote.

CLERK:

Immediate roll call vote has been ordered in the Senate, this is Senate Bill 660, as amended. Immediate roll call vote has been ordered in the Senate, on Senate Bill 660, as amended. Immediate roll call vote in the Senate.

THE CHAIR:

All right, the Chamber will come back to order. And, Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. I would like to request that this this Bill go on to the Consent Calendar.

THE CHAIR:

Thank you. And in order to do that, Senator Kushner, I just want to make sure that you would request that we would cancel the vote, that we would--

SENATOR KUSHNER (24TH):

That's correct.

THE CHAIR:

Thank you. We will do that. We will cancel this vote and we are going to put this item on the Consent Calendar.

SENATOR WITKOS (8TH):

Point of order, Madam President.

THE CHAIR:

Yes. Go ahead, Senator Witkos.

SENATOR WITKOS (8TH):

I was wondering, can we point to some precedent on where the individual that once the vote is called that the Chair of that Committee has the right to cancel a vote of all Legislators, please?

THE CHAIR:

Is there an objection to moving this item to the Consent Calendar?

SENATOR WITKOS (8TH):

Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you. I withdraw my point of interest-- point of order.

THE CHAIR:

Thank you. Thank you, Senator Witkos. And we have had a request to cancel the vote which we've done and there was a request, by Senator Kushner, to put this on the Consent Calendar. And is there any objection to doing so? Seeing none, we will add that item. Mr. Clerk

CLERK:

Page 3, Calendar No. 76, Senate Bill No. 696, AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR MINOR AND TECHNICAL REVISIONS TO STATUTES CONCERNING PLANNING AND DEVELOPMENT.

There is an Amendment.

THE CHAIR:

And good afternoon, Senator Cassano.

SENATOR CASSANO (4TH):

Good afternoon, Madam President.

THE CHAIR:

Good afternoon.

SENATOR CASSANO (4TH):

I move acceptance of the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

And the question is on passage of the Bill. Will you remark, sir?

SENATOR CASSANO (4TH):

Yes. The Bill is AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR MINOR AND TECHNICAL REVISIONS TO STATUTES CONCERNING PLANNING AND DEVELOPMENT.

Bill was passed unanimously in Committee. It is a technical process concerning the Legislative Commissioners' recommendations, changes put forward by them. And I would ask them to be put on a Consent Calendar. However, I believe there is an Amendment to the Bill.

THE CHAIR:

And thank you, and we will-- Why don't we first take up the Amendment, Senator Cassano. So, would you have an LCO No. for that Amendment?

SENATOR CASSANO (4TH):

Right. The Amendment is LCO 6673, AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS.

THE CHAIR:

And thank you, Senator.

SENATOR CASSANO (4TH):

Hold on.

THE CHAIR:

Thank you, Senator Cassano. Mr. Clerk.

SENATOR CASSANO (4TH):

I think Senator Miner has the Amendment. I'm sorry, Senator Miner.

THE CHAIR:

All right. So, Senator Cassano, we're going to go back to you, and what is the LCO No. on it?

SENATOR CASSANO (4TH):

The LCO on the Amendment is 6673.

THE CHAIR:

Fine. Senator Miner, I am told you would like to discuss LCO 6673. But first, the Clerk has to call it Have we done that part, Mr. Clerk?

CLERK:

We have not. LCL No. 6673, Senate Schedule "A".

THE CHAIR:

Senator Miner.

SENAOR MINER (30TH):

Thank you, Madam President.

THE CHAIR:

Good afternoon, sir.

SENAOR MINER (30TH):

Good afternoon again. And I thank the Chair for calling the Amendment. And if I might, please, summarize.

THE CHAIR:

Thank you, Senator, please proceed, sir.

SENAOR MINER (30TH):

Thank you very much. The purpose of the Amendment is to draw attention to the fact that due to climate change, many municipalities are looking at different financing arrangements to put dollars in place to deal with, in some cases, larger pipes, raising roadways, bridge configuration changes.

And the purpose of this Amendment is to be sure that those dollars will be available at the time they're needed. Most of the time, large capital projects require the accumulation of money, and dealing with climate change is no different.

What this Amendment says is that, for purposes of calculating a municipality's ability to pay on a contract negotiation, that these dollars would fall outside that consideration, because they've already been pledged to deal with climate change improvements. And so, I move adoption.

THE CHAIR:

Thank you. And the question is on adoption of the Amendment that is before the Chamber. Will you remark further on the Amendment before the Chamber? Senator Cassano. Oh, no, I apologize, Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. I rise in support of the Amendment that's before us. I believe it addresses prudent fiscal responsibility when you're planning, not only that, but a lot of different projects, just so if something came up in the town, for capital purposes, they know that that fund or that reserve fund is set aside for something already. It shouldn't be counted towards something else. And I think this goes with that same vein.

But I do have a question or two, if I may, to the proponent of the Amendment.

THE CHAIR:

And, please proceed. Senator Miner, prepare yourself. Senator Witkos, go ahead, sir.

SENATOR WITKOS (8TH):

Thank you, Madam President. Through you to the proponent Amendment, could you just go over again, when he mentioned about climate change and something with the roads, I just-- I don't think I have a very good understanding of what it really was for the cause of the creation of this fund. Through you, Madam President.

THE CHAIR:

Senator Miner.

SENAOR MINER (30TH):

So, many years ago, there was no such thing as this fund. We passed Legislation a couple of years ago, allowing municipalities, not only to tax for some of these improvements, but also to allow other people to make contributions toward improvements.

There's creative financing available under the underlying Bill intended, again, for the purpose of dealing with larger quantities of water that may

come from a rainstorm, higher level of tides that may come from high tide, pushing back into breach ways and such.

And so, the intention of the underlying Bill is to create a fund to deal with those capital improvements that a municipality may recognize as being important to dealing with sea level rise, additional rainfall and the like.

And this Amendment just says that if that's what you're going to do, that's the purpose of it, that's the reason you have the fund. It shouldn't be part of consideration for increased wages or benefits. Thank you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. I thank the proponent of the Amendment. And this-- I'm questioning the opponent Amendment, and I just want to make additional comment, that this reminds me of what happens here at the State when we have dedicated funds and we charge a certain fee for that. People don't mind paying it necessarily, if it goes for that what it's supposed to be for, whether you got a fishing license or you paid a pheasant tag to go pheasant hunting.

As long as in your particular license plate that you go for the Long Island Sound, as long as the funds are used for those purposes, people are okay with that. But when you do sweeps, we know what that word, "Sweeps", means. It means the money is used for something else.

We'll take the example of the underlying Bill and what the Amendment does. It says, if people donate money using special financing, you can't count that

for anything else. It's got to be there for that purpose.

And no entity, whether it's for contract negotiations, or credit rating reviews should be able to look at that and say, "Well, we're going to count that money." Because that money is spoken for something else. And I'd urge adoption by the Chamber on the Amendment. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the Amendment? Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President.

I rise in opposition to the Amendment. I believe this is something that is very important to decades of collective bargaining and that we should not be in a forum like this without a full debate and discussion, fundamentally changing the way in which municipal bargaining is conducted, and I see this Amendment going to the heart of the issue.

I respect my colleagues in their desire to provide funding for important projects, but I think in order to take on an Amendment like this, it would require a much deeper discussion with all parties involved. And for that reason, I urge my colleagues to vote no on the Amendment.

THE CHAIR:

Thank you, Senator Kushner. Will you remark further on the Amendment? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. I rise in support of this Amendment, because in the Planning Development

Committee, we did discuss the rationale and the development in the permissive language that allows the development and the establishment, and get this right, it is called the climate change and coastal resiliency reserve fund.

The rationale that led to the development this fund was specifically earmarked, specifically targeted to be spent relative to climate change and coastal resiliency. What we're simply offering in this Amendment, offered by the proponent of this Bill, is that the money that is earmarked and targeted, specific for climate change and coastal resiliency stays in it, not to be diverted, not to be used for labor agreements, not to be used for other general fund purposes.

We allow the establishment, through the Planning and Development Committee specific for this reserve fund. It is important to note the title in the name and I will repeat again, it is called the Climate Change and Coastal Resiliency Reserve Fund.

And if there are access funds to it, what this Amendment offers is, we should respect the intent, the integrity, and respect that reserve fund allocation and not have it be diverted, as Senator Witkos mentioned in his previous statements, that has been a common practice throughout our state and various other municipalities.

So, I rise in support of this Amendment. This, I don't believe, has any intrusion on collective bargaining thoughts as the good proponent opposing this viewpoint. This fund was specifically reserved to allow municipalities to set up for that specific event.

And through you, Madam President, if I could ask the question to the proponent of this Amendment to confirm its intent. Through you, Madam President.

THE CHAIR:

Please proceed. Senator Miner, prepare yourself.  
Senator Hwang.

SENATOR HWANG (28TH):

Thank you. To the good Ranking Member of the Environment Committee, as I cited earlier, the intent of this fund, it is a reserve fund set and allocated for this. What your intention is in this Amendment is, that the money that is earmarked and targeted is specific for that purpose and respecting the integrity of that intent. Would that be correct? Through you, Madam President.

THE CHAIR:

Senator Miner.

SENAOR MINER (30TH):

Thank you, Madam President. I thank the gentleman for his question. That is, in fact, the intent of this fund. We have heard of many municipalities, especially those down along the shoreline that have had to rebuild all sorts of infrastructure to some degree as a result of excess water, storm water tidal flow.

And so, it made sense to me that we establish this fund for purposes of dealing with those capital costs. And that's the intent of the Amendment, is to protect those funds once they're raised, even if it takes a No. of years in order to put enough money aside to fund those projects. Through you, Madam President.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. I want to thank the good Ranking Member the Environment for articulating the intent of that, because indeed, if there is indeed other excess funds that are available, there are more than enough opportunities and avenues in which we can support and enable climate change and coastal resiliency methods to set a guideline and requirement, honors and respects the intent of that. Honors the individual that puts money into that specific reserve fund.

It is not a misdirect, it is not a violation of collective bargaining. It respects the integrity and the intent of that usage. So, I urge support, and I want to thank the good Ranking Member for bringing it up, and more importantly, it is a step forward that we can put every viable dollar that is earmarked and targeted for our climate change, coastal protection and environmental protection should go to that, and not be re-diverted or used for other purposes. Thank you, and I urge support, ma'am.

And I would also like to ask for a roll call vote on this Amendment. Through you Madam President.

THE CHAIR:

Thank you and there will be a roll call vote. Will you remark further on the Amendment that is before the Chamber? Will you remark further on the Amendment before the Chamber? If not, a roll call has been requested. I will open the vote on the Amendment.

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 696. Immediate roll call vote has been ordered in the Senate. Senate Bill 696, Senate Amendment "A". Immediate roll call vote has been ordered in the Senate, on Senate

Amendment "A", Senate Bill 696. Immediate roll call vote in the Senate on Senate Amendment "A" of Senate Bill 696. Immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

Senate Bill 696, Senate Amendment "A"

Total No. voting	34
Total No. voting Yea	11
Total voting Nay	23
Absent and not voting	2

THE CHAIR:

(Gavel)And the Amendment fails. Mr. Clerk. Oh, excuse me, excuse me. Will you remark further on the Bill? Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President. If there are no other Amendment, I ask for passage of the Bill.

THE CHAIR:

Thank you. The question-- And we are remarking on passage of the Bill. Will you remark further on the Bill? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. It's always good to see the good Chair of Planning and Development. And indeed, we are discussing this Bill in regards to the Legislative Commissioners' recommendation, which has minor and technical changes for the statute as

it relates to the Planning and Development Department.

If I could, through you, Madam President, ask for some questions to the proponent of this Bill for Legislative intent and understanding.

THE CHAIR:

Please proceed. Senator Cassano, prepare yourself. Senator Hwang.

SENATOR HWANG (28TH):

Thank you very, very much. Under Section 4, we talked about the implementation of programs and initiatives from the-- and we just had the Amendment discussion on the Climate Change and Coastal Resiliency Reserve Fund. It talks about job creation credits.

Through you, if I may, Madam President, to the proponent of this Bill and the good Chair of Planning and Development, what are some of the criterias and the measures as it relates to the job creation tax credit? What are some of the guidelines governing the utilization of that tax credit for Legislative intent? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President. And through you, Senator, they are still working on the details of those areas. I asked the tax credits, obviously, the Bill hadn't been passed, so that's something I would hope that with P&D, we would work with them to work this out.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. And thank you to the good Chair for that clarification. And it is important to note that for Legislative intent, that there has been no defined criteria, and it will follow, and I hope in continually good working relationship with the good Chairs, we're able to set the criterias for the job creation tax credit.

I think it's very important for us after the passage of this Bill to have a standard and regulation to govern, to ensure that we are able to maximize and increase the opportunities for job creation tax credits.

The second question through you, Madam President, is, it talks about under, Section 9, the State Water plan. And what does this technical change Bill do to it, if anything at all, just for Legislative intent? Through you, Madam President.

THE CHAIR:

Senator Looney-- I mean, I'm so sorry, Senator Cassano. Apologies.

