

CONNECTICUT GENERAL ASSEMBLY

SENATE

Thursday, May 27, 2021

The Senate was called to order at 2:38 p.m., the President in the Chair.

THE CHAIR:

The Senate will please come to order. Give your attention to our guest Chaplain Kathy Zabel of Burlington.

ACTING CHAPLAIN KATHY ZABEL OF BURLINGTON:

Help us to live a creative life, to lose our fear of being wrong, and to let us find common ground with others. Let us know that in all things, we are not alone but are surrounded by the wisdom and kindness of our fellow man.

THE CHAIR:

Thank you very much, Madam Chaplain. We now invite Senator Winfield and Senator Berthel to come forward to lead us in the Pledge of Allegiance.

SENATOR WINFIELD (10TH) & SENATOR BERTHEL (32ND):

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 very much to both Senators. Is there business on the Clerk's desk?

CLERK:

Good afternoon. The Clerk is in possession of Senate Agenda Item No. 1, dated Thursday, May 27th, 2021.

THE CHAIR:

Thank you, Mr. Clerk. Our distinguished Majority Leader, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Mr. President. Good to see you this afternoon. Mr. President, I move all items on Senate agenda No. 1, dated Thursday, May 27th, 2021, be act upon as indicated and that the Agenda be incorporated by reference into Senate Journal and Senate Transcripts.

THE CHAIR:

Thank you. And Mr. Majority Leader, is there objection? If not, so ordered. Mr. Majority Leader.

**Senate Agenda
No. 1
REGULAR SESSION
Thursday, May 27, 2021**

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

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE
SB NO. 1110** AN ACT AMENDING THE CONVEYANCE OF PARCELS OF STATE LAND TO THE NEW HAVEN PORT AUTHORITY.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE
SB NO. 1112** AN ACT AMENDING THE CONVEYANCE OF PARCELS OF STATE LAND TO THE CITY OF NEW HAVEN.

**GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE
SB NO. 1114** AN ACT RELINQUISHING THE STATE INTEREST IN A PARCEL OF LAND CONVEYED TO THE TOWN OF EAST WINDSOR.

GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE
SB NO. 1115 AN ACT CONCERNING THE CONVEYANCE OF A
PARCEL OF STATE LAND IN THE TOWN OF SOMERS.

GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE
SB NO. 1116 AN ACT CONCERNING THE CONVEYANCE OF A
PARCEL OF STATE LAND IN THE TOWN OF ROCKY HILL.

GOVERNMENT ADMINISTRATION AND ELECTIONS COMMITTEE
SB NO. 1117 AN ACT CONCERNING THE CONVEYANCE OF A
PARCEL OF STATE LAND IN THE TOWN OF CHESHIRE.

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

Report - Auditors of Public Accounts - Office of The
State Comptroller Departmental Operations
Fiscal Years Ended June 30, 2018 and 2019. (Pursuant
to Section 2-90 of the Connecticut General
Statutes.) Date received: May 25, 2021.
Referred to the Committees on Appropriations,
Finance, Revenue and Bonding, Government
Administration and Elections.

BUSINESS FROM THE HOUSE:

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

APPROPRIATIONS COMMITTEE

SUBST. HB NO. 6436 AN ACT ESTABLISHING THE OPEN
CHOICE VOUCHERS PILOT PROGRAM. (As amended by House
Amendment Schedule "A" (LCO 9243))

ENVIRONMENT COMMITTEE

SUBST. HB NO. 6441 AN ACT CONCERNING CLIMATE CHANGE
ADAPTATION. (As amended by House Amendment Schedule
"A" (LCO 9027))

ENVIRONMENT COMMITTEE

SUBST. HB NO. 6504 AN ACT CONCERNING ANIMAL WELFARE.
(As amended by House Amendment Schedule "A" (LCO
9152))

**HIGHER EDUCATION AND EMPLOYMENT ADVANCEMENT
COMMITTEE**

SUBST. HB NO. 6374 AN ACT CONCERNING SEXUAL
MISCONDUCT ON COLLEGE CAMPUSES. (As amended by House
Amendment Schedule "A" (LCO 8158))

INSURANCE AND REAL ESTATE COMMITTEE

HB NO. 6622 AN ACT CONCERNING PRESCRIPTION DRUG
FORMULARIES AND LISTS OF COVERED DRUGS. (As amended
by House Amendment Schedule "A" (LCO 9290))

JUDICIARY COMMITTEE

HB NO. 5598 AN ACT CONCERNING A PROPERTY OWNER'S
LIABILITY FOR THE EXPENSES OF REMOVING A FALLEN TREE
OR LIMB. (As amended by House Amendment Schedule "A"
(LCO 8024))

PLANNING AND DEVELOPMENT COMMITTEE

SUBST. HB NO. 6643 AN ACT CONCERNING MUNICIPAL
TAXATION ASSISTANCE PROGRAMS AND THE MUNICIPAL
PROPERTY TAX WAIVER. (As amended by House Amendment
Schedule "A" (LCO 9292))

PUBLIC HEALTH COMMITTEE

SUBST. HB NO. 5677 AN ACT CONCERNING THE
AVAILABILITY OF COMMUNITY VIOLENCE PREVENTION
SERVICES UNDER MEDICAID. (As amended by House
Amendment Schedule "A" (LCO 8780))

PUBLIC SAFETY AND SECURITY COMMITTEE

SUBST. HB NO. 6597 AN ACT CONCERNING ACCREDITATION,
REPORTING REQUIREMENTS, MENTAL HEALTH, DATA STORAGE
SERVICES AND TRAINING OF LAW ENFORCEMENT OFFICERS.
(As amended by House Amendment Schedule "A" (LCO
9277))

SENATOR DUFF (25TH):

Thank you, Mr. President. Mr. President for a referral, please.

THE CHAIR:

Right.

SENATOR DUFF (25TH):

I'd like to refer Calendar page 14, Calendar 341 Senate Bill 888 immediately to the Appropriations Committee.

THE CHAIR:

And without objections, so ordered.

SENATOR DUFF (25TH):

Thank you, Mr. President. Mr. President, I'd like the Senate to stand at ease, please.

THE CHAIR:

Thank you. The Senate will stand at ease.

Senator Duff, you have the floor, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, for our goal list.

THE CHAIR:

Please proceed.

SENATOR DUFF (25TH):

Thank you, Madam President. On Calendar page 39, Calendar 227, Senate Bill 881, like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Followed by Calendar page 38, Calendar 136, Senate Bill 356, like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On Calendar page 42, Calendar 417, House Joint resolution 59. Like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 24, Calendar 426, House Bill 6380, like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 41, Calendar 281, Senate Bill 1030, I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Calendar page 13, Calendar 322, Senate Bill 1037, like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Followed by Calendar page 33, Calendar 477, House Bill 6107, I'd like to mark that item go.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President.

THE CHAIR:

Thank you. Will the Clerk please return to the call.

CLERK:

Page 39, Calendar No. 227, substitute for Senate Bill No. 881, AN ACT CONCERNING WORKFORCE DEVELOPMENT.

THE CHAIR:

Senator Slap, good afternoon, sir, you have the floor.

SENATOR SLAP (5TH):

Good afternoon. I believe the Clerk is in possession of an Amendment LCO No. 9435. I would ask the Clerk to call that please.

THE CHAIR:

Clerk, please call LCO 9439 -- 9435.

SENATOR SLAP (5TH):

9435.

CLERK:

LCO No. 9435, Senate Schedule "A".

THE CHAIR:

Senator Slap, you have the floor.

SENATOR SLAP (5TH):

Thank you, Madam President. Yes, I would ask for permission to briefly describe the Amendment. It does a number of things. We will be asking for approval of the Amendment at the end of our very brief summary. The Amendment -- I wrote down just a few of the different things that the Amendment accomplishes. Improves the Connecticut, automatic admissions program, it creates a past program, it requires some businesses to notify employees about the availability of educational assistance program.

It encourages UConn to remove pre-requisites for the Connecticut early college experience, creates a credential database, establishes processes for new program approval and process for the office of [inaudible] Because of this new established database, it establishes new according data sets for current occupational schools. It addresses reporting by businesses for certain wage and employee information. Establishes a safeguard system for information data to better evaluate the efficiency and efficacy of workforce programs, and it allows [inaudible] to give loans to students [inaudible]. So these are what the Amendment accomplishes and it does eliminate a number of exceptions of the underlying Bill. And I would urge my colleagues to support the Amendment.

THE CHAIR:

And you move adoption, sir.

SENATOR SLAP (5TH):

And I move adoption. Thank you.

THE CHAIR:

Thank you, Senator Slap. Will you remark? Senator Witkos, you have the floor, sir.

SENATOR WITKOS (8TH):

Thank you, Madam President. Good afternoon. I rise in support of the Amendment. We are on version No. 11 for this particular Bill if this Amendment is adopted. It's been negotiated amongst all parties. I think when this Bill returns to the Appropriations Committee [inaudible] really sets up the foundation for us to understand a workforce development, an economic development in the state. And I applaud the Governors office for all of the work that they have done with the assistant council that has been instrumental in building all the work that is aiding this amendment. Thank you, Madam President.

THE CHAIR:

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

SENATOR SLAP (5TH):

Thank you, Madam President. I too wanted to acknowledge the hard work, as my colleague Senator Witkos allude to, the Governor's office and then also my colleagues in the Senate. Senator Witkos, of course, for the great bipartisan work that we've been able to accomplish on this Bill so far, and then Representative Farrar, Representative Elliott, and Representative Haines in the House, who've also worked very collaboratively on this. And I would ask for a voice vote. Thank you.

THE CHAIR:

Thank you, Senator Slap. Seeing no further remarks, all those in favor of LCO 9435, please indicate by saying aye.

(MEMBERS):

Aye.

THE CHAIR:

Opposed. The ayes have it. The Amendment is t adopted. (Gavel)

Will you remark on the Bill as now amended?

SENATOR DUFF (25TH):

Madam President.

THE CHAIR:

Yes, Mr. Majority Leader.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I'd like to refer this item to -- immediately to the Appropriations Committee.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. And would House -- will the Senate stand at ease, please.

THE CHAIR:

Senate will stand at ease. The Chamber will come back to order. Senator Duff, you have the floor, sir.

SENATOR DUFF (25TH):

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

THE CHAIR:

Mr. Clerk.

CLERK:

Page 38, Calendar 136. Substitute for Senate Bill No. 356, AN ACT ESTABLISHING AN ENERGY EFFICIENCY RETROFIT GRANT PROGRAM FOR AFFORDABLE HOUSING.

THE CHAIR:

Senator Lopes.

SENATOR LOPES (6TH):

Thank you, Madam President. This Bill allows the Department of Energy and Environmental protection to create an energy efficiency retrofit grant program. The main thrust does quite a few things but the main thrust of this Bill would be to allow owners of multifamily housing, rental property, residential property to access grant -- federal grant funding to do energy improvements, including solar on their properties.

It is a program that I believe will obviously help the landlords whose property get the grant, it will help the tenants in terms of lowering their electric bills, and it'll help the environment in terms of moving us to a more green economy. [inaudible] because I think all parties, all sides of the aisle are very much in favor of it. It does a lot of good

for tenants, it does a lot of good for landlords, a lot of good for the environment.

As I said before, it does run on federal funding. There's no fiscal note, there's a small fiscal note, actually, I should say, which evolves the higher -- the Department of Energy and Environmental protection will be hiring three employees, I believe, to help administer the program. It has been through the Appropriations Committee.

Madam President, the Clerk is in possession of LCO 9400. I ask the Clerk, please call and I be given leave of the Chamber to summarize. I don't know if I moved acceptance of Joint favorable report for passage of the Bill but I do that also. Thank you.

THE CHAIR:

The motion is acceptance and passage, and Mr. Clerk is in possession of LCO 9400. If the Clerk could please call.

CLERK:

LCO 9400 Senate Schedule "A"

THE CHAIR:

And Senator Lopes has asked leave to summarize. You may proceed, sir.

SENATOR LOPES (6TH):

I believe I summarized most of it. This is a strike-all amendment but it makes mostly technical changes to the original Bill that came out of Committee. It does make a little bit more clear that owners of multifamily housing can access this grant program and I believe that's it. Thank you.

THE CHAIR:

Thank you, Senator Lopes. Will you remark? Will you remark? Senator Cicarella, you have the floor, sir.

SENATOR CICARELLA (34TH):

Thank you, Madam President. I also stand in support of this Amendment. It was a pleasure to work with the Chair on this in the Housing Committee. You know, this Amendment does a little bit more than make some technical changes. I think it does a lot more.

There was in the original Bill a five-dollar fee for the avenue to fund these positions to help facilitate some of these grants and it came in the form of a fee for permits, which as I say often, you know, it's very expensive to do business here in Connecticut and any additional fees just would not be a good idea. So with the cooperation and work of the good Chair, we were able to get rid of some fees and clarify some of the changes that will benefit not only tenants but landlords and the general public.

Again, getting rid of the five-dollar fee was really big, we're using federal money, which again at this time, any assistance was greatly appreciated. Again, not only for tenants but the landlords. And how it helps the tenants is it allows the landlords to retrofit the properties with energy-efficient units such as heating and air-conditioning, and it allows for a reduced cost for the utilities.

And how it helps the landlords is it allows them to upgrade some of these properties and utilize some of the energy efficiency or energy-efficient equipment out there, which sometimes could be rather expensive.

And again with this pandemic and the issues with the rent and eviction and all those things right now this grant in the form of some assistance to the landlords to make some of these necessary upgrades

again, is just a great idea and I look forward to implementing this and seeing it through, and how much it will benefit again, not only the tenants and landlords but also the general public. Some of the tenants that are gonna benefit from this Amendment, our amended Bill, are on energy assistance programs and if we're able to reduce some of those costs, it could essentially be a reduction for the general public in the form of, hopefully, some type of tax decrease.

For those reasons, I do stand in support of this Amendment. And thank you for allowing me to speak on that.

THE CHAIR:

Thank you, Senator Cicarella. If there are no further remarks, I will try your mind, all those in favor Senate Amendment "A", please indicate by saying aye.

(MEMBERS):

Aye.

THE CHAIR:

Opposed. The ayes have it. The Amendment is adopted. (Gavel).

Will you remark further on the Bill as amended?
Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I just rise in support of the -- legislation know that Senator Lopes has been working very hard on it, and it's a priority for the Housing Committee this year, and want to certainly thank Senator Cicarella for his work on the Bill as well. I think anytime we can promote conservation or energy efficiency, clean energy, and

any kind of our housing, we should do that and we should take those steps to do it. But again just want to say thank you to our Chair, Ranking Member, and others who have brought the Bill to the floor today. Thank you, Madam President.

THE CHAIR:

Thank you, sir. Will you remark further? If not, the machine will be opened. And the Clerk will announce a pendency of a vote.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. This is Senate Bill 356 as amended. Immediate roll call vote has been ordered in the Senate, on Senate Bill 356 as amended. Immediate roll call vote in the Senate. Senate Bill 356 as amended. Immediate roll vote in the Senate. Immediate roll call vote has been ordered in the Senate. Immediate roll vote in the Senate. Immediate roll call vote has been ordered in the Senate.

THE CHAIR:

Have all the Members voted? If you have, please check the roll call machine to make sure your vote is properly recorded and the machine will be locked, and the Clerk will announce the tally, please.

CLERK:

Senate Bill 356.

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

THE CHAIR:

The Bill as amended is passed. (Gavel)

Mr. Majority Leader.

SENATOR DUFF (25TH):

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

THE CHAIR:

Senate will stand at ease.

Senate will come back to order. Senate will come back to order. Mr. Majority Leader.

SENATOR DUFF (25TH):

Thank you, Mr. President. Mr. President, will the Clerk please call the next item on our goal list.

THE CHAIR:

Mr. Clerk.

CLERK:

Page 42, Calendar 417, House Joint Resolution No. 59 resolution approving an amendment to the state constitution to allow for early voting. There are amendments.

THE CHAIR:

Thank you, Mr. Clerk. Chair recognizes the distinguished Chair of the Government Administration and Elections Committee Senator Mae Flexer of the 29th district. Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam -- Mr. President. Excuse me. Nice to see you up there today. Mr. President, I move for acceptance of the Joint Committee's favorable report and passage of the resolution in concurrence with the House of Representatives.

THE CHAIR:

Thank you, Senator Flexer. The resolution has been moved. Will you remark further? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Mr. President. Mr. President, the resolution before us today, simply put, is here -- it's been a long time coming. The resolution before us would allow the voters of Connecticut to decide in the November 2022 election, whether or not Connecticut will join the 44 other states in this country that allow for early voting.

Mr. President, as we've known for quite some time in this body and as voters in Connecticut were keenly focused over the course of the last year or so, Connecticut is one of the few states in the country that does not allow voters to cast their ballots early. The resolution before us today, this exact resolution passed this body with a majority vote two years ago. It passed the House of Representatives with a majority vote or more than a majority, well, more than a majority vote two years ago and an overwhelmingly bipartisan vote in the House of Representatives this year.

Mr. President, if this resolution is approved by the Senate today, as I said, the voters of the State of Connecticut will be able to remove the restrictive pieces of our state's constitution that currently do not allow for early voting. Mr. President, this body has been keenly focused this year on trying to change our laws to make it easier for people to participate in our electoral process. We tried to make Connecticut the opposite of many other state

legislatures across the country where there are massive efforts to roll back people's access to the polls. This resolution is a key piece of Connecticut finally being at the forefront of access to voting, instead of where we currently are as one of only six states that does not allow for early voting.

Simply put, Connecticut needs to catch up with the rest of the country. Our voters should be able to choose when and where they want to vote. This general assembly should be able to debate the concept of early voting and put in place the parameters by which that will be possible. But first and foremost, we have to adopt this resolution to empower the voters of Connecticut to potentially change our constitution and remove the restrictions that currently do not allow for our state to have early voting.

Connecticut can be a model for the rest of the country in making it easier to vote in so many ways, but as I said, we are so far behind, the overwhelming majority of the country, one of only six states that does not allow for early voting. I'm hopeful today, Mr. President, that my colleagues will vote in support of this resolution, just as they did in this state Senate that was elected two years ago, and that they will allow the voters of Connecticut to approve this Amendment to allow for early voting in our state to ease access to our most basic American right, the right to vote. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further on the resolution proposing an Amendment to the state constitution? Senator Sampson, distinguished Ranking Member of the Committee on Government Administration and Elections.

SENATOR SAMPSON (16TH):

Thank you very much, Mr. President. And I agree, you look very good standing up there today.

I want to start by saying that I'm a little, I wouldn't say disturbed but concerned about the tone of the introductory comments on the Bill before us because I don't think it is an accurate depiction of where we are.

The very first thing I would say about early voting is that it is not true to say that Connecticut does not allow for early voting because we in fact absolutely have early voting. We have 45 days of no-excuse absentee voting in the state and there had been a number of Bills passed throughout the COVID era, and also more recently in this very Chamber that have allowed the definition of sickness and illness to be expanded in ways that may or may not fit with the constitution but were ultimately ruled constitutional by our Supreme Court recently. So I don't think that's an accurate statement.

And for anyone listening at home, and in particular, the press in the state, I want to make something extremely clear because the way this issue has been covered over the last several years I believe is a disservice to the people of Connecticut. This is not a debate over who wants to provide access to voting and who doesn't. The way it's framed constantly by the majority in that way is dishonest and it's wrong because as far as I know, every one of my Republican colleagues and myself are in support of expanding access to voting and that includes early voting. The thing is that we differ on how it should be done.

I believe that if we're going to make a change to our sacred document, the State of Connecticut constitution, that we need to do it in a detailed, accurate, and informed way, and we need to be honest, completely honest with the voters when we put a question before them about what the change that they will be voting on actually accomplishes. And that is not accomplished, Mr. President, in the

resolution that is before us and I'm going to explain why.

Just to repeat, Republicans, and I think it's safe to say that every Republican Senator supports early voting as long as we had the proper protocols and protections in place. I also want to point out that many of us have voted in favor of early voting. I voted in favor of early voting with the proper protections, of course, during this year's Government Administration and Elections Committee process.

I would also point out that early voting could have happened in 2019. It is not the Republicans that prevented it from going on the ballot in 2019. We voted for early voting. We supported early voting, but we supported it with proper protections, including a specified time frame and a requirement for photo identification. Had the majority party agreed to those items, we would've had a three-quarters vote. It would've been on the ballot already and we would have early voting in this state.

So, Mr. President, I just want to make that clear to anyone listening and the press to be sure that when you are reporting on this subject in the future, you do not make it an argument about who wants to provide access and who does not 'cause that is not fair nor accurate.

I want to just talk about the issue itself and the concerns I have with the proposal that is before us very briefly, and I don't intend for this to be a lengthy debate by any means. We have had a number of similar debates recently on the subject of voting and access. And the debate always boils down to expanding access and maintaining integrity, and the maintaining the integrity of the vote to me is the most paramount function that we have in our state government right now.

Everyone listening is well aware of the great divide that exists in our nation between people who rightly or wrongly believe that there was funny business in the 2020 election, and also those who believe there was funny business in the previous Presidential election. There were claims in 2016 about Russian collusion and involvement in altering the outcome of that election that made Donald Trump our President. And in 2020, President Trump himself made a big issue about the election process and said that he believed that lots of things went wrong in various states.

I don't know what is true, Mr. President. I've never said that I had any knowledge of any type of stolen election or fraud in any way shape or form, even though I have been characterized as saying that many times. What I have said is that it is our job to make sure, number one, that we maintain the integrity of the vote, and number two, that we restore the confidence in our constituents in our voting process.

Restoring the confidence in our voting process. We don't have that right now. We have a divided country. We have people that may not accept the results of the next Presidential election. We cannot have that Mr. President, we need to do better and the way we do better is by working together to develop genuinely positive and thoughtful election policy. That's how we do it.

And I want to point out Mr. President, that almost every election-related Bill that we have passed through this Chamber in recent years has very sadly, come on a party-line vote. It is no wonder that people are concerned about whether or not our election policy is legitimate. Election policy should be sacred. We as Members of different political parties can debate and argue over countless issues, but when it comes to the function of how we are elected, we should find common ground.

I mean that so sincerely, Mr. President. We need to work together to pass election law in a way that we all agree so that we can tell our constituents, "Hey, look, we don't always agree on a lot of stuff but you know what? We do agree that election should be without question fair, honest, and outside the realm of possibility that the wrong person is going to be seated in an office." And every time we do another Bill that is a party-line vote, with a partisan discussion about the election policy going forward, we have failed.