SENATOR CASSANO (4TH):

I'd differ it to Senator Looney if you would like.

THE CHAIR:

It's on you, Senator Cassano. Sorry about that.

SENATOR CASSANO (4TH):

As it says here, it is to design a unified planning program and budget. And this is again, because it's new Legislation it's a new idea in a new direction,

it's kind of exciting to be at this point. This is step one.

Having this get through step one, I would look forward to working with the departments and having a Ranking Member and others from the Committee work and look to the future to make this a workable process.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. I want to thank the good Chair for that answer. And if I may, just for Legislative intent, reiterate the fact that this is a technical and as well as a minor revision to ensure that as a Planning and Development Committee, has the cognizance and has the mission, through this correction and through this Bill, address the issue of the State Water Plan, its implementation, its mission, its usage. And I hope that through the work of the soon to be completed state Planning and Conservation Initiative that we're able to create and model a sustainable water plan that would be viable in environmental and climate change protection.

On section 10, if I may, it refers talking about the state's plan of conservation development. Could the good Chair talk about the current status of that plan? I know it doesn't speak to it in this Bill, but it is an important part that that attaches itself to all aspects of this Bill. Through you, Madam President, could the good Chair update this circle in regard to the current status of that plan?

And I know it's been a couple of years delayed, but have we reached an extension? And what do you anticipate the timetable for the Committee of cognizance that has been convened to that to develop

that plan to serve as a guide in accompanying this Bill. Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Yes, thank you, Senator Hwang, I believe that is on the agenda and I believe it's going on Consent Calendar for a recall. I think we've extended it out for a two-year period. Quite honestly, I think that there has been probably some neglect over the years on the plan, it comes, it sits and it doesn't get the fair shake that it really should get. And so, I'm kind of pleased with what we just talked about working with something new, I think we've got to do more in that same line.

It is going to be passed. It's past three years late, that shouldn't be. And so that I think that's something-- I know you feel the same way. We'd like to do something and coordinate something to make it work.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. And I want to thank the Chair for articulating and reinforcing that statement. And, indeed, as the Chair and Ranking Member of the Planning Development Committee, we are part of that Committee of cognizance that will be developing and putting forth that plan.

With that said, it has been delayed. These are unusual times. But it is keen, and it is good to know that the Chair shares my common commitment, that we do need to have a plan, and that this plan

will complement the statutory changes and technical changes articulated in this Bill.

And that is why I wanted to ask that of the good Chair because, indeed, even though these are technical and minor changes, they refer to and attached to the state Planning and Development and Conservation Plan that has not been implemented.

So, we are putting forth a commitment for us as a Committee of leadership in that area, to put forth one that is passed by this general Body and be able to implement a sustainable preservation plan.

The last question through you, Madam President. We did talk about it ahead of the course in regards to the Amendment under discussion. Could the good Chair talk a little bit about the intent of this climate change and now with the name change of this Bill, the addition of the word, "Resiliency" so it is now the title of Climate Change and Coastal Resiliency Reserve Fund.

Could the good Chair articulate the mission of that goal and the reserve fund? And it goes back to our debate in regards to the Amendment. It is a reserve fund specifically for the area of climate change and coastal resiliency. Could the good Chair explain, for Legislative intent, the rationale behind it and the intent to be able to craft the plan for each municipality at their own volition and permissive language? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Yes. And thank you, Senator Hwang, for that question. Your question reminds me of my first year or two here in the Senate. I was Chairing Planning

and Development, and my Ranking Member was Senator Len Fasano.

During that period of time, we had the horrible hurricanes, Hurricane Sandy. We were not-- There was no resiliency, there was little planning, we were not ready for that storm. Senator Fasano organized the Mayors and First Selectmen of that entire region, the beach community. It took months to restore.

And from that, we should have learned a lesson, and that's what this is really about. We can't control the weather. We live on the coast and we're going to have coastal storms. We saw that 10 years ago, we've seen that to some lesser degree since then, and we're going to see it again.

And so, this is the beginning of preparing for those kinds of storms, instead of just reacting to those storms. We tend to just react when the storm comes, we need to be better prepared, we need to be more resilient. Homeowners need to be more prepared. You know, your insurance companies as example are already doing that, as they assess their properties. So, it's a step forward.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. I want to thank the good Chair for his passionate articulation of the mission and the rationale and the urgency for such a reserve fund. And my hope, as we debated earlier on the Amendment and the rationale, that every single dollar of that reserve fund with the intent that is earmarked for resiliency, for climate change considerations, for the environment.

So even though the Bill did not pass with the Legislative language, I hope that through this deliberation and through this exchange, and the passionate articulation by the good Chair, the Legislative intent is clearly defined, that when we set up any such Climate Change and Coastal Resiliency Reserve Fund, that every single penny, whether it's used for that project or any project, should be earmark and targeted to coastal resiliency, environmental protection and conservation initiatives, not other means of governmental use.

So, I want to thank the good Chair for his time and effort and explaining the Legislative intent of some of these languages of this important Bill. Again, I want to thank you for his good work. I want to thank the good Chairs of the House, Representative McCarthy Vahey and the Ranking member, House Ranking Member, Representative Zullo, for their good work on this. It really is a collaborative effort doing good for Planning and Development for our municipalities. So I urge support. Thank you, Madam Chair.

THE CHAIR:

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

SENATOR HWANG (28TH):

I would like to ask for a roll call vote, ma'am.

THE CHAIR:

And a roll call vote has been requested. So I will open the voting machines and ask that the Clerk call the roll call vote, please.

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 696. Immediate roll call vote in the Senate, on Senate Bill 696. Immediate roll call vote in the Senate on Senate Bill 696. 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 Legislation.

CLERK:

Senate Bill 696

Total No. voting	34
Total No. voting Yea	34
Total voting Nay	10
Absent and not voting	2

THE CHAIR:

(Gavel) The Bill passes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Our next item, Calendar Page 12, Calendar 216, Senate Bill 968. I'd like to mark that item PT.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

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

THE CHAIR:

And the Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the Clerk now please call Calendar Page 5, Calendar 95, Senate Bill 123.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 5, Calendar No. 95, Senate Bill No. 123, AN ACT INCREASING THE PENALTY FOR THE INTENTIONAL INJURY OF A POLICE ANIMAL OR DOG IN A VOLUNTEER CANINE SEARCH AND RESCUE TEAM.

THE CHAIR:

Good afternoon, Senator Osten.

SENATOR OSTEN (19TH):

Good afternoon, Madam President. It's a pleasure to see you again today. Actually, I think we were still here at the beginning part of the day now we're here in the middle, now I wonder if we'll be here at the end of the day too.

THE CHAIR:

Indeed, I believe you are correct. And let's hope not.

SENATOR OSTEN (19TH):

So, 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 OSTEN (19TH):

Madam President, this is a simple piece of Legislation that increases the penalty for the injury of police animal or dog. As we all know, they are the same thing as a sworn officer. They often are in the line of fire, and so this would formally classify the intentional killing of those animals as a class C felony under current law, this crime is an unclassified felony with the same maximum imprisonment and fine as a class C felony. Through you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the Bill, that's before the Chamber? Good afternoon, Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And I stand in support of this Amendment-- I'm sorry, this Bill. And, you know, one of the things I just want to point out, if you steal a car that's worth \$20,000, that's a Class B felony. These dogs, these police dogs, they range anywhere up to 25,000, if they're cross trained, and some of them are even more than that if they're fully trained.

And the taxpayers pay a lot of money for these animals. And they work hard for the years that we do have them. And an intentional killing of a police dog or even the rescue dog is quite costly to replace and train. So, I am in support of this Amendment, and I ask my fellow Legislators to support this as well. Thank you.

THE CHAIR:

Thank you, Senator. Will you remark further on the Legislation before the Chamber? Senator Berthel.

SENATOR BERTHEL (32ND):

Good afternoon, Madam President. I also rise in support of the Legislation. I thank the Committee for bringing this forward, this Bill has had some failed attempts in prior sessions. You know, as my esteemed colleague, Senator Champagne, just spoke to, these animals are more than just an animal, if you will, they are highly trained, they are involved in volunteer search and rescue teams in the line of duty

And they very often have abilities beyond their human Calendar parts that enable them to detect drugs, firearms, explosives. These animals are also adept at locating missing persons and apprehending fleeing suspects in a crime. And dogs in canine search and rescue teams are equally valuable to keeping the community safe.

The Committee received quite a bit of positive testimony on this and I just like to highlight quickly some of that. They asked me, and submitted testimony in support of this, stating that harming a police dog is an affront against an entire community.

The Connecticut Airport Authority, which works in concert with the Connecticut State Police and the Transportation Security Administration, submitted testimony in support of this saying that these dogs are an integral part of keeping passengers, visitors and employees at the Bradley International Airport safe. No surprise that the Connecticut Firefighter Association also submitted testimony in favor, as these dogs are used in search and rescue missions.

And lastly, we should not be surprised at all that the American Kennel Club supported this proposed Legislation. So, I urge my colleagues in the circle to support this very important piece of Legislation

and to protect these animals that are serving us and protecting us. Thank you, Madam President.

THE CHAIR:

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

SENATOR WITKOS (8TH):

Thank you, Madam President. I also rise in support of the Bill. And I thank the Public Safety Committee for bringing this forward. We always talked about first responders and how they run towards danger as everybody else is running in the opposite direction. And if you've got four legs, you're moving a lot faster than those in two. And our four-legged friends are often sent in first.

And they do that unabashedly to protect the life of their human handler. And they're putting their lives in the line. And I will tell you, from working in a department that had a canine officer, I, unfortunately wasn't the canine officer, but we had a dog and when the dog was on duty with his handler, he was an officer of the law. But as soon as they came out of the locker room and the officer changed into his street clothes, that was his pet, and it was his family pet and the kids play with him.

And, you know, you would never know that he was a police dog, but get him in the back of a police car, he could do prisoner detention, he could find search and rescue, find people. In fact, Senator Champagne and I were just talking about, he asked me to speak to the state police who have bloodhounds who found a girl after a rainstorm near death, and saved their lives.

I can't tell you from my department, how many requests, because there aren't that many canine officers in the state of Connecticut, for missing

person, you'll do anything you can do to find them, and a canine is your best bet to do that.

And the amount of savings that you have, rather than activating man hours and manpower to find somebody, a dog can do so much more. And I can recall, and I'm friends with a lot of folks here on social media on a personal basis, and when you lose a pet, it's like losing a family member.

But the intentional injury or killing of a pet really needs to be held to a higher standard. So I thank you, so much, to the Public Safety Committee and Senator Osten, who is Chairing the Committee to bring the Bill out before us. And I'm urging my colleagues, and I know we're going to see a CA, rounding support for this Bill. And I want to thank the Chamber. Thank you, Madam President.

THE CHAIR:

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

SENATOR OSTEN (19TH):

Thank you very much, Madam President. If there's no objection, I would move this to the Consent Calendar.

THE CHAIR:

Seeing no objection, we will move that item to the Consent Calendar.

SENATOR OSTEN (19TH):

Thank you very much.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President, will the Senate stand at ease for a moment?

THE CHAIR:

Senate will stand at ease. Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. Madam President, if the Clerk can call, Calendar Page 12, Calendar 216, Senate Bill 968, we mark that item PT, I'd like to mark that item go, please.

THE CHAIR:

So ordered, sir. And, Mr. Clerk.

CLERK:

Page 12, Calendar No. 216, substitute for Senate Bill No. 968, AN ACT CONCERNING FORECLOSURE, ASSIGNMENT AND OTHER ENFORCEMENT ACTIONS FOR UNPAID SEWER ASSESSMENTS AND OTHER FEES AND CHARGES.

This Bill has Amendment

THE CHAIR:

Senator Cassano. Good evening, sir.

SENATOR CASSANO (4TH):

Good evening, Madam President. I would like to yield to Senator Looney under Senate Bill 968.

THE CHAIR:

Senator Looney, do you accept the yield, sir?

SENATOR LOONEY (11TH):

Yes, I do, Madam President. And I want to thank Senator Cassano and the Planning and Development Committee for its work on this Bill and in so many vital issues.

So, Madam President, the Clerk is in possession of an Amendment, LCO No. 9417. I'm going to ask the Clerk to please call that Amendment, and that I may be given leave to summarize it and waive the reading.

THE CHAIR:

Mr. Clerk

CLERK:

LCL No. 9417, Senate Schedule "A".

THE CHAIR:

Please proceed, Senator Looney.

SENATOR LOONEY (11TH):

Yes, thank you, Madam President. This Amendment is a strike-all Amendment to the underlying Bill and replaces the Bill and becomes the Bill, in fact. And the Amendment and the Bill deals with the issue of the foreclosure of Water liens, sewer liens and the injustice that in some cases for relatively small debt, people are put in danger of foreclose, danger of losing their homes.

And Sewer Authorities do have other options, they can bring collection actions, they can wait till the home is sold or refinanced while earning the 18% statutory interest that municipalities also receive on late payments on property taxes.

So, there is a real hardship often imposed for relatively small amounts of money, and of course,

the fees and costs and attorney fees that get added on, can quickly swell a very small initial debt into a very large one and can really put the homeowner in a hole. And this is limited to owner-occupied property.

So, more sophisticated owners of commercial properties would not benefit from this. So, while the underlying Bill, Madam President, would have provided that the principal of the debt would have to be \$10,000, the Amendment would say that the principal would need to be either \$4,000 or overdue and late for a period of four years. So, before the action could be, could be triggered.

This is a matter of equity, Madam President, because the hardship that people suffer, is really, I think, disproportionate to their debt, in many cases under current law. And there was an article recently in the New Haven Independent that helped bring this issue to my attention about the, sort of, disproportionate consequences that people suffer for relatively small amounts of debt and the fact that facing a foreclosure on something that started out as very minor and snowball, so that it deals with issues of Municipal WPCA benefit assessments, and WPCA use and connection charges, and regional WPC assessments and charges.

So again, it would mean that there would have to be either a principal amount of \$4,000 or would have to be four years in duration of arrearage. Thank you, Madam President. I move the Amendment.

THE CHAIR:

Thank you. And the question is on adoption of the Amendment. Will you remark on the Amendment before the Chamber? Senator Hwang.

SENATOR HWANG (28TH):

Thank you. Good evening, Mr. President. I rise in support of this Amendment. I want to thank and acknowledge Senator Cassano for his leadership in the Planning and Development Committee, as we deliberated over this, but I also wanted to acknowledge Senator Looney and Senator Champagne in listening to the feedback of municipal leaders and tax assessors and WPCA leaders in regards to the balance and compromise from the original Bill, in regards to a sense of fairness, equity, but also understanding the intent of this Bill Originally.

It is addressing an issue and ensuring that individuals that are going through a challenging economic time are not being taken advantage of and run the risk of building up a debt burden that is so overwhelming that they're unable to keep their home.

With that said, I would urge support of this Amendment. And I want to thank the leadership for the compromise and the insight and the willingness to create and make a plan that has a noble idea and even better one. Thank you, Madam President. \

THE CHAIR:

Thank you, Senator. Will you remark further? Good evening, Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I also rise in support of this Amendment and I thank Senator Looney, for listening and working this out. You know, this goes along the same rule, I personally do not want anybody losing their homes.

So, I think this strikes a good balance. I hope this works for those that are having trouble, and I do urge everybody to please support this Amendment. Thank you.

THE CHAIR:

Thank you. Will you remark further on the Amendment that is before the Chamber? Senator Looney.

SENATOR LOONEY (11TH):

Yes, Madam President, for the second time on the Amendment, I just very much want to thank the Chair again, Senator Cassano, our Majority Leader, Senator Duff, for his efforts in helping to get this Bill queued for action. And our distinguished colleague, Senator Hwang and Senator Champagne for working in such a collaborative way on this.

In fact, they had filed Amendments quite similar to one I had filed and obviously it led to a meeting of the minds, because I think we all share the same purpose of trying to protect homeowners who are in extremis and can sometimes find themselves mushrooming into large debt from something that started as a small slippage and a slight arrearage.

So, I know that Senator Champagne, of course, has a as a great experience of dealing with homeowners in his town where he is also Mayor, as well as state Senator so he has the practical experience of dealing with people who are suffering from this problem.

And I think this will go a long way to ameliorating that problem, giving people time and notice, a period of planning and a better understanding about how to cope with this debt before all of a sudden there's an effect, a wolf at their door in the form of foreclosure action.

So, thank you, Madam President, I urge passage of the Amendment.

THE CHAIR:

Thank you. And will you remark further on the Amendment before the Chamber? Will you remark

further on the Amendment? If not, let me try your minds.

All in favor of the Amendment please signify by saying aye.

(MEMBERS):

Aye.

THE CHAIR:

Opposed? The ayes have it. The Amendment is adopted. Will you remark further on the Bill as amended? Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President I just rise briefly in support of the Bill as amended and want to thank Senator Looney for his work to bring this to everyone's attention on our side of the aisle. I think this is an issue that many times is not-- a lot of attention is not paid to.

And so therefore, as he said, people get in arrears and there's really not a lot of help for them or people don't understand, kind of, how these issues can balloon and mushroom.

So, again, I want to thank Senator Looney for his work, Senator Cassano, Senator Hwang, Senator Champagne, for their efforts as well in putting together what seems to be a bipartisan piece of Legislation. Thank you, Madam President.

THE CHAIR:

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

SENATOR CASSANO (4TH):

Thank you, Madam Chair. Well, after no objections, I'd ask this be placed on the Consent Calendar.

THE CHAIR:

And there's been a request to put this on the Consent Calendar. Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator, I appreciate. No, we'll have to take this to a roll call vote, but before we do that, I'd also like to echo the comments from around the circle today. Watching that conversation and negotiation to make this Bill workable for the people in our state, I think is a credit to Senator Looney and Champagne and Hwang and Senator Duff, and I want to thank everybody for that. But I do have to ask for a roll call vote. Thank you.

THE CHAIR:

Thank you. A roll call vote has been requested. So 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. Immediate roll call vote in the Senate. This is Senate Bill 968 as amended. Immediate roll call vote in the Senate. Senate Bill 968 as amended. Immediate roll call vote in the Senate, on Senate Bill 968 as amended. Immediate roll call vote in the Senate minute 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, on Senate Bill 968 as amended. Immediate roll call vote in the Senate. Senate Bill 968 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 968 as amended

Total No. voting	35
Total No. voting Yea	30
Total voting Nay	5
Absent and not voting	1

THE CHAIR:

(Gavel) And the Legislation passes. Mr. Clerk.

CLERK:

Page17, Calendar No. 289, Substitute for Senate Bill No. 889, AN ACT CONCERNING THE CRIMINAL JUSTICE POLICY AND PLANNING DIVISION AND THE PUBLICATION OF REPORTS AND PRESENTATIONS BY THE OFFICE OF POLICY AND MANAGEMENT.

THE CHAIR:

And Good evening, Senator Winfield.

SENATOR WINFIELD (10TH):

Good evening, Madam President. Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the Bill as amended by the House.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR WINFIELD (10TH):

Yes, thank you, Madam President. This is a Bill that comes to us through the Judiciary Committee, as a Bill that came out unanimous. It is largely a technical Bill which updates reporting requirements and makes other technical changes to the Criminal Justice Policy and Planning Division within the Office of Policy and Management, both referred to as CJPPD and OPM.

It is a Bill that we really should do, it changes some of the reporting requirements, eliminating some of them. And the change that was made in the House was to change the date of effectiveness of the Bill. And I urge passage.

THE CHAIR:

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

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Good evening, I stand as well in strong support of the Bill before us. I also want to point out that Mark Palka, who's the Undersecretary for Criminal Justice Policy at the Office of Policy and Management, worked on-- hard on this proposal, he was given a charge to find economies, and he went through where a lot of reports are promulgated and found that there was some duplication between data and information gathered and put into reports by the judicial branch, as well as the Office of Policy and Management.

And clearly, duplication of efforts is not efficient. And so, he worked diligently to come up with a plan going forward, where there wouldn't be this unnecessary and costly duplication of efforts. So I want to commend Undersecretary, Palka, for his efforts and his team over at the Office of Policy and Management.

I think this is something that is absolutely nonpartisan, bipartisan. We all want efficiencies in state government, and this is a way to get there. So it's no surprise to me that the House voted unanimously, and I would urge my colleagues here in the circle to support this initiative as well. Thank you, Madam President.

THE CHAIR:

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

SENATOR WINFIELD (10TH):

Yes, Madam President. If there's not objection, I'd ask this item be placed on Consent.

THE CHAIR:

Seeing no objection, we will move this item to the Consent Calendar. Mr. Clerk. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President on the next Bill we'll have to mark Calendar Page 21, Calendar 343, Senate Bill 1093 as PT until the Amendment is ready.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. Next, if we can mark some items, please.

THE CHAIR:

Certainly, sir. Please proceed.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar Page 30, Calendar 412, House Bill 5158, I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar 32, Calendar 426, House Bill 6380, I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar Page 39, Calendar 468, House Bill 5429, I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar Page 33, Calendar 437, House Bill 6491, I'd like to mark that and go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

And on Calendar Page 14, Calendar 257, Senate Bill 662, I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Will Senate stand at ease for a moment?

THE CHAIR:

Senate will stand at ease.

THE CHAIR:

Mr. Clerk. Senator Duff, you can provide some clarity, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If the Clerk would call Calendar Page 30, Calendar 412, House Bill 5158.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 30, Calendar 412, House Bill No. 5158, AN ACT CONCERNING BREASTFEEDING IN THE WORKPLACE.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. It's good to see you again today. I want to 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. Yes, this is a Bill that will help in the instance where women are still breastfeeding their children and it gives them an opportunity to express milk in a more private location.

Now, I know that the state of Connecticut, a few years back, we did make some effort to provide a workplace that allowed for women to express milk after returning to work, but this Bill, I think, further refines it and makes it work better.

So it allows, provided that there's no undue hardship, that a room will be provided that is free from intrusion, that's more private from the public, so that the person can express breast milk. It also does include that they would provide a nearby refrigerator or portable cold storage device to store the breast milk, and it also include access to an electric outlet.

And I just want to say that I think this is a really important Bill. We want to encourage women to return to the workplace. And certainly, I know myself, I experienced this issue when raising my children, three little ones.

And I wish we had provisions like this when I was young. So this is something that's really good for workers, it's really good for young mothers, it's great for families, it makes for healthier babies.

And I'm glad that we're modernizing this Bill and bringing it up to date. So I urge adoption of the Bill.

THE CHAIR:

Thank you, Senator Kushner. Will you remark further on the Bill before us? Good evening, Senator Sampson.

SENATOR SAMPSON (16TH):

Good evening, Madam President. So, the Bill before us is entitled, AN ACT CONCERNING BREASTFEEDING IN THE WORKPLACE. And I suppose the Bill before us, loosely, has something to do with that.

But this is a very, very difficult Bill to debate, Madam President, because it has a sensitive subject matter. And the language before us, though brief, is somewhat confusing. So I think what I'm going to do is start by asking a few questions of the proponent of the Bill.

THE CHAIR:

Please proceed, sir.

SENATOR SAMPSON (16TH):

Thank you, Madam President. So, the gentle lady already mentioned that there is an existing state statute, and I believe that state statute is in lines 5 through 12, although it does indicate the new language as well.

But the existing language is, "An employer shall make reasonable efforts to provide a room or other location in close proximity to the work area, other than a toilet stall, where the employee can express her milk in private."

And I just want to verify that is, in fact, the current state law in Connecticut. Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President, that is my understanding.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I am curious to know what is meant by the term, "Reasonable efforts." Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

I believe that's a term of art. And that, in fact, it means that it's a common place phrase we use to make sure that there could be impossible efforts. In other words, it might be impossible to provide such a space, but if you make a reasonable effort to do it, then you're going to have been fulfilling your requirements under the Bill.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I appreciate that answer, but it's quite clear that, by your response, it is completely, utterly subjective. What I might consider to be reasonable, or what someone else might consider to be reasonable or impossible, for that matter, is up to the person that is being asked.

So, how in our statute, would we be able to determine whether or not such an effort is actually being made in a reasonable manner? And I'll just be slightly more specific. Suppose you had a business owner who has a room that he is not using for any other purpose, except for maybe storing some items, and he says, "I would love to give that to you. But I'm using it to store several boxes." Would you say that they are being unreasonable? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. Through you, I believe it could be determined that they were unreasonable if, in fact, there was room to put in a refrigerator and there was an outlet and they simply wouldn't allow it. I think that could be determined to be unreasonable.

As a young woman, who was nursing my babies at home and wanted to suppress milk at work, I would have been fine in an area, in a room that contained boxes and other storage provided there was privacy and there was an opportunity to have an electrical outlet to use a breast pump effectively and a place to store the milk. So I think if that was withheld, I would consider that unreasonable.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Well, I appreciate you letting us know what you believe is reasonable or unreasonable. Through you, Madam President. Senator, will you be the person deciding what is reasonable or unreasonable in the future if there's ever a dispute between an employer and an employee on this issue?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President, I am not the person who would make that determination.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I think that's an entirely my point. Which is that, every situation is going to be different and every employer situation is going to be different, as is every employee's situation.

And what you and I might consider to be reasonable, might be different than someone else. And we could certainly disagree. Madam President, through you, do you think it's possible, Madam Chairman, if two people to agree about what is reasonable when it comes to their efforts to provide a room and so on, under this Bill? Through you, Madam President,

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. I do want to point out the term, "Reasonable efforts" is used throughout the law. And I will say that, you know, I certainly through the enforcement of labor agreements came across that as a very commonplace term that both arbitrators and judges and commissioners have a clear understanding that that's a term of art and that they understand how to interpret that and how to apply it.

I also want to point out that this would-- determination would be made by the Department of Labor, they would be the first line of hearing any complaints about the enforcement of this and I believe they would certainly have a great deal of experience in applying such a term as, "Reasonable efforts."