I opened by saying that I think we all would be open to some sort of early voting. Why couldn't we come up with a policy that we worked together on to make that happen? I made my offer. I made my plea in the form of Amendments in 2019. I said, "Here's your early voting Bill, you can get support from me and other Republicans if we simply include the proper protections and protocols, and we are honest with the voters about what it really means what we're voting on."

If that had happened, it would of passed, it would of passed by three quarters. It would've already been the law in Connecticut. Unfortunately, there has been very, very little compromise on the subject of early voting or even no-excuse absentee voting, which is another subject we are going to discuss in the future. I'll just briefly say that all of those things that are being proposed, simultaneously, want to make any person who's watching this discussion and this type of policy wonder about what's really going on.

I have to tell you, as the Ranking Member of the Government Administration and Elections Committee, someone intimately familiar with the law surrounding our election process, I cannot even tell you right now what the law says. It's so confusing. We had passed special rules during the special session, we passed Senate Bill 901, which has not passed in the House yet, which affected the definition of COVID-19

voting. They passed a Bill in the House 6205, which changes the definition of sickness. The Secretary of State has issued three or four memorandums that all say that the illness portion of our constitution can be interpreted in different ways. We had the Supreme Court of the United States say that illness means any illness by any person. I wondered aloud if that meant someone in Brazil has malaria, someone in Connecticut is eligible for an absentee ballot.

I still have not found the answer to that question, Mr. President, and during the debate on Senate Bill 901 in a very polite and friendly debate with my colleague, we couldn't come up with a very detailed answer either because it is truly and very sadly up in the air. And I'll just say, Mr. President, that is no way to run our state government. We should be in agreement when it comes to what the election policy in the state is, and it should be clear to the voter. Something I have been concentrating on many times over the recent months.

So let me get to the actual substance of the resolution. The issue I have with the resolution itself is that it doesn't do anything except for say that we're going to change the constitution to allow for early voting. If I ask someone on the street, "What do you think about the state allowing for early voting?" They will probably say, "Oh, that's a good idea," but that's not a substantive conversation because allowing for early voting is not even a policy decision. That is just the start of one.

That's like asking somebody if they'd like free lunch, but not telling them that that free lunch is a thousand miles away in another country or a food that they don't like. You haven't even begun to explain what you meant by early voting, and that's what the constitutional Amendment that is before us does, and why myself and others have concerns with it. It is not clear.

And what it does really Mr. President, is it takes the power away from the individual citizens who will ultimately be in a position to vote on whether we grant the approval of this Amendment to the constitution away from them and gives it to a future legislature, and that I have grave concerns about Mr. President. I'll just briefly explain for people listening who may not be familiar with this process what I mean.

Our state constitution is very clear. We currently are set up in the constitution to allow for one-day, in-person early voting. This constitutional Amendment if passed, will say that early voting will be allowed essentially by parameters determined by the legislature going forward. That is a much different thing than telling voters, "Well, we want to change one-day early voting to three days of voting," or seven days or ten days or 30 days or 200 days. All of which are possible under this constitutional Amendment.

The process for which a constitutional Amendment passes in Connecticut is that it would have to be brought forth in the legislature in each body. The House of Representatives and the Senate, and presented individually to each body and achieve a three-quarters vote in both Chambers, in which case it would be eligible to be placed on the ballot and if passed by a majority of Connecticut residents, it would become a change to our constitution.

Failing that, and only achieving a plurality of votes and not the three-quarters threshold in either or both Chambers means the two separate subsequent legislatures would have to pass the same resolution by a simple majority. That's what happened in 2019.

The House of Representatives, I believe, made their three-quarters threshold on this same resolution, but when it came to the Senate, we had a similar debate that we're having right now. And I brought up the same points that we are discussing right now,

and the Bill failed to reach the three-quarters threshold and only reached 50%, and as a result, it has to come back again to a subsequent legislature. 2020, it could not happen because that was the same group. We are in a new legislature now. A new group of people after an election. Many of them the same faces of course, but some new people too.

Right now what is before us, only surpassed by a simple majority, which I have no doubt it will, Mr. President, but that doesn't change the fact that I believe that this policy -- while early voting may be a good policy, the way we're going about it is flawed. And forgive me, I think it's unfortunate because we could've done better, and we could've worked together to do it right.

What is not specified in the constitutional Amendment that is before us, first and foremost, forgive me, is the length of time. When you say to someone, I'm going to give you a free lunch. That's their very first question, well, what is it? Is it liver and onions or is it a stake? What is it? Free chicken wings. This just says early voting. We don't know whether that means one day of early voting, two days, seven days.

By the language in this Bill, we are taking the power of the citizen away from determining how long that will be. Right now the constitution says one day. If we put into this language that it was going to be seven days, then citizens will get to decide whether it's seven days or not. But we're not doing that, Mr. President, we're saying early voting, which means it can be anything that the majority in the state decides they want it to be. And worse than that, Mr. President, it can change anytime they want.

If the majority, and I'm -- the Democrats are the majority today but that may not always be the case. The majority party will have the power to change at will what the terms of elections will look like

going forward because we have taken it out of our constitution and put in the hands of the same majority. A very, very dangerous policy.

If it makes sense that the party in power has the ability to affect a significantly better ground game over a period of time to recruit volunteers to go out and encourage voting in ballots, they will want a longer period of time. If it makes less sense, they'll shorten it.

Which brings me to another point. One of the concerns about early voting is what is early voting versus a regular election? Theoretically, philosophically, and in practice, these different types of voting are truly different because a one-day election is a snapshot in time. It says to everyone on the same day based on what we know, up until now, what is your decision. The point I'm trying to make, Mr. President, is that if you expand early voting to 30 days, and some states have as much as 45 days' worth of early voting. Imagine the things that could change in an election or in the country in 45 days.

Imagine that you vote 45 days in advance and then there's a war. Imagine that there is a scandal about one of the candidates. Imagine that some unexpected bit of information comes your way sometime between the day you voted and the final day of election. I don't believe that's a reason to say no to early voting out of hand, but it is a worthwhile discussion about the impact on people's decision-making for sure.

I'd also say that there are countless studies, and I could waste a lot of time by talking about them, Mr. President, but I don't want to do that today. I'm just going to point people to the Heritage foundation online because they have compiled a legal memorandum about the costs of early voting. This is an unbelievably well-put-together document that goes state-by-state and discusses what happened in each

state as far as early voting. And when I say what happened, I mean, what happened with the turnout.

The arguments we keep hearing about early voting being valuable often have to do with access. But what if I told you that in almost every case documented very clearly here in this document -- that goes without saying I supposed, documented in this document. It shows that many, many states that have opened up early voting actually have a lower turnout than they did when they had one-day elections.

So if we are truly trying to get more people to vote, we really should understand the science of how this works because when we have one-day elections there is a lot of focus leading up to election day. The campaigns are working on their messaging and their ads and their mailings and everything all, working towards a specific point in time where we'll make a decision on who we're voting for.

When you have early voting, especially if it's a lengthy-term of early voting, that goes out the window. Campaigns will have to change entirely what they're doing, and I'm afraid a lot of the message that they're trying to get to voters will be lost because they will have to spread it over such a long period of time, and many people will vote before they ever hear the messages of all of the candidates. And that's unfortunate, Mr. President, because I believe informed voters may be more important than the number of voters.

There are a lot of other things besides the timeframe that are not settled in the constitutional Amendment that is before us. And I could ask a lot of questions of the proponent and I'm not going to because we've had this debate many, many times in the past and I've asked the questions before about what the vision is. If we're going to put early voting in the constitution, there must -- has to be some idea of what early voting means. Is it three

days or seven days or 150 days? I don't know. And with great respect, I've never gotten a clear answer, no matter who I've asked from the proponents of this legislation what is truly the vision for what it will be. And that concerns me.

The longer the early voting period is, though, Mr. President, it's noteworthy, the more the cost will be to each citizen as taxpayers because when you have early voting that means you have to have an early voting process, which means that you will have to have polling locations that are open more days and you will need to staff those polling locations. You will also need to find a solution to very, very significant logistical problems. These things should not be debated, you know, as if they are insignificant. They should not be discarded as unimportant issues. I continually bring them up because they are very important.

Right now, when you vote on election day, your ballot is run through a machine called the tabulator, and at the end of the election, they print out the tape from that machine and it says, well, there are so many votes for candidate X, so many for Y and so on, and we have an answer. What Mr. President, happens when we have an election that goes over the course of multiple days? One of two things has to happen. Either one, you gotta leave that machine open throughout that entire period of time. Does that mean that someone's going to be watching those machines around the clock in the middle of the night?

Think about all of the coverage during the last November election about funny business happening in the middle of the night in whatever state you can name. Whether or not there was funny business or not you're creating the opportunity for it, and you're creating the appearance of its possibility. Neither thing is good.

The alternative is not to leave the machine open. The alternative is to shut down the machine every night, in which case, someone somewhere is going to know the results of each day's voting, and do you think those numbers are not gonna reach the public, Mr. President? Do you think that people are not going to know where we stand in that election? Do we not think that those numbers reaching the public in the form of the press or otherwise, or being leaked by various operatives in either party are not going to impact the future voting? Of course they are.

I'm not standing here for my health, ladies and gentlemen. I'm standing here because I care about making good public policy. I'm not up here because I just simply oppose whatever the Democrats do because I'm a Republican. I genuinely want to write good laws in this state, and anytime someone comes to me and says, "Rob, I want to talk to you about writing a good law for this state." You have my ear. I will listen all day. I will work with you to find whatever compromise we can to make a good law.

We did not come up with a good law here, we came up with another vague, overly broad policy that is not fair to the many, many residents of the state who will not know when they answer the question that is on the ballot what they are really ought voting for. They'll be voting for free lunch but they won't know what it is.

There's more to it too, Mr. President. It's not just the times. It's not just the who -- whether the machines open or not, it's -- there's memory cards stored in these machines that have to be replaced every time the machine is used. Those cost money. They cost money to towns just like bodies and poll workers will cost money to towns.

And what about the chain of custody something we talk about a lot when we deal with elections. The chain of custody is at risk the longer you put an election on for because you have that many more

people involved with watching over the process, the machines, the tabulator tapes, and everything else.

These are all things that could be worked out. There is no question in my mind. Other states manage early voting successfully and we could also but we have done nothing and I mean absolutely nothing in this state to prepare for early voting. We have not done anything to prepare for massive expansions of no-excuse absentee voting either, which we'll discuss on another day. We could begin to do those things, and in fact, many of the policies that I've offered in recent years are all about getting us ready for the inevitable changes to come in the future.

Mr. President, I would suggest that we need to make three changes to this law. One of them is we need to define a timeframe. We need to make a timeframe that makes sense for people. And I really -- I can't say I won't say I don't care what that timeframe is 'cause I certainly do care but I'm open to a lot of different variations on what the timeframe could be. But one thing that has been discussed is the idea of simply providing for more convenience for voters. And if that's your -- our cause and purpose behind early voting, then what's the most effective balance for that? And I believe the balance for that is to try and open up a few extra days for voting just before election day, not a broad expansive period of time, 30, 60, 90 days, but rather a few days. And what I've come up with is similar to a policy that was debated in the House of Representatives a few years ago, which is to suggest that we do our elections in the three days preceding election day within the five days preceding election day.