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. So what I'm hearing is that there will be someone in the future, given a dispute, that will be in charge of making a decision about what's reasonable and what's not. But we are going to trust them to be knowledgeable enough to be the decider of what's reasonable and what's not. Is that correct? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President, that is absolutely correct. We do believe that there are people who are experienced and trained and can make that determination and that we rely on them regularly for such determinations.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I have no issue or no desire to drag out this conversation at all, I just - I think this is very important to get on the record exactly what we're doing.

So based on this conversation which would suggest that even the current law, which says that a subjective determination about what is reasonable, which in a dispute might end up becoming before the Department of Labor, and if it can't be resolved there, it might go to CHRO or even a court at some point in the future to determine what's reasonable.

Based on that, through you, Madam President, would you consider this existing statute that we're going to amend to be even more specific? But even under the current law, would you say that this is a mandate on businesses that they must comply with this requirement to produce a room or other location in close proximity and so on? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President, I believe that this is very clear that it will be a requirement of business to make a reasonable effort to do so.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I hope that people at home are listening and they are as confused as I am. Because, where I come from, no one tells me that you should make a reasonable effort not to rob a bank. Or you should not make a reasonable effort not to commit some other crime. Or if I have to build my house, I cannot build it within 10 feet of the property line. Nobody tells me, "Make a reasonable effort to put it within 10 feet of the property line."

They tell me what the law says. And here we are saying, "Well, make a reasonable effort." And the reason why I'm bringing this up, Madam President, because I was in the House back when this law originally was passed, that we are proceeding to amend. And when that happened, the argument that was being made by the proponent was that, this was not a mandate, this is just a suggestion. They said over, and over, and over, and over again on the floor of the House of Representatives.

"We don't really want to put a mandate on businesses, please don't characterize it like a mandate on businesses. It is just a suggestion, Representative." That's what I heard. So I want to make sure today, when we're doing this, what the root original law is and what this new fine tuning is going to be, is either a mandate on businesses that they must do it, or it is simply a suggestion. Through you, Madam President, which is it?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I think this is very clear, that we are saying to businesses, that you must make a reasonable effort to provide these conditions. And I want to say that I feel like we've come a long way. There is a big commercial like that, "We've come a long way, baby."

Well, we have come a long way for babies, and we know that expressing milk and continuing to nurse our babies is extremely healthy for the children. And this is really important. Yes, businesses must comply with the law, that means they must make a reasonable effort to provide a private place with access to an electrical outlet so a woman can express milk for her baby.

I think this is not too much to ask from businesses, it says, "Reasonable effort", which makes it very clear that if the conditions do not allow for it, would make it nearly impossible, would make it very difficult, I think they would have a good case to say that it couldn't be done. But the Bill is clear, they must make a reasonable effort.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I appreciate the discussion about the subject matter for why a business would be required to provide a room, and I'm as sympathetic to nursing mothers as anyone is, and we're going to get to the subject of nursing mothers and how important they are, I promise.

But right now, I want to talk about what the standard for reasonable effort is. And just to clarify, I believe I just heard that the standard is nearly impossible or very difficult. Through you,

Madam President, which standard is it? Is it nearly impossible or very difficult? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. Through you, I don't think that it requires that I make a determination on which one it is. I think the law is clear and I think this is a phrase that's used throughout the law. Reasonable effort will be understood and determined by DOL or CHRO or a court of law, as the good Senator suggested.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. All right, I think we've beat that dead horse, which is, it's quite clear that this is a subjective law. We do not know whether or not is a mandate or a suggestion, and we do not know exactly what the definition of, "Reasonable" is and that will be up to some person, who we don't know who it will be, in the future.

I think that's what we've covered with the underlying existing law. To the Chairman's knowledge, through you, Madam President, has anyone filed a complaint under the existing law with the Department of Labor, to this day, on the subject of the failure to provide such a room for expressing milk? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President. I do not know the answer to that, but I do know that you can see in the fiscal note that it is anticipated that the Labor Department has sufficient staff and expertise to manage any complaints, which would lead me to believe if there have been complaints, they've been very few.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Well, I have to say that I'm surprised that we are here and the Chairman of the Labor Committee is bringing out a Bill on a subject matter that will create another mandate on businesses, and we do not know, we don't have the information about whether or not there's ever even been a complaint on the subject that's before us.

To me, I think that would be the very first thing I would want to know. Before I went to go make a case, I would want to know if anybody ever had this problem, whether or not we should be creating a new law to solve a problem. Because generally speaking, Madam President, I don't think we should be making laws when we don't have a problem to solve.

So let's get into the cracks of the Bill, which is to take that existing, extremely vague law. And I want to talk about the subject of vague laws in a moment. But I want to point out that we are taking an already vague law, which I think there's no question, anyone in this room can say that it's not vague. It's quite clear it's vague.

We've heard several different interpretations of what reasonable efforts might construe and those are

not even valid opinions, because we don't know who will decide that in the future. So, following ahead, lines 7 through 12 are the meat of the Bill, which it's short enough that I'm going to read it, Madam President.

It says, "And provided there is no undue hardship." And we'll come back to that in a moment, "Such room or other locations shall be free from intrusion and shielded from the public while such employee expresses breast milk. Include or be situated near a refrigerator or employee provided portable cold storage device in which the employee can store her breast milk, include access to an electrical outlet."

I want to just stop for a moment and say very clearly that, this Bill, the subject matter, the fact that it's a sensitive subject matter should not affect our decision making process, whatsoever. It would not matter whether this Bill was about breastfeeding in the workplace or any other requirement that we are placing on a citizen or business in this state.

What we need to do, Madam President, when we write laws here, is we need to be clear what we're asking people to do and we need to know our place. And I'm afraid that this Bill, both, is not clear and it oversteps what our place is.

Through you, Madam President, in line eight, this Bill, which we've already said is subjective, based on the term, "reasonable effort", now adds an additional vague statement which says, "Provided there is no undue hardship," the employer must now do these other things that I just itemized.

Through you, Madam President, what is the definition of undue hardship?

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Through you, Madam President, undue hardship, much like reasonable efforts, is a term of art that is often used in statute and also often used in other kinds of labor agreements. And I believe that it says exactly-- it means exactly what it says, undue hardship. And I think that the Department of Labor is equipped with the expertise to interpret what that means.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Madam President. I appreciate the answer, but I will point out that this is not a labor agreement. This Body is not a negotiation center for labor agreements. This Body is not here to collectively bargain on behalf of anyone in the state.

This is a Bill which may become a law that will affect every citizen in our state, if they fall under the parameters therein. And those citizens, Madam President, that each of us as state Senators represent, those citizens deserve, they deserve clear laws. They deserve to know what the law actually is.

They shouldn't have to wonder, "Is my effort reasonable?" They shouldn't have to wonder, "Will the government think my hardship is undue?" They should never have to do that. There is a reason, Madam President, why the founders of this great country made such an unbelievable point of something called, the Rule of Law.

They were trying to separate us from the governments that existed before then, which were not rules of law, they were not governments of words on paper, they were not governments of law that everyone could count on. They were governments of men, or women, but someone who would decide on a day-to-day basis, subjectively, what the law might be.

And I'm afraid, Madam President, that we are down that path again. Because we have taken what is already a completely vague and unclear law and we're going to make it even more vague and more unclear, and we're going to put that on our businesses in the state.

And whether it is for the best of intentions, and of course, we all can agree that every one of us wants to accommodate breastfeeding mothers. Is it the role of this Body to decide who else should accommodate breastfeeding mothers?

I mean, it's very easy to call yourselves charitable when you're not performing the charity. No one in this room is providing a room to someone to breastfeed, we are telling someone else they have to do it.

These Bills are very frustrating, Madam President. We are creating a trap for employers in this state. Because I want to explain something, when we write a law, that's this vague, you know what happens? We leave our constituents in a situation where they don't really know what the law is. And they don't really know whether they're in violation of the law.

And worse than that, Madam President, what we are doing is we are going to give some person in the future, whether it be a Commissioner of the Department of Labor, or someone who negotiates these things on behalf of the Commission on Human Rights and Opportunities, or some court in the future, we're going to give some person the reason to sit down and make a subjective decision about what is

truly reasonable, or what is actually an undue hardship. And that's wrong, Madam President, we should not be making those constituents of ours guess, to know exactly what the situation is.

I've heard all kinds of things in the questions and answer portion of this discussion. And I don't really know, even after asking all these questions, whether my constituents are truly mandated or not, I don't know the answer to that question. I didn't hear a clear answer to that question.

So as far as I'm concerned, a yes vote, equals a no vote. No, there is no difference in this particular case, there is absolutely no difference, because we have not determined what a law is. All we have done is say that, is a chance that some person, some bureaucrat that is far away from here and far away from the business is going to decide whether it was right or wrong.

It is a dangerous track that we are on Madam President, we should not be writing laws like that, we are better than that. We owe it to our constituents.

If we really believe, Madam President, that businesses should be required to create a room and set it up for this purpose, then we should do a mandate that says, "They must create a room. They must establish the location for this activity." But we don't do that here.

It's written, "A reasonable effort." It's a strong suggestion. And I don't know why that is, Madam President, is that to encourage more people to vote for it? Because it's not really a mandate, like they told me in the House when they passed the underlying Bill. Or because we want to really leave it up to someone in the future about which businesses they want to go after or not, based on something other than the Rule of Law.

Anyway, I think that concludes my remarks, Madam President. I'm going to vote no on this Bill today. And the reason why I'm going to vote no is because I don't want to write laws that I don't think are worthy of my constituents. It's just that simple.

First off, I don't think this Body should be interfering in something that can easily be satisfied by these people talking to each other. I have been an employee and I have been an employer, and I know many, many people that fit into both of those categories.

And generally speaking, people are nice people. And I have seen situations. I used to run a whole bunch of small insurance agencies all across the state and we employed many, many women that were of the age of becoming pregnant. And we, in fact, had many, many pregnant women that worked for those companies over the years.

And in every case, whatsoever, whether it was me as the management, or someone else, we went out of our way to try and make it easy for that person, in any way, shape, or form. And we went well, well above reasonable efforts and no undue hardship, I can tell you that. And you know why we did it, Madam President? Because we're good people, not because there was some vague Bill that told us what to do.

That's the way we should do things. And before we come to this Chamber and say, "We're going to write a vague Bill that leaves our constituents confused," we should know whether there's a problem, we should know whether anyone has ever went to the Department of Labor saying, "You know what? My employer would not accommodate me, can you help me?" We don't even know if that has ever happened.

How is that possible that we can have a Bill before us that suggests that we're going to do this without doing that first? I know full well, Madam President, that this Bill is very much of a political nature.

And the idea behind this Bill, is that anyone that is going to stand up and speak against this Bill or vote against this Bill, at some point in the future, is obviously going to be a target, they're going to be said to say, "Oh, they're against breastfeeding women." As if that made any sense in the world.

And Bills like this, Madam President, they are shameful act, they really are. Because what they do is they create division where none should exist. If you want to actually do something and create a mandate, you should be clear about it. If you do not want to create a mandate, then don't offer the Bill at all.

But one thing you should not do is, use it as a political tool to go after people that have the courage to say, "Make it clear for us. Make it so it's understandable for our constituents and make it fair." Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the Bill before the Chamber? Good evening, Senator Flexer.

SENATOR FLEXER (29TH):

Good evening, Madam President. Madam President, I rise in strong support of this Legislation. And I find it appropriate to be directing my comments toward you, Madam President, who as a Member of the General Assembly's House of Representatives was a trailblazing breastfeeding mother in this workplace.

I rise to express gratitude to [MIC OFF]. Does this microphone work?

THE CHAIR:

Much better.

SENATOR FLEXER (29TH):

Okay. Good. I'm right-handed, so this microphone just works better, I guess. And this is why I'm lucky enough to sit at this desk most of the time.

As I was saying, I want to thank Senator Kushner and Representative Porter for their leadership on this issue, bringing this Bill to this General Assembly this year. And I also want to thank my colleague, many of my colleagues in the House, who worked on this Bill, particularly Representative Caroline Simmons, who's been working on these issues for a No. of years.

Madam President, I first worked on a Bill with regard to expanding a woman's access to breastfeeding in her workplace when I was a Member of the House of Representatives. And at the time I was told that our laws were sufficient, breastfeeding mothers didn't have a problem.

And then I had the opportunity to talk with lots of people. And one woman in particular stands out. I was driving home on a late night from this General Assembly, where I'm privileged to serve and I had stopped at a gas station, and I had walked over to the Dunkin Donuts Counter inside the gas station. And the person working at the gas station section of the business told me that the woman working at Dunkin Donuts will be right back, but she was in the restroom.

And she came out and she told me she was pumping in the restroom, and that she had been back to work in just two weeks-time from having her baby. And her baby was about four weeks old, and she was doing everything she could. And she worked the night shift so it was less busy and it gave her time to duck into the restroom and still be able to do her job for most of her shift.

And I thought, clearly, our laws are not good enough. And I've been privileged, over the last

several years, to work with great colleagues, like Senator Kushner and others to try to improve our state's laws. Because, let me just be clear, from that experience and the experience of thousands of mothers across this state and across this country, it is not easy to breastfeed in our workplaces.

I stand here today, having never known when I first started working on these issues that I'd have the opportunity to stand here for this very strong piece of Legislation that is finally going to give access to every working breastfeeding mother, a place to be able to pump and care for her baby, that I would be standing here as a breastfeeding mother myself. And I feel compelled to stand up given the dialogue here this evening, with regard to this Bill.

Figuring out how to breastfeed has been one of the hardest things I have ever had to do. And there are only a handful of women here in this room today, but I see many of them shaking their heads. This Chamber needs to recognize that so many women go back to work two weeks after giving birth, two weeks. You cannot imagine the physical challenge that that is.

And to ask women to go back to work that quickly and then not give them the space to be able to provide the milk that their baby needs is simply wrong. And it is unfortunately a decision that far too many mothers have to make. And they are the women who work in jobs where we don't value their work already.

They are often low-wage workers, who already are struggling to get by, and they don't even have the grace of going to a workplace where their breastfeeding needs are accommodated. There are far too many low-income women in the state of Connecticut, in particular, that cannot breastfeed their children because of the circumstances in their workplaces.

Now, don't get me wrong, Madam President, there are many employers who are very accommodating and do a great job of trying to make sure that a new mother can take care of her child and pump when she sees fit. But there are far too many new mothers who are discouraged from being able to continue breastfeeding their children because their workplace does not have the accommodations for that to happen.

This year, in this pandemic, women have been driven out of the workforce like never before. In 2019, woman, for the first time in our history, made up the majority of workers in this country. But over the course of the last 15 months, women have had to drop out of the workforce by the millions. And part of the reason for that is because we don't have laws like this.

Women who've had babies in the course of the pandemic, like I did, didn't have the blessing of a workplace like the one I have right here, where my breastfeeding needs had been accommodated. This law has never been more critical.

If we want women to come back to the workplace, we need to adopt policies like this, we need to say to all working mothers, that the state of Connecticut is a place where we're going to make sure that if you need space to pump milk to keep your baby alive, you're going to get it, and your employer is going to work with you and is going to make sure that that is a safe place, that it is place where you're not going to be interrupted. Because let's also be blunt about that, you're not going to keep breastfeeding if you're concerned that your manager or your co-worker is just going to pop in on accident. You need to be confident that you can do that in a private and secure place.

Given how physically difficult it can be in the new stages of motherhood to master breastfeeding, to have the additional concern that your privacy is going to be violated or that your boss is not going

to be accommodating, is just not going to understand and just see you as another nuisance employee, is unacceptable. This Bill is critical, Madam President.

And I think we can send a strong message tonight that, not only do we support breastfeeding mothers and ensuring that they can continue to work, but that this state is going to do everything we can to advance policies to bring women back into our workforce in full force. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further on the Bill? Will you remark further on the Bill? Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. And I will be brief. I want to thank Senator Flexer. I so appreciate her comments and her passion. Sometimes when we're here standing, bringing out a Bill, we try and be very clear and precise in our language and sometimes miss the emotion of the moment. And I think Senator Flexer really captured the emotion that I know I share, and that I feel about the importance of this Bill.

I do want to say that it's been said that maybe we don't need these laws that we've created for workplaces, and that maybe, even suggested that I might be thinking about labor agreements, which obviously I think about a great deal, but I know what I'm doing here. And it's not about collective bargaining. It's not about labor agreements, it's about further extending laws that cover workers and the workplace.

Laws that have been passed in this country for more than a century. Laws that are critically important to make sure that as we grow as a nation, as we

become enlightened, that we treat our workers fairly, and that we advance, as our society advances.

And I've been the beneficiary of many of the laws that have been passed. When I worked, I didn't have to worry about child labor laws. I didn't have to work as a child, I was protected, as were other children. There were minimum wage laws. There are all kinds of laws, health and safety laws. All kinds of laws that regulate the workplace.

But tonight, we're advancing a law that helps women who want to continue breastfeeding when they have to return to work, it's quite simple. Now, did we accommodate employers in doing this? Yes, we did. We said that we realize there are some employers who cannot do this and might make a reasonable effort and still can't do it. And we recognize that.

We also said that it couldn't create undue hardship. And I do want to point out that in statute already, in this very Bill, in the law that currently exists, it describes what undue hardship means. It means any action that requires significant difficulty or expense, when considered in relation to factors such as the size of the business, its financial resources, and the nature and the structure of its operations.

That language is in there very precisely, to define what due hardship is, and to take into consideration some employers who might not be able to accommodate it. But I want to be clear, this Bill is, yes, an obligation of every employer with one or more workers, and that includes the state of Connecticut and all of our public entities, which I think is very important.

So this isn't just about singling out one business, This is about all of us in the state, every worker in this state, every woman who chooses to come back to work and continue breastfeeding will have the

ability to do that, so long as it does not create a very clearly defined undue hardship on their employer.

So I urge acceptance and passage of this Bill tonight. I urge all of my colleagues, everyone in this circle who believes, as a society, we advance when we pass laws like this, I urge you all to vote yes. And thank you for the opportunity to be the proponent of this Bill.

THE CHAIR:

Thank you, Senator Kushner. Will you remark further? Will you remark further? If not, I will open the voting machine and, Mr. Clerk, would you 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 House Bill 5158. Immediate roll call vote has been ordered in the Senate on House Bill 5158. Immediate roll call vote in the Senate, House Bill 5158. 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:

House Bill 5158, AN ACT CONCERNING BREASFEEDING IN THH WORK PLACE

Total No. voting	35
Total No. voting Yea	34

(MIC OFF)

THE CHAIR:

(Gavel) And the measure is passed. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, for marking please.

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

Thank you, Madam President. Earlier, I moved Calendar Page 18, Calendar 303, Senate Bill 1015 to the footnote of the Calendar.

THE CHAIR:

Yes.

SENATOR DUFF (25TH):

I'd like to mark that as PR. Again, that's Calendar Page 18, Calendar 303, Senate Bill 1015.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. If we can now go back to the item previously marked PT, which is Calendar Page 21, Calendar 343, Senate Bill 1093.

THE CHAIR:

Mr. Clerk

CLERK:

Page 21, Calendar 343, substitute for Senate Bill No. 1093, AN ACT CONCERNING CIVILIAN POLICE REVIEW BOARDS, SECURITY GUARDS, BODY-WORN RECORDING EQUIPMENT AND SEARCHES BY POLICE.

THE CHAIR:

Senator Winfield. Good evening, sir.

SENATOR WINFIELD (10TH):

Good evening, 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 WINFIELD (10TH):

Yes, thank you, Madam President. Senate Bill 1093 is a Bill that comes to us through the Judiciary Committee, it provides a process for a person to object to a civilian police Review Board subpoena and the process by which the courts can order compliance.

It allows an officer whose image has been captured on a body camera, for instance, to review the recordings before they're disclosed as a law in 2015 and 2019 required.

It allows for the judge or the jury to draw an unfavorable inference from the fact that there was a deliberate failure to use the body camera that we have talked about in other Bills.

It prohibits the usage of no-knock warrants, and it prohibits law enforcement from other jurisdictions outside of the state, like we did within the state

from being certified as security guards for certain things that have happened in the past.

Madam, there is an Amendment on the system. It is LCO 9414. I'd ask that it be called, I'd be granted leave of the Chamber to summarize. And I would urge adoption.

THE CHAIR:

Mr. Clerk, if you could please call LCO 9414.

CLERK:

LCO 9414, Senate schedule "A".

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes, thank you, Madam President. I will explain and if I wasn't clear, I would urge adoption on the Amendment. This Amendment strikes a Section of the underlying Bill, which is Section 7, dealing with the issue of consent searches in motor vehicles, pursuant to a motor vehicle stop that is for a traffic infraction.

It deals with a Bill we passed earlier in the session dealing with clean slate and adds extra-- more crimes than we had under that Bill to the exemptions. I'll read some of them, assault, and the second, with the firearm, assault of an elderly, blind or disabled person, strangulation and second, sexual assault and a third, enticing a minor, burglary, and a third, with a firearm stalking in a first degree.

It deals with lawful orders and clarifies what a lawful order, actually, is and how it relates to the work of our police officers in the field. It also

deals with a couple of other issues. We have had the issue that has been part of the talk around the state, juveniles and car thefts, and when one entices a juvenile, it deals with that issue.

And then, deals with the issue-- I'm sorry, Madam, I'm trying to keep up with myself. Deals with an issue that whether or not someone has convictions that might take them past the 10 years that we were talking about in the clean slate Bill and making sure that if they have sentences that will put them past that point, they don't automatically walk out of prison and have a clean slate, because that was never the intention.

Before I just say, finally, that I urge adoption, again, I will just say that this and the underlying Bill represents the hard work of many Members of the Judiciary Committee, including the Ranking Member in the Senate, Senator Kissel, Ranking Member in the House, Representative Fishbein, and I believe that the Chairs worked in coalition with them to make sure that we got the best version of this Bill possible. I urge adoption.

THE CHAIR:

Thank you, Senator Winfield. Will you remark further on the Amendment that is before the Chamber? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Again, great to see you this evening. I stand in strong support of the Amendment and would also ask that there'll be a roll call when we do vote on the Amendment. I had real problems, and I think no one in the circle can forget that I had offered a number of Amendments regarding the clean slate Bill that we voted on, was just last week or two weeks ago, time flies when you're in the final weeks of session, but very recently.

I thought it was a poor public policy to erase people's records. I think it's bad for the public safety as a whole. It's not the philosophy that I would pursue. And I also feel that Court and the System should have ample access to an individual's criminal history if an individual finds themselves before the criminal justice system in one way, shape, or form, even if it is several years after they are originally convicted.

We do have a methodology here in the state of Connecticut utilizing the Board of Pardons and Paroles, and while some individuals may feel that it's difficult or somewhat cumbersome to navigate that system, that system does review an individual's danger and threat to society and makes informed decisions as to whether individual's records should be erased in whole or in part.

And I'd rather afford more resources to the Board of Pardons and Paroles, than pursue the policy regarding what is colloquially called, clean slate. It heartens me, though, that our colleagues that originally supported that Bill, now have seen fit to essentially take a step back and make sure that several of these horrendous, heinous, egregious crimes are no longer being contemplated for a eraser, regarding this new venture regarding a racing individual's criminal records by way of statute with the mere passage of time.

I also applaud the efforts to begin addressing the issue of automobile theft. I firmly believe in redemption and second chances, especially for minors. Unfortunately, quite often, young people are involved in these automobile theft issues, people get killed, innocent people get maimed.

And I've spoken to state's attorneys that are involved in the criminal justice system for minors, and they say, "Our hands are tied with the current construct of the laws." And I think that beginning

that process by addressing those whom I believe the Amendment says 23 year older, and making that a Class D felony, while, to my knowledge, that individual if convicted might be able to avail themselves of the clean slate proposal.

I don't believe that was put in here to be part of that, I think it was put in here because we wanted to address the bad actor that's initiating this with young impressionable, not necessarily always males, but minors that are involved in these automobile thefts. And I don't know if it's just to make money, I don't know if it's a rite of passage to enter a gang. I just don't know.

I do know, though, that I have-- It appears that there's an escalation in these types of crimes, and I do know, even in the great capital city here of Hartford, that people have been killed by individuals, young people driving stolen vehicle. So anything that we can do to get our arms around that is a step in the very positive and right direction.

I also believe there's provisions in here that would speed up the time where an individual, the minor, is arrested and then comes before the court for review of that matter. And it's also my understanding, and I'd be happy to be corrected if I'm incorrect, but I think there's a creation of a diversionary program that can help address this as well.

So, anything that we can do to get our arms around this, I think, is a move in the right direction. I am concerned regarding the removal of Section 7, but there were some problems in the practical functionality of that, as far as if a law enforcement officer utilized those provisions and the individuals in that vehicle that was pulled over were either a confidential informant or an undercover officer.

I, actually, am of the belief that that could very much put that individual that was in that motor

vehicle at risk for his or her life. And certainly I would never want to be a part of any Legislation that would end up in the death of someone that's working, either with law enforcement or for law enforcement, as someone who is part of a force to be recognized and something violent would then take place, that indeed would end up in someone dying.

So, I think we got to get-- we should get our arms around that motor vehicle portion. It's my understanding, through conversations with a good Chair of the Judiciary Committee, he has made a commitment to myself and others, that if we can come up with something that's viable and practical, and that can help with public safety regarding motor vehicles, that we can maybe hammer out something.

It won't be this evening, unfortunately, but we have two weeks until the end of session on June 9th, and we have other judiciary Bills as vehicles. And so I look forward to working on that with some of the folks in my caucus with a good Co-Chair and hopefully we can reach something that can get us, in my perspective, further down the line regarding that particular aspect of the underlying Bill, prior to this evening.