The idea being that elections could then be on a Sunday, Monday-Tuesday, or Saturday-Monday-Tuesday, or even a Friday Monday-Tuesday, and we could even experiment with that to figure out what is most effective to provide access and opportunity for voters in the state.

The second most important thing we ought to do if we're going to improve this Amendment to the constitution is we should require something that almost every other state requires and that is photo identification for voters. That is something that makes perfect sense. I'll just say a quick note about photo identification, which is that almost everybody in this state already has a driver's license, and people that don't have a driver's license often have some other form of identification whether it be a state-issued photo ID.

And we've been through in this Chamber before about how important photo identification is and how unlikely it is that someone would not have it because of all of the things that are need -- that you need to have photo ID for, from boarding a plane or opening a checking account or cashing a check, and on and on and on. So I think that would make sense to make an improvement, and I've even suggested that we could do in a way that accommodates people by saying not only would we give you identification but we would also provide it to folks free of charge if they cannot afford it.

And then the final thing I think would be an effective change to this policy would be to change the ballot question to be more honest about what the actual Bill does. Instead of simply saying free lunch, Mr. President, and early voting, what we would be saying is a question that tells the true complete story, "Shall the constitution of this state be amended to remove what is in the constitution now, the one day limitation on in-person voting, to allow the general assembly to provide for opportunities of early voting without any limitation."

That is truly what this Amendment does, and we ought to be honest with voters when we draft the question that we'll put before them, instead of simply asking if they want free lunch. We should be telling them what that free lunch actually is.

So based on those three recommendations, Mr. President, I do have an Amendment I would like to offer. It is LCO 9 -- oh no, excuse me, that's the wrong one. It is LCO 9505. I ask that it be called and that the Clerk bring it out and I be allowed to summarize.

THE CHAIR:

Thank you, Senator Sampson. Mr. Clerk if you would call LCO No. 9505, which would be Senate Amendment Schedule "A".

CLERK:

LCO No. 9505, Senate Schedule "A".

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you Mr. President. This is a very straightforward Amendment that accomplishes the first of the three changes I described, which was simply --

THE CHAIR:

Please. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Mr. President. Mr. President, I rise for a point of order.

THE CHAIR:

Senator Duff, please proceed with the point of order.

SENATOR DUFF (25TH):

Thank you, Mr. President. I believe this Amendment is not properly before the body. While this is an issue of the first impression in this Chamber, we find that the guidance and rulings from our House of Representatives, Speaker Abate in ruling 2-2.1 observed on the second submission of a constitutional Amendment, the general assembly may only confirm or reject the action taken in the previous general -- the previous assembly.

More recently, Speaker Aresimowicz in ruling on 2-2.2 on a similar issue stated, "Article 12 of the Amendments to the state constitution provides that any proposed Amendment that passes both Chambers by majority of both Chambers, that is less than three-quarters of both Chambers, shall be continued in the next general assembly following the intervening election. The constitution contemplates the exact language being reconsidered in the next elected membership of the legislature," close quote.

He continued on to outline the long-standing procedures in the custom of the general assembly for resolutions that are carried over and noted that the resolution and Bill numbers do not carry over from session to session.

These rulings also find support in several areas of Masons. Chapter 2, Section 6,2 provides a constitutional provision regulating procedural controls all other rules of procedure. Section 7,1 provides constitutional provisions prescribing exact or exclusive time or methods, for certain acts are mandatory and must be complied with.

Finally, Section 12,1 provides a legislative body cannot make a rule that evades or avoids the effect of a rule prescribed by the constitution governing it. Thank you, Mr. President.

THE CHAIR:

Thank you, Mr. Majority Leader. The Chair will entertain debate on the point of order. Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Mr. President. Forgive me that I disagree with the point of order. I believe that this Amendment that is before us is a new Amendment, it has a new resolution number. It went through the Government Administration and Elections Committee as new policy. It was offered a public hearing. In fact, I offered the same exact Amendments and they were voted on in that Committee. I don't believe that we could be here without going through that process.

I would also say that what the legislature did in 2019, a completely different legislature, should not bind what we do here. And I don't believe we should be forced to take up the same exact document if we do not wish to. We should still have the power to amend it.

And furthermore, I think that we were not even bound to hear this. I don't believe that based on what I just heard from the point of order and the argument made that we would've had to take it up. And I doubt sincerely if there was a change in the majority of membership of either Chamber that we would've taken up the Bill. So I believe that that is -- that's just a mistake in -- of you of what happened in the House in the past.

THE CHAIR:

Thank you, Senator Sampson. Will you remark further on the point of order? Senator Kelly. The distinguished Republican leader.

SENATOR KELLY (21ST):

Thank you very much, Mr. President. And before I do comment, I can't help but comment on giving us the opportunity to speak on this before ruling is issued. I know that we had other procedural issues earlier in the session and that wasn't afforded to us. So I do appreciate the courtesy that you're giving us to at least make a case before a decision is rendered.

My reading of this issue is that Senator Duff was correct, that this is an issue of first impression to this Chamber. In all our years we haven't had this issue come before us and so there are no rules. That there is House rules but that's for the House Chamber, not for the Senate Chamber. And while Masons rules were quoted, there is no constitutional procedure that would require us to follow the acts of a prior legislature. So we are free to deal with this resolution in any manner that we choose. We have great latitude here. As this is an issue of first impression, we need to be mindful of what the impact is going forward.

I think the points that Senator Sampson raised, in the Constitution right now, we have one day, one vote, in-person voting, the resolution doesn't do -- it doesn't have that same type of provision. I believe that he ran the Amendments at Committee. He brought these issues forward. I think they're very important issues, and just because something passed in 2019, or any prior year, doesn't mean that we are bound to have to follow what the prior legislature did.

We do have the authority, we do have the responsibility to look at each resolution that comes before us, and because of that, I think it's within reason, it's within bounds to be able to act on these amendments and to have the conversation and dialogue to make sure that what this body is doing is the right policy for the entire State of Connecticut.

So for those reasons, I would hope that the President sides with our case and let us proceed with our Amendments. Thank you.

THE CHAIR:

Thank you, Senator Kelly. Will you remark further on the Point of Order? Remark further the Point of Order? If not, the Chamber will stand at ease while ruling is prepared.

Thank you, the Senate will come to order. Chair is prepared to rule. First of all the issue is whether or not a proposed constitutional Amendment, which has been passed in a previous general assembly by a majority but not a three-quarters majority on its second presentation to the next general assembly can be amended. The Chair finds persuasive the ruling of speaker Abate in the House of Representatives and that as was pointed out by the Majority Leader, there is no precisely on point Senate precedent but speaker Abate I believe in 1981 observed on the second submission of a constitutional amendment the general assembly may only confirm or reject the action taken in the previous assembly.

And ruling along the same lines, more recently speaker Aresimowicz on the same issue said the constitution contemplates the exact language being reconsidered in the next elected membership of the legislature. Again also there are support for this approach in Masons and again we do follow Masons when there is not the precise language in our own rules.

Section 32 of the Senate rules provides that the rules of parliamentary practice comprised of the 2010 edition of Masons manual of legislative procedure shall govern the Senate whenever applicable and whenever they are not inconsistent with the standing rules and orders of the Senate or the joint rules of the Senate and the House of Representatives.

So accordingly, there were three sections of Masons that were cited, Chapter 2, Subsection -- Section 6 Subsection 2 provides a constitutional provision regulating procedure controls all other rules of procedure. And I believe the constitutional provision that provides that upon submission of a proposed constitutional Amendment that is adopted by a majority of the general assembly is carried forward to the next general assembly, that is a regulation of procedure. Therefore controls all of the rules of procedure.

In addition, Section 7, Subsection 1 provides constitutional provisions prescribing exact or exclusive time or methods for certain acts are mandatory and must be complied with. And again, there is a mandatory carryover period that a question that is presented and adopted by a simple majority must be carried over to the next general assembly, which has the decision to either take that item up again or not.

And finally, Section 12 Subsection 1 provides a legislative body cannot make a rule that evades or avoids the effect of a rule prescribed by the Constitution governing it. And I think the offering of an Amendment to a previously passed but not yet overall adopted Constitutional Amendment would create that opportunity to evade or avoid the effect of a rule prescribed by the Constitution governing it.

And it could happen in this case that otherwise were the opportunity to amend a previously adopted Amendment presented to the general assembly for a second time, the scenario, which I think is an untenable one, could arise that if an Amendment were adopted, that would affect, create a new proposal, which would then if adopted by less than three quarters vote, would then have to be carried over to the next general assembly after that. And the same thing could happen again. There could then be

another Amendment that could be offered at that time. So you could have potentially an infinite series of proposed constitutional Amendments that keep getting amended.

So the general assembly could be voting yes over and over and over without the question ever getting to the voters for their consideration, and that I think is the kind of untenable provision that is not contemplated under the Constitution or rules, and I think that is why that the reasoning of the House speakers in construing that Section of the Constitution and the feasibility of offering an Amendment to a previously adopted provision being presented for the second time should not be allowed.

Therefore, the Chair rules that the Point of Order is well taken and the Amendment is not before this Chamber.

Senator Kelly.

SENATOR KELLY (21ST):

Thank you very much, Mr. President. I would like to appeal the ruling.

THE CHAIR:

Thank you, Senator Kelly. Senator Kelly has appealed the ruling of the Chair. The Clerk will call the roll on an appeal of the ruling of the Chair.

Let's present the posture of the voting on this. A vote of yes would be to overturn the ruling of the Chair and would in effect support the appeal, and a vote of no would sustain the ruling of the Chair.

Thank you, Mr. Clerk. Mr. Clerk.

CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Appeal the ruling of the Chair. Appealing the ruling of the Chair. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Immediate roll call vote in the Senate. Immediate roll call vote in the Senate. This vote is to appeal the ruling of the Chair. Immediate roll call vote in the Senate. This vote is to appeal the ruling of the Chair. Immediate roll call vote in the Senate.

THE CHAIR:

Have all the Members voted? Have all the Members voted? Please check your machines to make sure that your vote is properly cast. And for point of clarification, Masons 234.2 provides that when a Member of -- when a Member of the House, the presiding officer may vote to sustain the presiding officer's own decision on appeal. In case there is any question about that vote by the Chair.

Thank you, Mr. Clerk. Mr. Clerk, if you will please close the machine and we will announce the tally on the appeal of the ruling of the Chair.

CLERK:

Appeal the ruling of the Chair.

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

THE CHAIR:

The appeal fails and the Amendment is not before the body. Will you remark further on the resolution? Senator Sampson.

SENATOR SAMPSON (16TH):

Thank you, Mr. President. So I was going to offer the same Amendments that I had offered in the caucus but I understand that through our most recent procedural discussion, that will not be allowed. I'll just say that's unfortunate. I don't know that the Point of Order was necessary. I think it only would've mattered if the Amendments were in danger of passing, in which case, I think it would've made sense to let the majority make the decision but I will leave that as it may.

I do believe that the suggestions I made prior to the Amendments that would've come in the form of Amendments are valuable policy points. And I would just refer to John Milton, one of my heroes, and somebody I read a lot trying to understand the job that we all have in this circle. He said, "Give me liberty to know to utter and to argue freely according to conscience above all liberties." The idea being that we ought to be able to have the conversation, the debate, and the vote on these things, and I am disappointed that we did not get that opportunity because sincerely, Mr. President, I started this discussion today talking about the desire for myself and my fellow Republican colleagues to be part of the process of passing a sensible, reasonable, early voting Bill that was clear to the public.