As I had indicated, there are things in the clean slate Bill that I had great problems with, a lot of the crimes completely inappropriate for any initiative regarding that. And also, I will conclude with it, it does not appear that this Amendment addresses any issues regarding information being provided to federal authorities, regarding individuals that have been convicted of these heinous, horrible, serious crimes, and that there are immigration ramifications on the federal level. I don't see that issue being addressed here, maybe I'm missing something, but I think that was a great problem with that initiative from either a week or two weeks ago as well.

But in this building, here in the Legislative session, I hate to say half a loaf is better than none, but I would rather phrase it as anything that will move us in a direction that I feel better about the public safety today than I did back then, I think is a step in the right direction, and I applaud that.

Any movement away from that policy, I think, is a plus for people's health, safety and welfare. And that's why I have no problem supporting this Amendment at this time, because I thought that that was a misguided, albeit with the best of intentions, policy.

But the road to Hades is paved with good intentions, and sometimes we should be careful how far we go with these new initiatives.

It is not a criticism regarding my friend and colleague and Co-Chair of the Judiciary Committee, Senator Winfield, it has been a distinct pleasure and honor to serve with him for so many years here in the State Senate. We have debated issues, everything from the death penalty to judicial reform to raise the age, to other initiatives, very often we are on the exact same page, but sometimes our paths diverged.

And so, I want to thank Senator Winfield for offering the opportunity to revisit some of these issues, especially those impacting automobiles going forward. But at this time, I think this is a movement back to a set of criminal justice laws that is much more in line with where I believe we should be, here in the great constitution state, the state of Connecticut.

So for those reasons, and I leave everyone to his or her conscience regarding this Amendment, but indeed, I will be happy that we are moving in this direction after what I consider a very misguided movement and

a far too drastic movement down this clean slate Avenue. Thank you, Madam President.

THE CHAIR:

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

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. Good to see you again. In regards to the Amendment, you know, it's disappointing that Section 7 was removed. I think that the agreement that was made in the Judicial Committee, between one of the Co-Chairs and Members of the Judicial Committee, and reducing from probable cause to reasonable and articulable suspicion, was a halfway point.

And it went beyond the simple pulling up and asking the person in the vehicle, "Can I search your vehicle?" There had to be more to that, such as, as an example, you walk up, you're talking to the operator about a motor vehicle violation and you notice a sweatshirt that matches the sweatshirt of somebody who is firing a gun the day before in the backseat, and it's pretty close to that sweatshirt. And then you start asking questions. And the operator says, "Yeah, I was in the area last night."

And you start building that reasonable suspicion. And then you ask the question, "Do you have any knives, weapons or drugs in the car? Can I search?" But you have to articulate this, you have to write a report within 48 hours. That's what the original Bill-- and this Amendment removes that.

Motor Vehicle stops and consent searches remove more drugs and more weapons than any other form of police work. When I look around Connecticut right now, and I see the number of shootings and violent crimes, it makes me take notice, it's making a lot of law enforcement take notice.

And so, I am disappointed that that wasn't done and I'm going to take the word of the Chair, the other Co-Chair, that, you know, something will be worked on with that, because it's an important tool. And to be honest with you, because you have to do that report for reasonable and articulable suspicion, when asking this, that's actually going to stop a lot of officers, because, believe it or not, police don't like to do reports, even though we have to.

When I look at the other Amendments that are put here, or put into place here, one of them is the different crimes that we noted that should not be eligible for a eraser.

And when we put this list together, it obviously was not a totally inclusive list, there's still many charges out there that can be, or are just as serious and can be problematic. But I am sure the house will bring those out when they discuss this further.

And the other part was the, reducing by one day, the misdemeanors. And, you know, we have a couple of misdemeanors just on this list of people, assault of an elderly, blind, disabled and pregnant person. So we're going to reduce that one by a day. Which means that this person can stand the country.

Thankfully, this charge won't be erased, so if they are arrested again, you know, maybe we'll be able to remove them. But one of the problems is, if this person had a gun charge and had a serious offense, and it was pled down to a misdemeanor, which means he wouldn't have been a year, because everybody knows that 90% of the gun cases, probably more than that, are just dropped in court.

So, you know, when you plead it down, and it goes below that, it's not going to be reported to federal officials. And then we can have a dangerous person

still walking around the state of Connecticut, I find that to be dangerous.

I am pleased that as part of this, we are going to be talking about the juveniles and the car thefts. I wish we could expand that a little more, because as we've seen, some people have died because of these car thefts and some people have gotten seriously hurt, and it's something that truly needs to be addressed to stop this.

So I hope at some point, you know, this is a good start, but we can go beyond that. So, I am not happy about Section 7, but I am happy that at least this group of charges were removed from—these crimes were removed from the automatic eraser. And like I said, I'm sure they'll bring out the rest. And I am happy about the other section. So I am going to support this Amendment, and hopefully in the end, we can fix the rest of it. Thank you, Madam President.

THE CHAIR:

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

SENATOR SAMPSON (16TH):

Thank you, Madam President. I rise in support of the Amendment before us. I'm going to start by saying that I associate my remarks with my colleagues', Senator Kissel and Senator Champagne. I think they did a tremendous job of outlining what is happening here in this Amendment.

And I rise, also, Madam President, because I feel like it's incumbent upon me, since I was involved in the first debate on the Clean Slate Bill, to just say a few words about what's happening here in this Amendment. Partly for my own constituents, and partly for the Members of the House of Representatives, who may take up that Bill and this

Bill, because in combination they will work together to make the policy of the state.

As far as my constituents, I got to tell a little story, which is that I have been receiving correspondence from a constituent of mine, someone I have been going back and forth with on countless issues for maybe a decade. And this person and I don't necessarily disagree-- excuse me agree on much, but we've always had a very cordial and respectful dialogue between us.

And I think she's even come around on a No. of issues. But most recently, I've received several emails from her, essentially suggesting that my comments on the Clean Slate Bill, were completely biased, false, even racist, and that the purpose of my commentary, the other day, was to misinform, to tell people something that is completely untrue, to distort what was actually happening in that Bill.

And I've got to tell you, Madam President, you can accuse me of a lot of things, I am a passionate person, I am here for passionate reasons, I will fight for what I believe in every day of the week. But one thing I will never do, is distort my opponents record, I will not try and use politics to frame an argument against them.

My belief in politics has always been the same thing, which is, we should tell the truth about our positions and even our opponents' positions and let the people decide. And I've tried to do that every step of my political career. And I will continue to do that.

But I'm afraid, Madam President, that that is not what always is conveyed, either by each of us, simply by omission, or by the press, because they don't necessarily have the whole story. So, I'm getting up simply to make sure that the whole story is before the public and before the House of Representatives before they make a determination on

what is good and what is not as far as public policy and our state.

The House of Representatives is going to take up the original Clean Slate Bill, I imagine, which we debated the other day, and I assume that they're going to do it in some sort of arrangement that it is in conjunction with this Bill, so everyone is on the same page.

What happened, for anyone watching, is that during the debate on the Clean Slate Bill, which in simplest terms, it is a Bill designed to erase someone who's been incarcerated, their criminal record after a period of time. And depending on whether it's a felony or misdemeanor, it might be seven years or 10 years.

I stated from the outset, that this is a policy that I could very much be in favor of. I want, more than I can describe in a few words here today, Madam President, for people to be able to reenter society. I think it does not benefit our society in any way, shape, or form, if people serve their time and then cannot reenter society successfully by getting a job or a place to live or being able to function like the rest of us. So, I want to help as much as I possibly can.

The thing is that the Clean Slate Bill, and it's funny because when you talk to the advocates, they're standing outside the building when you walk in the morning, they have the same impression that I did about Clean Slate, which is this Bill is supposed to be about minor drug offenses.

If that's what this Bill was, the Clean Slate Bill I'm referring to, then I don't think anyone would have said a word about it. We would have said, yes, that's completely true, we should not be penalizing people ad nauseum forever because they had a joint in their car or something like that at some point when they were younger. That's just ridiculous.

Even more significant drug offenses in the cities that have ruined lives could be treated in a different way. I'm okay with all of that. But what I was not okay with the other day was the serious nature of many of the offenses that were going to be included in that eraser process.

And for people listening, I want them to understand this is a permanent eraser. This is not just, "We're not going to count these things in the future, we're not going to weigh this against someone." We're talking about erasing it permanently from the record.

That's not to say that you couldn't find out if something happened. The Press may have reported it, there may be a record out there somewhere. But someone doing a background check, would not be able to see it, the courts are not going to maintain these records, at least not in a way that makes them accessible.

That's a significant, significant policy decision for any Legislature and any government to make. And the crimes that were included in that Bill were significant, which is why I took the trouble along with some of my colleagues to draft Amendments to highlight each one of those crimes and how significant they were, and to point it out to the proponents of the Bill, that, "Look, please give us a chance to vote in favor of a Bill that makes sense by taking out these things that are simply egregious."

I won't get into the whole list of what they are. Many of them are addressed in the Amendment before us by reversing the policy. I just wish, madam President, that when someone like me gets up in this Chamber from the minority and offers an Amendment on a Bill in the future, rather than go through this process of ignoring every Amendment, shooting them all down, and having to come back later because we

realized, "Geez, maybe that wasn't such a good idea," that we really pay attention to folks in this Chamber that are trying to make good policy the best they can. I totally get it, when one party has a significant majority, they really don't need the input of the minority. And I don't mean to suggest that the minorities input is never taken, because that's not true.

I have a good relationship with many folks in this Chamber. And both parties yesterday, I had a great dialogue on a GAE Bill with my colleague, Senator Flexer where we work together to come up with a much better work product that can happen a lot more often.

Madam President, what I want is for us to take each other sincerely. And then when we're offering an Amendment on the floor. Yeah, sometimes it's politics. But a lot of times, it's simply an honest gesture to get us to a point of bipartisanship, where we're actually working for our constituents to make a better policy in the end.

So rather than continue taking up time of this -- this great body -- that's not my point tonight, I wanted to just get into what exactly is happening in the Bill.

I am very thankful that this Amendment goes ahead and take several of the items that we're going to be erased and removes the policy that they would be erased via this Amendment.

And those were the most egregious items. There's no doubt assault in the secondary with a firearm assault of an elderly, blind, disabled or pregnant person. Strangulation, possessing child pornography on and on and on.

These were agreed just things that we should never have considered erasing to begin with. And I am very pleased, Madam President, that it appears to me that

we are not going to allow that to become law. And that's why I'm so much in favor of the Amendment.

But what I want people to understand both my constituents, my friend, Cecilia, who I correspond with, and the members of the House of Representatives is that even if this Amendment is adopted, they should not support that clean slate Bill, not in its current form, because it still goes too far.

I have a list before me, Madam President of a very lengthy number of offenses that are still what I consider to be beyond egregious when it comes to saying that we are going to erase these from the record permanently.

And I believe that if our constituents knew what these items were, and I also believe that if the members of the House of Representatives looked at them thoroughly, regardless of whether they are Republicans or Democrats, they might think twice about whether these are good policies or not.

And I just want to run through this list very, very briefly.

This is a good Amendment. This fixes a great deal of what was wrong with that Bill, but it does not fix everything. Even with this Amendment, the clean slate Bill if it passes the House, and becomes law. Even with these things taken out, the following items will still be erased from someone's record.

Assault second degree. That's 53 A-60. Assault second degree with a motor vehicle while under the influence. I don't know that the Mothers Against Drunk Drivers would say see it the same way. I don't think they would agree that someone should be able to have that erased from their record at any point in the future. Bribe receiving by Labor Official. Bribery of a Labor Official I'm skipping over many

of these too. I just highlighted ones that stuck out to me.

Criminal damage to a landlord's property first degree. We're going to ask landlords in the Clean Slate Bill to never ever know that someone committed that crime. That's not fair. You cannot do that to a landlord who is going to put someone in their property and not know that they had committed a crime exactly like this in the past.

Forgery second degree. Harassment first degree. Identity theft, third degree. Impersonation of a police officer. Insurance fraud. There's always a question on an insurance application. Whether or not you've committed insurance fraud, there is a question on an application to become a licensed insurance agent in the state.

Is that something that someone would have to say yes or no to? I don't know. But it concerns me. Interfering with an officer which causes death or serious physical injury. Intimidation based on bigotry or bias. Money laundering.

I could go on for many, many more of these. Madam President, I'm going to list another dozen or so. But you get the idea. There are serious crimes here. Criminal violation of a protective order. Criminal violation of a restraining order. Criminal violation of a standing criminal protective order. Possession of a weapon on school grounds, Madam President.

Promoting prostitution third degree. Weapon in a motor vehicle. Organized retail theft. Cruelty to persons under 19 in someone's care in custody done intentionally. Abandonment of a child under six years old. Cruelty to animals, I know many of my colleagues associate cruelty to animals with some type of behavior that might happen later in life. And yet, we're going to erase that here.

We have other Bills, Madam President, where we are tracking cruelty to animals, because we're concerned that folks that commit those crimes might later do something to human beings that might be significant. And this would erase the records of cruelty to animals.