And I'm afraid the way things are going, we're going to end up with what is before us in an unchanged form, which I do not believe is clear to voters. I believe it is overly broad and I believe there will be an element of deception, in fact, involved because voters will not know what the free lunch they're voting for is when they say, yes, early voting sounds great. They will not know whether it's three days, 10 days, or 300 days. And I believe, Mr. President, as always, my constituents deserve to know.

So as a result, I will be voting no on this Bill, but I will leave with this final comment again to the press and anyone watching. Please do not mischaracterize this debate. This is not a debate about who wants to provide access or who wants to suppress anyone's right to vote. Every time I hear that my blood pressure goes through the roof. I'm here because I believe in our system of representative government, and I want people to have the opportunity to participate. I just got through making a speech about how I want us to be honest with those people.

This debate is not about that. This debate is simply about if we are going to do early voting and we are going to pass a constitutional Amendment that leaves it up to the voters, it is our responsibility, it is our duty based on our oath to give them the facts about what that actually means. Republicans support opening up early voting if it's done in a reasonable and prudent manner. I among them. And I am very disappointed that I have to vote no today, Mr. President. Thank you.

THE CHAIR:

Thank you, Senator Sampson. Milton also said it is better to rule in hell than serve in heaven. Another debatable proposition. Will you remark further on the resolution? Will you remark further on the resolution? Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. I rise with my first comment being I support early voting, but I have a problem with this resolution, and that problem is our state constitution right now, as Senator Sampson stated, says the early voting or voting happens on one day. Here we are, we're opening up voting to who knows how many days. Is it 10, 20, can I vote today for the Presidential election next year?

That's gonna be determined by the legislature by a simple majority vote on how many days that's gonna be open, it's not gonna be in our Constitution anymore. And that could be dangerous because it can be changed every single year by whoever is sitting in the majority seat. I think that if we're going to change our voting's and we want to make -- the way we vote, and we want to make it safe and secure, it should be in our state constitution. It should say how many days we're going to have early voting so that nobody sitting in this building can manipulate that year after year.

I don't have to ask any questions because I know what the answer is going to be if I ask how many days this is going to be. It's left open-ended. And I think when people go to vote on this, they have to keep that in mind.

Because this is supported on both sides of the aisle, I have no understanding as to why our leaders didn't sit down and come up with an early -- a way to make early voting work, bring it to our bodies, come up with a decision and then put the question out there. That would've been the logical thing to do. That would've been a bipartisan movement. And it would of been understand -- the voters would've understood that, but today we're asking to vote for this without any knowledge on how many days.

Our municipalities passed their budgets in the spring. And if the legislature at the end of legislative turn decides, "Hey, you know what, instead of it being," say we set it at two weeks, let's make it two months. Then the municipalities are gonna have to somehow find money to mand those polls for two months if the polls are gonna be the same. If I --I don't think that's in the Bill as well.

I don't have to continue to say this over and over again. I think my point was made, and again, I just want to say that I support early voting but if a

change is gonna come to our state constitution the people need to know what they're voting for and this does not outline what it is. Just saying early voting doesn't say what it is, a date is in there now or the number of days is in there now, we should have the number days in our state constitution. And if we're going to change that by the legislature, maybe it shouldn't be by a simple majority. Maybe it should be by a supermajority. But again that isn't expressed in this either.

I voted against this two years ago for the same reason. And I know there's other people that are gonna speak but I don't see them right now. Hopefully, they're coming in.

But, Mr. President, I'm gonna end there and I'm gonna say I'm very disappointed that we couldn't come up with a solution bipartisanly [sic]. And I hope that when this goes before the people, the people actually read what it is. That it's not the number of days and they vote it down. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Champagne.

Good afternoon, Senator Kissel.

SENATOR KISSEL (7TH):

Good afternoon, Madam President. Great to see you. Had to wait a little bit for the changing of the guards.

THE CHAIR:

There you go.

SENATOR KISSEL (7TH):

I'll be brief on this. First of all, I want to commend Senator Sampson and Senator Champagne for their remarks. I understand that philosophically there tends to be some concern regarding requiring photographic ID when it comes to voting. I also support that, not because I think that there is rampant fraud. I don't think that's the case at least here in Connecticut that I'm aware of. That's not to say it never, ever happens. And I also feel that there's other requirements that could be placed regarding this initiative that would afford me a greater belief that it was fair and even-handed.

My understanding is that what we have before us, while I understand procedurally has to mirror what transpired or what was passed two years ago, I still -- and I voted against that resolution at that time and I'm voting no today, is that I just think that it gives the majority party, and you know, at some other time in our history, it could be -- the majority could be 24 Republicans and 12 Democrats. It's not because of one party or another. It's simply that the party in charge right now and the part in charge two years from now, which may or may not be the majority party today, but who knows, would have just unfettered ability to put parameters on what we're anticipating by way of creating early voting. What do I mean by that?

Well, I think that when I talked to my constituents they'd say, "Yeah, I'd like to vote on the early side," a lot of them, not all of them. I haven't done a poll in my district. I don't know if it's the majority or not. But I would say that they would want to understand right now what is contemplated, and right now I can't answer that question. I don't think Members of the majority party can answer that question. I don't think anybody in the State of Connecticut can definitively answer that question right now.

I don't know if we're talking about two weeks early voting. I think I heard somebody say today that the

average, if you look at all the states that have some form of early voting, it's around 17 days prior to the normal election day. That may or not be the case, but let's say that that's right in the ballpark. So we're talking a little more than two weeks. But hey, Connecticut could get it into its collective political will through the majority that's putting this together down the road should it go before the voters and be passed that we want to lead the nation in early voting, so we're gonna make it, I don't know, 60 days before the regular election date. Could be.

Now somebody here in the circle might say that's outrageous, that would never happen. I don't know. I don't have that crystal ball. Could the magic wand may hover and then it lands on 30 days. Part of me is like okay, I understand part of this is convenience. We have an aging population. A lot of folks go away. You have what those, you know, the wealthier individuals call snowbirds. They go to southern climes, and maybe they leave.

It used to be, you know, closer to the holidays. And it seems like it gets earlier and earlier, and maybe folks want to leave in early fall. And so they want to be able to vote up here before they head south, that could be part of it. It could be just simple family planning. It could be part of it.

I think in many of those matters, the prevailing absentee ballot laws are adequate but there is this initiative and it -- we certainly wouldn't be the very first state with some kind of early balloting. But I think that we need to know exactly what the parameters are. And I think it behooves us to try to put into motion something that when the voters go to vote on, a change in the constitution, that we're not taking something that is very clear and crystallized in the constitution that venerable document, venerated document, that we love here in the constitutional state. As opposed to something that's far more open-ended that sort of gives carte

blanche or an open opportunity for almost any kind of set of rules around open voting.

And I think if I told my constituents, well, anything could happen, it could be up to, you know, over 30 days. They'd say, "Well, that's too much, that's not really what I'm thinking about." "Well, what exactly?" And that's a good question what exactly are the -- what's the fence around all of this. How far can it go? And if it goes too far, can it be challenged in a court action. I don't know any of those question because I don't know the net result. So I'm always have some trepidations, some concern even if we're turning the matter over to our constituents for a vote, which I think is completely supportable in so many ways.

I, you know, I put forward when I first was elected 29 years ago for well over a decade, probably closer to two decades, proposals for initiative and referenda. Initiative and referenda, if enough folks out in the State of Connecticut sign a petition, however, we set that up, then here in the State of Connecticut at the next election cycle we'll have a vote. We'll have a vote on this proposal, we'll have a vote on that proposal, and that's never been adopted here in Connecticut. That's never been at the direction that we have gone.

And detractors have said, "look at these other states," you know, "look at California." Now, California, people will point to when they love what they think is happening in California. I may think it's vastly too progressive, too burdensome, too much big government, too much nanny state, and I'd say why would we possibly emulate California, what a stratified society. People that I know out there in California say it's very high cost of living, bumper-to-bumper traffic, you know, a lot of, I hate to call them elitist. But a lot of people that don't necessarily have to worry about all the rules, love making all the rules where it's the middle class and people that are struggling have a real hard time. I

think there's a lot of downside to a state like California.

And my friends on the other side of the aisle will point to California and say, "Yeah, initiative and referendum is one of those things," they don't like that aspect. So depending on what you're championing is dependent -- ends up -- you end up pointing to different states that tend to bolster your case, and that's natural.

So I don't want to belabor it. I think that I'd rather see this put before the voters in a far more concrete manner that is more reflective of the way I perceive the way our constitution should be written, and in a way that best reflects the best intentions for the people of the State of Connecticut. And so I don't want to give unfettered abilities to whomever is in charge a few years down the road as to what early voting will look like because the devil is in the details when it comes to things like this.

And I also have a concern, not because I don't have the greatest faith in our constituents and the people that are going to vote on such a thing as constitutional changes, but sometimes the question is either posed in a way that is difficult to decipher or may -- and I don't suggest that it would be explicitly misleading, but it may be implicitly misleading for those folks who only have very limited amount of time and resources to dig into the question before they go and pass judgment one way or another on a proposal before them in a ballot booth where there's probably a lot of other things, whether a regular election or other questions, be they local or some other kind of questions before them.

We all know that go out to vote, there's a group of candidates you might feel familiar with, there's a group of candidates you feel really excited about voting for. There's another group of candidates ago you go, "I'm not really sure who these people are."

There's a group candidates, if it's one of your earlier times voting, you might not even know what offices they're running for. And there may be local referenda, maybe roadwork, maybe a sewer treatment plant expansion. There's any number of things.

And so it's not that this is done in isolation, this is done in the midst of a lot of other things that are gonna come before someone who's only gonna have a limited time in a very busy day to get out the magic pen or however they're voting that day and fill out the forms before they get slid into the machine or some other way that they can go about doing this.

So for that reason today, given the fact that we can't change what's before us, for that reason, we weren't able to change it two years ago and I voted no. They say consistency is the hobgoblin of little minds. I guess I'm one of those little minds this afternoon 'cause I am going to err on the side of being consistent and I will be voting no this afternoon as well. Thank you, Madam President.

THE CHAIR:

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

SENATOR FLEXER (29TH):

Thank you, Madam President. Nice to see you up there this afternoon. Madam President, I just wanted to make a few additional remarks and first express some gratitude. I want to thank my Co-Chair, Representative Fox for his tremendous work over the last several years on this resolution and his great work and getting such sizable majorities of support of our colleagues in the House of Representatives. His work leading the Government Administration Committee is absolutely wonderful and I'm grateful to have him in -- as a partner on this resolution, and so much of the work that we do in our Committee.

I also want to thank Senator Looney and Senator Duff for making this resolution and election rights in general a priority for our state Senate this year and for our Democratic caucus. And I want to thank our Secretary of the State, Denise Merrill, who has been working on this issue for far too long frankly. She has been an incredible champion trying to move this resolution forward so that the people of Connecticut could have a say and clearly understand the question that will hopefully be before them after this vote today in November of 2022.

And last but not least, I want to thank the people all across the State of Connecticut who have advocated so forcefully for this resolution for the last several years. They recognized before the pandemic the need for Connecticut to update our election law and the confines that our current language in our state constitution provides and how restrictive they were and how it just was not working to allow Connecticut to have the kind of election system that we want to have.

I think it's important in this debate for everyone to know exactly what the question will be before the voters next year. The question will say, "Shall the constitution of the state be amended to permit the general assembly to provide for early voting?"

Fourteen, 15 months ago, Madam President, when the pandemic first struck the world. We had to think really seriously about how so many functions of our society and our state government, in particular, we're going to move forward, and these restrictions in our state constitution were some of the first things that I thought about as a State Senator, and how what a shame it was that we weren't able to get that two thirds -- excuse me, that three quarters vote in the previous general assembly and that the voters hadn't -- weren't already about to decide on this issue in November of 2020.

If the voters choose to pass this as early as November of 2022 at this point, the first state election where we could have early voting will be November in 2024, and I say that because I want to highlight how slow this process is, and that's by design. Our current state constitution was written in 1965 and there are parts of it that have needed to be changed. There are other ideas that we've added to our state constitution, but these provisions with regard to voting are just so restrictive and have not kept up with the times frankly. As I mentioned when I first began debate on the resolution before us, Madam President, We are one of only six states that does not allow for early voting.

And in the conversation here today, Madam President, there was a lot of conversation or a lot of points made, I should say, that this should be in there and that should be in there. And I think when you look at the simplicity of this question and you understand how the language in the constitution has provided impediments for our expanding access to voting, I think it's very clear that the question needs to be simple. That if we were to have a question that added other provisions, other new provisions to the constitution, we would have to go through this Herculean effort again, and that would be a mistake.

And I want to genuinely believe that my colleagues who are choosing not to support this resolution because there are no limit on the number of days, which by the way, we attempted a few years ago, and Members of the other party chose not to support that limit on several days either. So we can't seem to find a way to find consensus on that but we did attempt to have a limit on the period of early voting, but that couldn't find the three-quarter support that was necessary to pass. So we have this here before us. If we were to put something in here that limited the number of days or that required

photo ID as was discussed, it would be that much harder to remove that from the constitution.

In our Committee both in the public hearings and the Committee meetings that we had and then some of the leadership conversations that we had, on the issue of photo ID in particular, I found it striking that our wonderful Vice-Chair in the House, Representative Stephanie Thomas. She spoke about the issue her mother had had with voting and trouble with identification requirements. I've shared on the Senate floor the issue my mother once had with voting and the photo identification requirements.

The fact that the two women out of the six leaders of the general assembly who serve leading the Government Administration and Elections Committee had that close personal story on photo identification, and how that is in fact a barrier for people participating in our elections, should speak to how that kind of requirement being in our state constitution would limit so many people from being able to vote.

Our state constitution needs to be simple. Our state constitution needs to empower the general assembly, whoever it is to write the laws so that as many people can participate as possible.

Madam President, for far too long we debated this measure. Simply put, this resolution has received bipartisan support over and over again. It received bipartisan support two years ago in this Chamber, two years ago in the House of Representatives and just this year in the House Representatives again, and in our Committee discussion. I wish we could have a much higher threshold of Senators today supporting early voting. I wish we could speak with one clear voice that early voting is something the citizens of Connecticut should have, just like the citizens of 44 other states across the country.

I want Connecticut to be a beacon of light in a country where right now far too many of our legislative colleagues in other states are doing the opposite and trying to make it harder and harder for their citizens to vote.

Madam President, this resolution before us needs to be decided by the people of the State of Connecticut in November of 2022. The voters of our state should be empowered to decide whether or not Connecticut should have early voting. And I want to say, quite sincerely, and this has been a debate in our Committee, both Representative Fox and myself, we said this two years ago when we debated this resolution, hoping to get that three quarters majority, that we would take anyone's ideas in terms of what the law should say moving forward but fear of what the law may be in the future should not be the reason why we shouldn't empower the voters of Connecticut to decide whether or not Connecticut should be a place where early voting is allowed.

I feel very lucky to be standing here again two years later, and finally moving this resolution forward, and I will say sincerely to all of my colleagues in this circle and my colleagues in the House that if I should be so privileged two years from now to be serving in this role again and the voters have in fact improved this resolution, and we sit down to write the statutes that will govern early voting, I will take everyone's ideas into consideration and I will sincerely listen to all perspectives.

But Madam President, earlier when I referenced both Representative Thomas's experience around photo ID and mine, or our familiar experiences I should say, I'm not so sure that was believed. So I'm hopeful two years from now when we sit down to write these new laws after this resolution empowers the people of Connecticut to approve early voting in our state, I'm hopeful that all perspectives will be heard, not just those who think this is a negative thing.

Madam President, I'm grateful this is the last time that this will be -- this resolution will be before us and that we'll be debating whether or not the people of Connecticut should have the opportunity for early voting. I'm hopeful this body will endorse this in a strong bipartisan vote and will say to our residents that we believe easing people's participation in our electoral process is a bipartisan important goal for our states. I urge my colleagues to support this resolution once again. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further? Senator Formica, good afternoon.

SENATOR FORMICA (20TH):

Good afternoon, Madam President. I rise to join my voice in the conversation today about this resolution and to ask the proponent of the resolution a question or two if I may, Madam President.

THE CHAIR:

Please proceed. And Senator Flexer, prepare yourself.

SENATOR FORMICA (20TH):

Thank you so much, Madam President. Good afternoon Senator Flexer. I want to start first though by thanking Senator Sampson and Representative Mastrofrancesco for their hard work in Committee to get ideas pushed forward for discussion and debate. I think it makes for the process to be improved and I think having that opportunity and having two committed passionate lawmakers voice their opinions and the opinions of the people that they represent,

I think, is an opportunity that every Committee should embrace.

I said that I was gonna ask a question or two of the proponent of the Bill and there's been quite a bit of discussion around the circle today about what the constitution is going to show and what this resolution is going to -- saying, but I cannot find the resolution anything that talks to the process as to how some of these questions are specifically going to be answered. So through you, Madam President I would like to ask Senator Flexer, this vote today needs a 50% plus one, I believe, vote to pass to go to the next election? Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Yes, because this resolution, this exact language have been passed by the previously elected general assembly, it now needs a simple majority vote by both the House of Representatives and the state Senate.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator Flexer. And it would seem a foregone conclusion that that's going to happen today. And when it does happen and the resolution moves forward and it goes to be put on the ballot in 2022, November of 2022. The process to determine the questions that have been discussed around the circle today about how many days or whether there is an ID required or any of the other questions that may come up, through

you, Madam President, would begin Senator Flexer with the session starting in January of 2023 as deliberation through this body and the House Representatives?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Yes, in January 2023, the newly elected general assembly would be able to debate a process for early voting, but we wouldn't have to either. We could choose to move forward with the early voting, but we could also not do that. This would simply remove the language from the state constitution that currently prohibits us from contemplating state law that would allow for early voting, but we could not debate it until January of 2023.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator Flexer. And the debate process begins in my estimation, I guess, and for your clarification through the Committee process. It will start with whoever the Chair and Ranking Members and the leadership of the GAE Committee and it will be brought forward if it was determined that we're going to outline the necessary time parameters of how many days or weeks or months or hours before the election we were gonna have early voting. It would start through the GAE Committee and it would come out of the GAE Committee in the form of a Bill of some kind. Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Unlike the resolution that is here before us, any laws that might be contemplated that would allow for early voting if this resolution is approved by the voters of Connecticut on November 8th of 2022, the general assembly could contemplate changing our statutes and it would be through the process -- the legislative process with the creation of a Bill. There are many ways for a Bill to come forward and come to a vote before of the House of Representatives or the Senate, but the most likely way that those statutes could be changed would be in the Government Administration and Elections Committee.

And I pledge to you Senator, that if I were so lucky to continue to serve in this role and be elected by my constituents two years from now and selected by Senator Looney to continue to serve as the Chair of this Committee, that I would be very forthright in taking all ideas into consideration as we potentially advance the legislation to allow for early voting.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. And I would join you and say that if President Kelly who happen to be presiding in the 2023 majority at that time chooses me as Chair for the general assembly, I would be equally excited to push this forward, so. I also want to thank you for taking your mask off to make it easier for me to hear, so thank you so much.

You know, I joke but I think it's important that the people in the State of Connecticut is -- I think a majority of people want early voting. I think the question is in the details and there hasn't been a lot of conversations about what those details are. And I thought it was important that we get on the docket today the discussion about how it works.

The thing that confuses me that you said is the Committee may choose. Wouldn't it be likely, 99 or 100%, they will choose to identify a timeframe for early voting? Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Well, through you, Madam President, I know I have been unsuccessful in predicting elections in the past. So who's to say which of the 36 of us will still be here. We may all be told by the voters of our respective districts to go home or we may all be blessed by the voters of our district and asked to return. So I do think it is likely that the next general assembly will debate early voting if this resolution passes today and the voters of Connecticut approve changing our constitution to allow for early voting, but I don't want to say that it's a certainty because different people could be elected who firmly don't believe early voting should happen. They may be people who think that election day should be the only day that people can vote, so I don't want to say anything for certain, but I would certainly want to debate it moving forward, and again I'd want to take everyone's ideas into consideration.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. And thank you, Senator Flexer. We do have a kind of early voting now with absentee ballot voting, that is a form of early voting. We expect that resolution to be discussed at some point, allowing for no-excuse absentee ballot. I think there is a lot of support for that, myself personally, that the people in the state of Connecticut are interested, especially given the opportunities we've had. Probably one of the bright lights of the benefits of the past pandemic.

The United States Congress is acting or has acted, I believe, already about different voting laws. And think it's HR 1. I'm no -- I know I'm not quite familiar with all of it, but it's a pretty comprehensive 400 such page document that kind of undo's what the election process is and sets forth a new direction. Should we go through this with this early voting resolution today passes and the ballot box is passed by the people who vote, and the same exists with absentee ballot no excuse, it gets done and passed, whenever that is. What is the effect through you, Madam President, of House Resolution 1 and the change, and will of this could be for not, or does it work kind of in conjunction? Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. The legislation that's being contemplated in our Congress -- it's interesting when you try to look up what they're proposing and the things that they're debating in Congress. I think it's -- I'll actually like to think our website is pretty accessible, but I often think oh, this must be what it's like when someone who's not as familiar with the general assembly is

trying to look something up and figure out exactly what we're doing here.

I know I've tried to look up that legislation that's passed the House of Representatives and is before the Senate right now. And it's a little bit tricky to navigate the similar website that the Congress has. I actually think it's much less user-friendly than ours. But as the Senator mentioned that that legislation is before the Senate, we know something here about what it's like Senator Formica and I do, through you, Madam President, about a tied body. So it's really uncertain what's going to happen with that legislation moving forward.

I know there was another piece of election reform that was also before the Congress so I couldn't speculate on exactly how either one of those pieces of legislation is going to affect us. I do think it would be quite the legal quandary if Connecticut's constitution continued to not allow for early voting in our state but there were federal legislation passed that would mandate it.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President, and thank you, Senator Flexer. You know, I agree with you. I think it would be convoluting one way or the other, whether we pass early voting today and the electorate does so at the ballot box. But the details that, you know, are ramped through the, you know, the Congressional Bill. I know the -- understand the process you are referring to the Senate and House must agree down there and a Bill must be passed. So we have no real idea what's gonna come out of that.