And that includes cruelty animals, making dogs or chickens fight. Injury to canine or search dogs. We pass the Bill earlier today in this chamber that strengthen the penalty for intentionally harming a police or search dog. How can we do that on the same day that we're going to omit this from our correction?

Tampering with a juror? Is that something that should go away from your criminal past? I don't think it should ever go away. I'm sorry. Threatening in the first degree threatening second degree. Purchase of a firearm with intent to transfer to a person prohibited from purchasing a firearm. This is trafficking in firearms, not something that should go away.

Negligent homicide with a motor vehicle. Again, there's a long, long list most of those, yes, I cherry-pick them out of the Class D felonies. But there were many, many other Class D felonies I did not mention that are just as egregious. And there are many, many more crimes beyond that, that I think most people would agree are worth considering.

I have a suggestion, Madam President, and that is that if we are going to try and pass clean slate legislation, as a legislature in Connecticut in 2021, let's itemize the things that are actually worthy of erasing instead of making a blanket erasure and then trying to carve out a few items from it. I think that would make a lot more sense. I

I will support the Amendment and I will support the Bill assuming that's the way it remains throughout. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Sampson. Will you remark further on the Amendment? Senator Winfield.

SENATOR WINFIELD (10TH):

Madam President, just very briefly, I think it's important to recognize that this Amendment is work that's done by, not one -- I hate the fact that we talk about sides of the aisle one side of the aisle or the other.

This is this is an Amendment that is here before us because a Bill that you would assume one side would not support has been allowed to move forward. An Amendment that you might assume that once I might not support has been allowed to be more forward. So when the framing is about how this got here, I'm not sure it's quite accurate.

And I recognize that people have differences of opinion. That's why we actually vote and we don't go based on the opinion of one person, we take a vote. And that vote in this Chamber meets up with the vote in the other Chamber, we determine what public policy is.

We had a conversation the other night, we talked about we listed we delineated many of the things that are under this Bill. And the policy that we agreed - not everybody but that we agreed by majority should move forward, would clean the slate. This comes back and makes changes to that. And that's appropriate, given the way the compensation has taken place. And I hope that people can support the policy that is in the Amendment and as it attaches to the Bill and ultimately the Bill. Thank you, Madam President.

THE CHAIR:

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

CLERK:

Immediate roll call vote has been ordered in the Senate. This is Senate Bill 1093. Senate Amendment "A" Immediate roll call vote has been ordered in the Senate. Senate Bill 1093. Senate Amendment "A" Immediate roll call vote in the Senate. Senate Bill 1093. Senate Amendment "A" 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 1093:

Total number voting	35
Total voting Yay	35
Total voting Nay	0
Absent not voting	1

THE CHAIR:

And the Amendment is adopted. Will you remark further on the Bill that is before the Chamber as amended? Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Again, I want to thank the Co-Chair of the Judiciary Committee, Senator Winfield, for having an open dialogue with

myself that I was able to share with members of my caucus, I appreciate his collegiality and working in a bipartisan fashion on trying to make this Bill a better Bill for the people of the state of Connecticut.

I look forward in the next two weeks to trying to come up with some creative approaches to the automobile aspect that was stricken from the underlying Bill, I think that we can get further down that road and I'm a hopeless optimist, but I don't see no reason not to be. There's other judiciary Bills that we have before is coming in the next two weeks as well.

And I was extremely pleased to see the vote on that Amendment was unanimous. And I look forward to unanimous support of the underlying Bill as amended, going forward sending a strong message to our colleagues in the House of Representatives on both sides of the aisle.

And again, I want to thank both senator Winfield and also very much Senator Champagne, and in particular, Senator Sampson for his tireless efforts, both on the original clean slate Bill as well as the Bill before us this evening. His extremely eloquent remarks on both occasions, and I would urge my colleagues to vote in favor of this Bill as well. Thank you very much, Madam President.

THE CHAIR:

Thank you very much. Senator Kissel. Will you remark further, will you remark further? Senator Duff.  
Senator Winfield?

Okay, Mr. Clark, if you could call a roll call vote please?

CLERK:

Immediate roll call vote has been ordered in the Senate. Senate Bill 1093 as amended. Immediate roll call vote has been ordered in the Senate. Senate Bill 1093 as amended. Immediate roll call vote in the Senate, on Senate Bill 1093 as amended. Immediate roll call vote in the Senate.

THE CHAIR:

Have all Senators voted? Have all Senators voted? Please check your vote and make sure it's recorded accurately. Mr. Clerk?

CLERK:

Senate Bill 1093 as amended:

Total number voting	35
Total number of voting Y	35
Total vote Nay	0
Absent, not voting	1

(Gavel)

THE CHAIR:

The Bill passes. Mr. Clerk. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President the next item, Calendar Page 32 Calendar 426. House Bill 6380 I'd like to mark that on MPT and have the clerk move to the next item please.

THE CHAIR:

Thank you, sir. Mr. Clerk.

CLERK:

Page 39 Calendar 468 substitute for House Bill number 5429. AN ACT CONCERNING PEDESTRIAN SAFETY,

THE VISION ZERO COUNCIL SPEED LIMITS IN MUNICIPALITIES, FINES AND CHARGES FOR CERTAIN VIOLATIONS AND THE GREENWAYS COMMEMORATIVE ACCOUNT, as amended by house Amendment Schedule "A" LCO 8622.

THE CHAIR:

Thank you very much, Mr. Clerk, Senator Haskell.

SENATOR HASKELL (26TH):

Good evening, Madam President. It's good to see you up there this evening. I Madam President, I move acceptance of the Joint Committee's favorable report and passage of the Bill.

THE CHAIR:

Please continue, sir.

SENATOR HASKELL (26TH):

Thank you, Madam President. This is a Bill passed in concurrence with the House of Representatives. It was amended by house Amendment "A."

Let me just say a few very brief words about the reason that this legislation is so important, I would ask Madam colleague, I wonder what my colleagues think of when they when they think about the Transportation Committee or when they think about our State Department of Transportation?

I wonder what they picture perhaps they picture a four-lane highway, maybe jammed up in traffic or maybe with cars moving quickly. Maybe they picture it filled with electric vehicles, or maybe they picture a train or a ferry or a bus.

But transportation planning, Madam President is about people. People First and foremost. And when we get this right, when we help people get where they're trying to go, well, then we can make

Connecticut more appealing to residents and to future residents.

I would note, Madam President that the Connecticut Main Street center submitted testimony in support of this Bill noting that 48% of Connecticut adults want to someday live in an area that's within walking distance of shops and restaurants.

They told our committee that pedestrian friendly and bikable locations increase property values improve business occupancy, and results in healthier residents. God knows we could use that now, Madam President.

And sadly, when transportation planning is done poorly and not done with people in mind, well, then it can have very deadly consequences. 308 lives were lost on roads and highways in the state of Connecticut last year. That's the highest in a decade. It's an increase from last year as 249 65 pedestrians were hit and killed in Connecticut, just last year.

Speeding distracted driving are too often the reason for these accidents. So I will briefly summarize the Bill but before I do so I want to thank the folks who have worked so hard on this for so many years.

Representative Roland Lamar, the Co-Chair of the Transportation Committee has been passionate about addressing pedestrian safety issues.

Representative Kristen McCarthy Vahey has been working on this issue since before she arrived in the state capitol. And I also want to give a shout out to Deputy Commissioner Garret Eucalitto with the Department of Transportation who has put this at the forefront of the State Department's policy planning. And finally, the very recently retired former Bureau Chief of Policy and Planning a gentleman named Tom Maziarz. He spent his career improving the safety of pedestrians and bicyclists in the state of

Connecticut and we are so grateful for his work and in many ways this Bill is a culmination of that work.

Very briefly, Madam President, this Bill expands the circumstances under which drivers must yield to pedestrians at uncontrolled crosswalks. It establishes a vision zero Council and charges it with developing a statewide policy to eliminate all transportation related fatalities, and severe injuries.

It requires OSTA to consider major traffic generators impact on bicycle and pedestrian access and safety when they award certificates of operation.

It prohibits something called Dorian in Connecticut, something that many other states have already done. Essentially addressing the contact with moving traffic that can be caused when a passenger in a vehicle or the driver of a vehicle opens their door or leaves it open for longer than is necessary to load or unload passengers.

It increases a municipal surcharge on certain moving violations. That's of course, remitted to municipalities and its subjects the door in violation that I mentioned just previously to that surcharge.

Perhaps most importantly, for the folks that I represent, it allows municipalities to establish speed limits on local roads without OSTA approval.

Iterant through bureaucratic red tape and giving greater power to the folks who serve at the municipal level and allowing them to save lives.

It increases fines for distracted driving. And finally, it requires that greenways -- I'm sorry, it requires that the greenways commemorative plate fees be deposited into a dedicated account and used to

fund grant programs for greenways and other bicycle and pedestrian trails.

That's a brief summary of the Bill, there obviously many more details. I'm happy to answer my colleagues, but I hope that my colleagues decided to support this Bill, which was worked on a bipartisan basis in the Transportation Committee, and will bring us a lot closer to a people-centered Transportation Policy. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the Bill before the Chamber? Good evening, Senator Somers.

SENATOR SOMERS (18TH):

Good evening, Madam President, I rise in support of this Bill. This Bill is really Representative Ronald Lemar's brainchild he has worked tirelessly on this Bill.

From somebody who comes from a very populated tourist area in the summer, I can attest to, many of the things that are within this Bill as far as pedestrian safety and how people open their car doors and the idea of yielding to people on bicycles, how important that is.

And in my district alone, over the past year, we have lost three people being struck by cars, either walking or riding their bikes. Just recently, a few weeks ago, our superintendent of Groton schools, Dr. Mike Grenier was struck by a car on a bike. So it is very, very important that we implement these policies for a pedestrian-oriented area and also to encourage transportation, via bicycles, via pedestrian walkways, et cetera.

And there were things in the Bill that had some pushback, we've been able to work together to take those out that people were not comfortable with.

And I hope that everyone in the circle will support this Bill. This is a good pedestrian safety Bill, really. Transportation, but safety is the number one aspect of this Bill, and that is why it has my full support. Thank you, Madam President.

THE CHAIR:

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

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I just wanted to do some follow up on one part of this Bill. If I could ask a question to the proponent of the Bill.

THE CHAIR:

Please proceed, sir. And Senator Haskell prepare yourself.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And through you. A comment was made about somebody opening up the car door and leaving it open a little too long.

Can you just expand on that? By what be what you mean by too long?

SENATOR HASKELL (26TH):

Yes, thank you, Madam President through you. I thank my friend on the other side of the circle for his question.

The Bill prohibits a person from causing physical contact between a vehicle door and moving traffic by either opening the door if the moving traffic is traveling at a reasonable speed and with due regard for the safety of people in property or leaving -- and I believe this pertains more directly to his

question leaving it open longer than needed to load or unload passengers. Violations of this provision are infractions. Madam President.

It would be left in the event of a law enforcement official being present at the discretion of that law enforcement official. I know my good friend and colleague was formerly a law enforcement official himself.

This Bill grants him or her the discretion to decide what is too long in terms of loading or unloading passengers. But it imposes a reasonable standard.

By the way under the Bill moving traffic includes motor vehicles, but I think directly to what my friend Senator Somers mentioned, it pertains to bicycles, electric bikes, electric foot scooters, traveling on the highway and of course, pedestrians. I hope that answers the good Senator's question, through you.

THE CHAIR:

Thank you, Senator. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President, through you does this include any of these vehicles that were on the sidewalk, if I open a car door on facing the sidewalk, and one of these happens to be on the sidewalk? Through you, Madam President.

THE CHAIR:

Senator Haskell.

SENATOR HASKELL (26TH):

Thank you, Madam President for the question. I'm sorry, through you, Madam President. Thank you to my colleague for the question.

So under this Bill, pedestrians and people riding bicycles, e bikes, or foot scooters on sidewalk shoulders, or bikeways would be covered by the Bill. Of course. It is perfectly reasonable to open the door to get out of your car or to unload something that you're carrying in your car but leaving it open unreasonably or doing so in a manner that's unsafe and fails to take into account pedestrian or bicycle traffic nearby the car is what could result in a potential infraction.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I guess I misunderstood because I did read about the sidewalk. And that was a question I had.

I know when I was a policeman, you were not supposed to ride bicycles or any type of electric scooter or any electric bikes on a sidewalk. And I remember reading this in this Bill and so I'm just trying to figure out does this Bill allow those on the sidewalk now? Or was there a change in the law somewhere that now allows those on the sidewalk? Through you Madam President.

THE CHAIR:

Senator Haskell.

SENATOR HASKELL (26TH):

Thank you, Madam President. No, the Bill doesn't change existing law and it's certainly a possible I don't doubt the good Senator that there may be municipal ordinances or perhaps in some cases even state laws preventing bicycles or scooters from utilizing a sidewalk.

But the simply says that in the event that opening the door would infringe upon moving traffic -- traffic being defined as somebody walking or biking or riding a scooter in a bike way or a sidewalk, it would result in a potential infraction.

So the short answer is no, there isn't a change to those existing regulations.