But I find interesting, you know, I happen to be on a conversation with the League of Women Voters and

Representative Haines. And we were talking about this very issue and I asked him, Madam President, that one of the details in HR 1 indicates a very long pre-election period. I believe it's 13 or 18 days that town offices must be open to accept it. And, you know, so that if we said six and they said 13, and then small towns like Goshen, and Sprague, and Salem, and Bozrah. You know, would they be subject to having to spend the money on that and where would that legal fight be, is it six or is it 13?

So I just kind of want to get out in the open today on the record that there's still a lot of ambiguity about what's gonna happen and, you know, and I'm not sure that you know whether the federal law if it was passed with any detail. Forget the significant detail but pick a detail that differs from what ends up here. What -- which one of those supersedes the other?

And through you, Madam President. I'm not sure that I know the answer and I wonder if you do.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. As I said a moment ago, I think it would be quite the legal quandary if the federal legislation that the good Senator is discussing if that were to pass and have that requirement for every state to have X number of days for early voting, and we did not change our constitution -- I'm not an attorney, so I think we'd have to ask some very specific legal scholars or perhaps Senator Looney what would rule the day there. But I do believe that if the constitutional Amendment were approved by the voters, that would be a different situation. It's a much different -- for there to be a difference between our state statute

and our federal laws, I think the federal law would supersede but again, I'd -- it might be best for me to pause and get a little bit more information. But I do think there would be a real conflict if our state constitution continued to prohibit early voting and a federal law was passed to mandate a certain period of early voting.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. Thank you, Senator Flexer. I appreciate that. I don't have any further questions today. And I do thank you for the courtesy and -- which you replied and answered my questions. I don't know those answers either. But the good news is, I think, two of the next three speakers are gonna be attorneys and maybe they'll enlighten us on that. So who knows what's going to happen.

But Madam President, I just want to close by saying that I voted no on this same question in 2019 for those reasons. I voted no because there was no provision that we could understand as to how this would go forward. And we heard Senator Sampson so eloquently talk about the questions about how many days and what the process was gonna be. You know. I'm not quite sure where I am today.

As I said, I believe the majority that voted down early voting way back in 2014 is -- got a different feeling here, given what we've gone through in the last year or so in 2021.

I wanted to get a lot of these things on the record today because there are some questions. There are a lot of questions that need to be answered. I think it's all gonna end up being passed here today, most likely will be passed to the ballot box, and then the discussion will be in earnest in the session

beginning January 2023, starting with the Committee of Cognizance on Elections. And then, you know, broaden as those Bills do and get developed into a general consensus with the House or the Senate and then negotiations occurs to how that happens.

I would like for some legislative intent, at least on my part. My legislative intent is that that process when it comes, and we've joked about who potentially the majority would be, or whether we would be lucky enough to be back. I'm not sure whether I will be or who knows who will be, but whoever is back in 2023, should this past forward, I hope that it's a bipartisan conversation. I hope that the conversation listens and respects equal voices and has the opportunity to craft legislation such as we've done here many times around the circle and in the general assembly so that the best interests of the people State of Connecticut are listened to, heard, and acted on.

And I want to thank you Senator Flexer for your kind answers today and your hard work. And thank you Madam President for the opportunity to give up and share this person's simple voice on what I believe should be best for what happens in the State of Connecticut. Thank you.

THE CHAIR:

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

SENATOR FLEXER (29TH):

Thank you, Madam President. And I very much hesitate to speak after the deputy leader, but I did just want to clarify that the federal legislation that we just discussed would only apply to federal elections. So we would not have to be concerned about that period of early voting if it were to pass at the federal level with our municipal budget elections or our municipal -- excuse me, our

municipal referendums, or our municipal elections, so I just wanted to make sure that was on the record and I thought it might be helpful information for the good Senator to have.

THE CHAIR:

Thank you, Senator Flexer. Senator Formica.

SENATOR FORMICA (20TH):

Thank you. I just want to say thank you to the good Senator for finding that out so quickly. I'm not quite sure how you did it but thank you.

THE CHAIR:

Thank you. All right. Will you remark further? Senator Duff. You can Google anything.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I rise to support the House Resolution and want to thank Senator Flexer, Representative Fox, and GAE Committee, our staff for working so hard on this. Senator Looney for his work on opening up the -- and expanding election opportunities for people all across the State of Connecticut, and folks who support this to get us into voting for the 21st century because we have -- we are just a small number of states in this nation that does not allow early voting.

This is not a new concept, we're not breaking new ground, we're not gonna try it out and see how it is and then tell everybody else the story. We are on the backend of something that has worked for literally tens of millions of people across this country year after year after year after year. And again, as we work so hard to expand voting access, we have a couple of constitutional issues that are in -- that are serious and are -- need to be

considered very seriously. But frankly, do not match with the times that we have any longer.

And constitutions are, I believe, supposed to be living and breathing documents that change with the times, that provide. That's why the legislature is afforded the opportunity to put forward resolutions so that the voters can then decide whether or not we need to make changes and whether or not the rules of the road so to speak, are still in line with what we would expect as citizens, as a voting public. And it is my opinion that we are far behind where we need to be in order to provide better voter access.

I don't know about you, Madam President, or to Members of the circle here, but I can't even count any longer how many people said to me last election, the election before that, the election before that, and the election before that, "How come I cannot just vote early? It would make such a difference. It would be so much easier for me. It'd be so much more convenient. Why are you making this so difficult for us to exercise our American right to vote and pick those we want to lead us?"

And I have to say that as much as we've done through the years with voter registration, same-day voter registration, ensuring that, you know, people can vote on election day and all the other reforms that we've made, that this issue has dogged us because it is part of our state constitution that frankly is out of date and has run out of time.

And so, Madam President, we need to make sure that we vote today to put this to the voters. This is not a decision that we make here in the legislature to capriciously change the constitution. We're saying that as a body, as a legislature, that we feel this is so important, we need to put this in front of the voters for them to decide, not for us to decide, for them to decide. If they do decide to make that change, then we come back and we fill in the details of what they have approved. So then we can have that

debate about what is early, is it two days, three days a week. What is it?

But we don't know that yet and we don't know if any of us will be here to even debate that but the biggest point and the most important point is we're giving the voters that opportunity to say what they want.

And we always talk about it in the circle about the importance of the voters having their say, the importance of what our constituents think on how we should vote on any number of items that we have. And this time we're saying to the voters you decide what you think. And my guess is that the voters are gonna resoundingly say, Let's catch up with all the other states in the nation. Let me have that opportunity to vote early. Let me have an opportunity so that when I'm -- I don't have to rush out of work. Or, I'm concerned I'm never gonna make it back from New York City or Boston wherever I work because of a train delay or traffic, or I might get called out of-- to -- on a business trip outside the state" or I'm working. I got called up on -- to work overtime or I have to work another job or my kid got sick and I can't do it. Let's provide those opportunities where voters can exercise their right to choose their leaders. It's that simple.

You know, Madam President, the last thing I want to say is that during this pandemic or before the pandemic a lot of people didn't think that people could work from home and it still be productive. I've always been a big proponent of working from home. I like it. And it is -- this is before I even had to drive 60 miles back and forth to the state capitol. In my other job, I always liked working from home, and I always thought I was a very productive that way. And a lot of employers said, you know what, "Never gonna allow that because we don't think people will be productive working from home," but guess what? We found that people were really actually very productive working from home.

In fact, so much so that a lot of companies are now shrinking their space because they're having their people work from home.

So things change, things are not static and lots of times we learn by just -- by just happenstance by just when things happen. And so we've seen that right now we can change things and still have a very secure and safe and efficient electoral system where more people can participate in, and they can do so with confidence. But first we need to do is make sure that this Amendment passes, this resolution passes and it gets to the voters and they can approve it, and then we can come back and fill in the details after that.

So, Madam President, I rise in wholehearted support of this resolution. It is time for Connecticut to meet so many of the other states in our nation to follow at this point 'cause we lead in so many ways that are great but at this point we need to catch up with everybody else, catch up with the crew. And we need to ensure that we are providing that access for all the voters here in the State of Connecticut. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Duff. Will you remark further?
Good afternoon, Senator Kelly.

SENATOR KELLY (21ST):

Good afternoon, Madam President. And thank you very much. I think one of the things that we see today especially, and I think this is across all parties, all voting constituencies, is the belief, faith, and trust the people want in their government and in their electoral process. And that is always at the cornerstone of democracy. For if the government of the people, by the people, and for the people doesn't have the people's full faith and trust, then

the government and its policies by extension don't seem to work.

I've had the same experiences that Senator Duff has had. If any of us have been practicing in the field of politics in working on campaigns and speaking with voters, and particularly, the aspects of, you know, either phone banking or going door-to-door and the actual trying to get a voter turnout. We've heard all the stories. Why can't I vote, you know, over the weekend, or can't I vote early.

And we've heard those stories and that's essential. Let's make voting more accessible, more available to more people. I truly believe that if we have more people in the process we get better government.

The issue here, however, is that while we're looking at early voting and just by way of reference. You know, in 2014 it did not pass. The people of Connecticut decided no. And in 2019 when this passed both the House and the Senate, it passed the House by 75%. Now here it is in 2021, I don't believe it got that 75%. I think it got something less than that. Did it get 75? Thank you, Senator Flexer.

So here we are, and it's going through the process and the process was set forth in a manner that it had to be successive legislatures. It couldn't be 2019 and 2020. It had to be a new legislature that had to pick this up so that you didn't have the same majority deal with the same issue in the same biennium that were elected to. In other words, our same term of office, so that the voters would have elected a new legislature to look at the same issue.

So there's constitutional protections because when we structured our government. there was always the concern that the majority would run over the minority. So in our system in the same constitution, we are the constitution state. We have those types of protections when it comes to redistricting where you have an equal number of Democrats and

Republicans who work collaboratively and need to work together to make the system work. And I think it's through that collaboration that people have faith that those districts are then drawn appropriately.

Our constituents want us to come to Hartford and work together. They want us to see the same issue and deal with it appropriately. The problem here many times, however, is that when it comes to voting, we often don't have that. And you saw that earlier when we had the question on whether or not we could of have an Amendment, it went down on party lines.

This initiative could pass this legislative session if it passed both the House and the Senate by 75%, so there was a way that if we amended it and got different viewpoints in on the resolution, we could still put it on the ballot for 2022. There is a way to do that but that would require bipartisan support. It's that bipartisan support that I think goes to and helps solidify faith and trust, the confidence that I think we need in our institutions.

So when we look at this, what we have is an opportunity for early voting, but the details as to how and what that looks like aren't there. So while some can say that they're trying to expand voting rights, it's uncertain, it's unclear whether or not that's actually going to happen because it's not articulated in the resolution. It's going to happen at some future point. The question is going to be whether or, you know, voters want early voting, which we all know they do. We've heard it. We support that. But the Devil is always in the details.

Our current constitution states that there is one day of in-person voting. That's the way our constitution's written. That's why we have the issues that we have before us and I think it's something that we want to look at and try to deal

with to make sure that the early voting is consistent with our constitution. But one thing that's not put into this resolution is the procedure, and instead of putting that in a constitution that is objective and understood by all, it is going to put it in the hands of a future legislative majority, which we know majorities as they are and this goes all the way back to the founding of the country and Alexis de Tocqueville is something that needs checks and balances.