THE CHAIR:

Senator champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And I guess it's just -- maybe it's just the way it's being presented. And I'm sorry about that.

But I'm concerned that we say an infraction for somebody that's opening the car door, because a lot of times it's not the person opening the door that's at fault. If I opened my door and I'm removing packages from my car, and I do what a lot of other people do and set them on top, and hopefully they don't forget and drive away. But if my door is open, I'm doing that and I reach in, I grab something and I put them on top and I go around and even if they're still standing there and somebody runs into me and the door, will the infraction be for me or for the operator of the bicycle? Through you, Madam President.

THE CHAIR:

Senator Haskell.

SENATOR HASKELL (26TH):

I don't believe that that scenario would fall under the provisions set forth in Section 4 of this Bill, given the fact that when -- the infraction is only

applicable if the moving traffic, whether it be a pedestrian, or bicycle, or scooter or otherwise is moving at a reasonable speed with due regard for the safety of people in property, and in this hypothetical scenario, it doesn't sound as though that person running along was doing so at a reasonable speed or with adequate reasonable attention to the safety and property of the good Senator.

THE CHAIR:

Thank you. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And I know we call these hypotheticals, but I've dealt with so many traffic accidents over my career. And I'm worried that this is one of those scenarios that we're making. And then we're going to rely on the police officer to solve the accident.

And a lot of times, when we run into these laws, what we normally do is we write it up on an accident report, but we take no action, because we can't determine.

And you go into some of the streets in New England here. And some of those streets are not very wide. And so my concern is, is that we're on these small streets, and somebody is out in there, and they're doing -- this and somebody comes up behind him, and he's swerve around the car, and the doors open and they go right into the person.

I just want to make sure that we're not passing a law that automatically says that the person that opened the door is responsible. That's what I want to make sure.

And if you could just expand on that a little bit through you, Madam President.

THE CHAIR:

Senator Haskell.

SENATOR HASKELL (26TH):

Thank you, Madam President. Through you, I appreciate the good Senator's line of inquiry and concern. No, there's nothing automatic about this provision.

So we are granting discretion to the law enforcement official who might be on site. But there's an expectation both of the driver or passenger who might be opening their door, and we're asking them to do so safely.

But as I mentioned earlier, there's also an expectation on the pedestrian or the bicyclist who is on the sidewalk or the bike way that they also need to be operating safely. And you're right. It's a case by case basis. I don't think they were legislating anything on an on an automatic level.

But we are asking as many other states have, that drivers and passengers seriously account for the safety of others when they do open their door.

THE CHAIR:

Senator champagne, thank you so much, I have no more no further questions I'm just going to close.

This is the only section I have a concern with is just this opening door part, we have granted more permissions for people to operate on our roads, including the electric bikes, which are very quiet.

And if they're against the curve, as they're driving, all the sudden you open your car door, and you're swerving route around from the back of your car up. And some of those bicycles are getting

faster and faster. And now we see the scooters. And in fact, you can rent a scooter here in Harford. And so you're getting people that aren't used to riding these scooters. And they're zipping around, they don't look too fast. But I'll tell you what, I've seen some very fast scooters out there.

And, you know, this is my concern about the car doors, I want everybody to be safe, I don't want this to be, hey, you're going to get a ticket or something. I just want to make sure that, you know, whoever's at fault in this accident, we're not automatically pitting on those that open the car door, that we take everything into account, and that this law allows that to happen.

So I want to thank you, Senator Haskell for answering those questions. And I think he got to the point that, you know, we're gonna take this in a case by case basis and make the determination there. Thank you, Madam President. Thank you, Senator Haskell.

THE CHAIR:

Thank you. Will you remark further on the legislation before us? Senator Duff.

SEBASTIAN DUFF (25TH):

Thank you, Madam President. Madam President, I rise in support of the legislation tonight. Briefly, just want to thank Senator Haskell, Senator Somers, and particularly Representative Roland Lamar, for his work on this.

He -- there was a section or two that I had some questions about. And he was always very helpful and glad to make some adjustments if necessary. So I know this has been something that he's worked very hard on over the years. I want to take a moment to thank him for his work on that, of course, our Senate Chair and Ranking Member, but especially just

want to say thanks for what I believe is a very complete Bill that will hopefully go a long way in our transportation system here in the state of Connecticut. Thank you, Madam President. Thank you, Senator Duff.

Will you remark further? Good evening, Senator Looney.

SENATOR LOONEY (11TH):

Good evening, Madam President. Speaking in support of the Bill, I think this is a Bill of great importance because we know there many areas in our state, we are a state that is in some sections. Fairly densely populated. We have 17th and 18th century design streets handling 21st century traffic in our state now and this Bill, which I wanted to credit senator Haskell for his work on and Representative Lemar, the House Chair has been working on this issue for a long time.

It's one of great significance in our city of New Haven. We have seen a significant increase in the number of pedestrian accidents in the last few years, galvanized a great deal of public interest and attention. The tragic death of a Yale Medical student a couple of years ago and of the law student more recently riding on bicycles and struck by traffic in the area near Yale New Haven Hospital in a very congested high traffic area of downtown New Haven.

Whaley Avenue, another thoroughfare in the western part of our city has also been the scene of a number of fatal accidents, an increasing number over recent years. So this Bill in all of its components, I think, is one that is structured in a way to allow municipalities to have a greater ability to respond to the conditions that that actually operate in that city, and to be aware of conditions to be where congestion is high, where speeds need to be lower.

We have an outstanding traffic official in the city of New Haven Doughouse. Leighton who is also laid out a number of creative plans for speed humps, and roundabouts and other kinds of ways to slow traffic and to implement safety measures.

So I'm very grateful that there's bipartisan support for the Bill. And he says senator Somers was absolutely right that even in some areas with which don't have great populations, but maybe significant tourist areas in Connecticut, those areas also see a great deal of congestion, a great deal of traffic, especially in the in the summer months where tourism is high.

So there is there is risk throughout all of the communities of our state. And I think the components of this Bill in the aggregate help us to responsibly address those concerns. So thank you, Madam President, and I urge support for the Bill.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on the Bill? Will you remark further on the Bill? If not the machine will be opened and Mr. Clerk if you would please announce the -- if you would call the roll call please.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call in the Senate. House Bill 5429. Immediate roll call vote has been ordered in the Senate on House Bill 5429. Immediate roll call vote in the Senate House Bill 5429. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the senators voted have all the senators voted the machine will be locked.

Mr. Clerk if you could please announce the tally on the Bill.

CLERK:

House Bill 5429:

Total number voting	35
Total number voting Yay	32
Total voter Nay	3
Absent not voting	1

(Gavel)

THE CHAIR:

And the legislation is passed. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President, will the Senate stand at ease for a moment?

THE CHAIR:

Senate will stand at ease.

SENATOR DUFF (25TH):

Madam President.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Madam President, Senator Duff. Thank you, Madam President. We have a couple more Bills left, but would the clerk call the items on the - but actually before we do that? I just wanted to also ask for Calendar Page 21, Calendar 343, Senate Bill 1093

that we passed if we can ask for suspension, and for immediate transmittal to the House, please.

THE CHAIR:

And that is so ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Can the Clerk please call the items on the Consent Calendar followed by a vote of Consent Calendar Number 1.

THE CHAIR:

Mr. Clerk. Please proceed with the Consent Calendar items.

CLERK:

Consent Calendar No. 1, page 1, Calendar 462. House Resolution 374 Page 1, Calendar 463, House joint resolution 375. Page 2, Calendar 464, House Joint Resolution 376. Page 44, Calendar 181, Senate Bill 945. Page 27, Calendar 393, Senate Bill 948. Page 4, Calendar 79, Senate Bill 855. Page 14, Calendar 256, Senate Bill 928. Page 10, Calendar 188, Senate Bill 716. Page 46, Calendar 268, Senate Bill 660. Page 5, Calendar 95, Senate Bill 123; and Page 17, Calendar 289, Senate Bill 889.

Immediate roll call vote has been ordered in the Senate on Consent Calendar No. 1. Immediate roll call vote has been ordered in the Senate on Consent Calendar No. 1. Immediate roll call vote in the Senate on Consent Calendar No. 1. Immediate roll call vote in the Senate on Consent Calendar No. 1. Immediate roll call vote in the Senate.

Immediate roll call vote in the Senate, Consent Calendar No. 1. Immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

Consent Calendar No. 1:

Total number voting	35
Total voting Yay	35
Total voting Nay	0
Absent not voting	1

THE CHAIR:

And the Consent Calendar is adopted. All items are passed. Mr. Clerk.

CLERK:

Page 33, Calendar 437, substitute for House Bill No. 6491. AN ACT CONCERNING ELECTRONIC DEFENSE WEAPONS as amended by House Members Schedule "A" that's LCO No. 8370.

THE CHAIR:

Good evening, Senator Winfield.

SENATOR WINFIELD (10TH):

Good evening, Madam President, I move acceptance of the Joint Committee's favorable report and the passage of the Bill and as amended by the House.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR WINFIELD (10TH):

Yes, thank you, Madam President. This is a Bill that comes to us through the Judiciary Committee. It comes to us with a unanimous vote.

The reason why we have this Bill is that in 2016, in a Supreme Court case, it was determined that these electronic defense weapons that we usually call stun guns are weapons that we are allowed to have under the Second Amendment. What the Judiciary Committee did was put in the rules of the road.

So if you're 21 years or older, and you're properly condemned credential to have a firearm, you will be allowed to have one of these electronic defense weapons in the state of Connecticut. I urge passage.

THE CHAIR:

Thank you, Senator, will you remark further on the Bill before us, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President and I also stand in strong support of this Bill.

In fact, these electronic defense weapons typically do not result in death. And therefore are means protecting oneself.

There's actually less lethal than traditional firearms and this again, as the good Senator pointed out comports with judicial decisions and also is a good common sense Bill and I would urge my colleagues support. Thank you.

THE CHAIR:

Thank you. Senator Kissel. Will you remark further? Will you remark further? If not, I will open the voting machines and Mr. Clerk, please announce the vote.

CLERK:

Immediate roll call vote has been ordered in the Senate, House Bill 6491. Immediate roll call vote has been ordered in the Senate on House Bill 6491. Immediate roll call vote in the Senate, House Bill 6491. 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:

House Bill 6491:

Total number voting	35
Total voting Yay	35
Total voting Nay	0
Absent, not voting	1

THE CHAIR:

Legislation passes. Mr. Clerk.

CLERK:

Page 14, Calendar No. 257. Senate Bill number 662 AN ACT EXTENDING THE VALIDITY OF CERTAIN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION TRAINING FOR PUBLIC WORKS PROJECTS.

THE CHAIR:

And Good evening, Senator Kushner.  
SENATOR KUSHNER (24TH):

Good evening, Madam President. So good to see you again. So soon.

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 an act that will extend the Occupational Safety and Health Administration training for public works projects.

Currently it is required to renew your training every five years and this will extend that validity for 10 years.

THE CHAIR:

Thank you, Senator. Will you remark further on the Bill before us? Good evening, Senator Sampson.

SENATOR SAMPSO (16TH):

Good evening, Madam President, I rise in support of the Bill before us. It is a very, very simple Bill, as described, it simply reduces regulatory burden on some employers in our state. It comes to us through some bipartisan effort.

Several years ago in the town of Southington, I visited a local employer along with several of my colleagues and both parties, including the former Speaker of the House. And we were asked by that employer to help assist them in getting some of their employees up and running for work, because the federal requirement for a specific certification they had already had in place. And they were waiting for their state certification, which simply was required twice as often.

And as a result, he had employees that could not go straight back to work. And we all agreed that it was

-- there was no sense in creating two separate standards, one on a state and federal level.

So this is designed to mirror the federal requirement. I think it's a good Bill that will help our constituents and employers throughout Connecticut, and I want to thank the Chairman of the Labor Committee for her effort in getting this through the Committee.

It's sincerely appreciated and my colleagues in both parties who saw fit to get this out of Committee and before us tonight. Thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark further on the Bill before us? Will you remark further? If not, the machine will be opened and Mr. Clerk Please announce the tally.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate, Senate Bill 662. Immediate roll call vote in the Senate. Senate Bill 662. Immediate roll call vote in the Senate. Senate Bill 662. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Senators voted? Have all the have all the Senators voted? The machine is locked Mr. Clerk Please announce the tally.

CLERK:

Senate Bill 662:

Total number voting	35
Total voting Yay	31
Total voting Nay	4

Absent, not voting 1

THE CHAIR:

The legislation passes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. We're good on this Bill.  
Right?

THE CHAIR:

Yes, I announced that the legislation passed.

SENATOR DUFF (25TH):

Thank you, Madam President. I will yield to any  
members for any points of personal privilege or  
announcements. Seeing none. It is our intention to  
be back in session tomorrow at noon. And with that,  
I move that we adjourn to the call of the Chair.

THE CHAIR:

Go forth and govern. (Gavel)

(On the motion of Senator Duff of the 25TH, the  
Senate at 10:01 p.m. adjourned Sine Die.)