It's those important checks and balances to make sure that a temporal majority doesn't take over and run roughshod over a minority. That's what our whole system of democracy is based upon. When we start to erode those concepts, we start to erode foundational pillars that make this government so special.

As the constitution state, we need to make sure that we understand not only our constitution of today but what our constitution can be for tomorrow. It is a living and breathing document, and it needs to modify and change over time. Most importantly, to reflect the communities which we serve, but it must be done within the construct, I believe, of what our system is. And that is not only to make sure that every single voice and every single person has a right, not only to participate and to vote, but that their voice also is represented. And that's where this is -- I'm gonna say it goes awry because what this does is it doesn't set the objective standards in the constitution but is gonna put it in the hands of future legislative majorities.

And I think that's not what our constitution is about, and for those reasons, Madam President, I would urge my colleagues to reflect hard on this and to vote accordingly. Thank you.

THE CHAIR:

Thank you, Senator Kelly. Will you remark further?
Good afternoon, Senator Looney.

SENATOR LOONEY (11TH):

Good afternoon, Madam President. And thank you. Rising in support of the Resolution. First I want to commend wholeheartedly Senator Flexer for all of her work, not only on this, but on all the other legislation that has come out of the Government Administration and Elections Committee so far this session. She has been a tireless, scholarly, hard-working, everything that she's done, bringing her experience and persuasiveness to bear, and is doing a superb job in a lot of very important legislation coming before us. And this is one piece of that.

Madam President, of course, we have already adopted this provision two years ago by a -- by simple majority. It's back before us for the second time. And the key language in the proposed Amendment is that it would permit the general assembly to provide for early voting, and there's been some criticism that that language doesn't provide enough precision and detail as to how much early voting will be provided, how many days, how far in advance to the election, how many early voting polling places will be required in each jurisdiction, all of that. But that is appropriate for legislation, Madam President, and not for the constitution. So that the constitutions are inherently more about statements or principles than they are about the detail.

The detail is provided in statute. That is how it should be. Just as at a step down from that, very often we further particularize and provide more granulated precision in regulations than we have in statutes, so we leave to agencies to propose regulations sometimes to implement statutes. But again, we have the extra protection there that the proposed regulation has to come back to the Regulatory Review Committee to make sure that the proposed regulation is in the spirit of the statute and does not go beyond what the statute intended in terms of implementing it.

So this is -- that's the appropriate distinction I think here as well between a more general constitutional statement of principle, that is, do the voters believe that the general assembly should be able to provide for early voting? And then if the answer to that is yes, then the general assembly has the responsibility to consider that charge from the voters and devise a system of early voting, making judgments on just those questions. How many days in advance to the election? How many polling places? How will it be structured? Looking at the guidance of other states that have done this for a long time, 44 states have this in one form or another.

We have plenty of models before us to look at if the time should come if the amendment is approved and then the GAE Committee will do its work and present a Bill that will reflect the best thinking and best practices put before the general assembly. That's how the system should work and that's how it, I believe, it will work in this case.

So Madam President, I believe that we should be like the other states that provide that the regulation of voting should be a matter for the general assembly to decide and should not be preempted by a constitutional provision, which is inherently more inflexible and takes the issue away from the general assembly and away from those who are responding to the will of the public at the time. So I would urge, Madam President, that we go forward with this today by a majority and by a big majority I hope, and so that the question will be before the voters in the 2022 election and then the issue will be before the general assembly in 2023 to fashion a response to the proposed -- to the constitutional Amendment should it be adopted. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on the resolution? Will you remark further? If not,

we will open the voting machine. Mr. Clerk, please do call 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 on House Joint Resolution No. 59. Immediate roll call vote has been ordered in the Senate. This is on House Joint Resolution No. 59. Immediate roll call vote in the Senate on House Joint Resolution 59. 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 Joint Resolution No. 59.

Total number voting	35
Those voting Yea	26
Those voting Nay	9
Absent and not voting	1

THE CHAIR:

(Gavel) The resolution is adopted. Mr. Clerk.

CLERK:

Page 24, Calendar 426, House Bill No. 6380, AN ACT CONCERNING THE DISCLOSURE OF SALARY RANGE FOR A VACANT POSITION, as amended by House Amendment Schedule "A" that was LCO 8329.

THE CHAIR:

Thank you, Mr. Clerk. And good evening, Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam -- Thank you, Madam President. I move acceptance of the Joint Committee's favorable report in passage of the Bill in concurrence with the House.

THE CHAIR:

And the question is on passage. Will you remark?

SENATOR KUSHNER (24TH):

Thank you, Madam President, when I started working nearly 50 years ago I remember so clearly that it astonished me that women were paid so poorly compared to their male counterparts. And it was also very clear to me that one of the contributing factors was something that we called salary secrecy, and that meant that if you didn't know what other people in the workplace made for a living then it was very easy to pay some people more, some people less without regard to qualification, without regard to skill, without regard to experience.

Now, we've come a long way since then. At that time women earned \$.59 cents on the dollar. I think today here it's \$.84 cents on the dollar. Not good enough but better, but we made a lot of incremental changes, and even here in Connecticut we made some changes that really got rid of some -- to some degree helped address salary secrecy passing Bills in 19 -- in 2015 and in 2018 that helped in that process. But we still have a ways to go. And I believe this Bill will help close the gap between what men and women earn in the workplace for -- by providing a range of salary that the employer would be required to give to workers upon request for applicants of the job or for employees.

And I think this is a really important step forward. This Bill will allow an applicant to ask for a salary range from the employer. It will also require the employer to tell the applicant the range of the salary for that position when making an offer of compensation, whichever comes first. It will also allow a worker who is taking a new position the opportunity to know the salary range.

Historically we know women have not been great negotiators when it came to negotiating their own salaries. Now, obviously, that's not true for every woman. I'm sure there are many that are very good at it. But overall, we know from studies that women tend to ask for less than their male counterparts for a job. We also know that in part this is because women are paid less than men so frequently you peg your request to what you were earning before, so automatically depressing what you might be able to negotiate. So this Bill by knowing the salary range really, really helps to level the playing field.

I also want to point out another important piece of this Bill is that it will require that for gender discrimination, for discrimination in pay and wages that we'll be looking now at what we call comparable work, as opposed to the way the law is currently written that provides for equal pay for equal work. And this change is also very important.

When we first demanded equal pay for equal work it had a good -- it had a nice ring, for one thing, it makes sense, equal pay for equal work, but it also it applied well in certain work situations where there were many people employed doing the same thing, exactly the same job with the same title in the same location. But in the modern workforce that's often not the case, and so this by making it comparable work, it does allow for us to compare and look for gender discrimination on the basis of several factors, and those factors include skill and experience and the requirements of the job, education, training, credentials required for the

job, similar working conditions, but I want to say that unless we move forward in this way, we are actually moving -- falling backwards.

Right now 24 states have equal pay for comparable work. We won't be the first. Hopefully, we won't be the last 'cause we're gonna do this before the other states but it is important that we keep up and that we advance.

And I think everyone would agree that discrimination on the basis of gender is a bad thing. I don't think there would be anyone who would disagree that we should do everything we can to make sure that we as a state are responsible and enacting laws that will help address this. And I hope for that reason that we will have a strong vote here in the Senate to show our support to establish fair pay for women workers, for all workers, by passing this Bill. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kushner. Will you remark further? Good evening, Senator Sampson.

SENATOR SAMPSON (16TH):

Good evening, Madam President. So the Bill before us really has two distinct parts, and I'm gonna tackle the second part of the Bill first, simply because I believe it's easier and more quickly discussed. And that is the part that essentially fine-tunes language that was added to our laws in recent years, requiring as the Chairman of the Labor Committee noted, equal pay for equal work. That phrase is worthy of a discussion.

The language of the Bill does make some sort of sense, though, which is it makes it quite clear that you cannot discriminate against someone based on their gender, which I agree with the gentlelady that that is a good thing because discrimination based on

gender is a bad thing. That was her quote, and I agree completely. Although I would point out that this body has passed several Bills in recent weeks to do precisely that.

There's another Bill that passed this Chamber just last week that purposefully sets up a system by which we are going to define every person as nothing more than their race and gender and say that we have to make our state boards and commissions match the census figures. And, in fact, that is absolutely, nothing more than discriminating based on gender which I agree is a bad thing. And we should never have passed that Bill, Madam President. But this language that is being added in Section -- is it two? Section 2, Subsection B is a good thing. And that is that we are adding factors into what an employer may factor into determining whether or not they are paying one person more than another so that it's clear that it is not based on sex, but rather the items that are here. Education, training, and experience are existing law, but the terms, credentials, skills, and also geographic location are being added.

I want to point out, Madam President, this is unbelievably ironic since just a few days ago there was another Bill before this Chamber that said that we have to recall employees that are laid off in order of seniority, and when I offered an Amendment saying that employers ought to be able to judge those people based on these exact things, credentials, skill and experience, that was voted down on a party-line because those things apparently didn't matter and an employer could not take them into consideration for deciding who should be returned to work. But in this case, I'm very happy to see that we're using some common sense and realizing that employers do and have to factor in education, training, credentials, skill, and experience when they make such decisions. So thank you very much for updating the Bill to include those things.

I would support Section 2 of this Bill because of that, Madam President, but sadly, we are back on Section 1 discussing a similar policy to others that have gone through this Chamber recently that is in the nature of again, managing businesses that do not belong to us. Telling employers how to run their businesses, as if any of us have any idea how to run their businesses as if we have the experience or know-how to make these determinations.

This Bill, contrary to the way it was described, does not allow anything. The good Chairman, who I honestly have great respect for, and I believe she is doing her best based on what she believes said, quote-unquote, "This Bill allows an employee to ask for a salary range when they are applying for a job." She then said it allows an employer to tell someone what the salary range is, and then finally it allows a worker to ask -- I forget what the last condition was, when they were being hired, I presume. This Bill doesn't allow anything. Make no mistake, Madam President, that is not how government works.

The government doesn't allow things. The government only is a weapon of force, that is it. When we pass a law we're telling people, essentially, at the end of the barrel of a gun what to do. Now course, I don't mean that literally on day one, that if you don't comply someone's putting a gun to your head, but that's what happens with the law. If you fail to comply with the law, you end up in trouble. You get fined or you end up having to go to prison and someone is holding a gun to your head to make sure that you follow through. If you don't pay your taxes, they arrest you and so on.

The government only provides force, it does not allow. So I want to be clear about that. We do not say that the government allows this. The government is forcing a business owner to put this information in front of an employee, and if they failed to do

so, there is a penalty. And that is on line 61 through 66.

So I just want to make it clear we're not gonna use the word *allows* any more when we're forcing someone to do something whether they want to or not. I get worked up on these Bills, Madam President, you're absolutely right because I came here as a Representative of my constituents. People are so confused when we talk to them about what we do here. They don't understand the government necessarily sometimes and I'm always happy to have the opportunity to explain to them the three branches of government.

Well, when you're in the legislative branch of government, you are not the government essentially, you are a Representative of your constituents. You are working for them. You are there based on a promise to protect their rights. The government is something different entirely. That's the executive branch of government. They take the policy that we come up with and they enforce it. Well, my job is to make sure that the rights of my constituents and their concerns are looked after, and that means Madam President, all of my constituents because my other pet peeve in this place is that every Bill that comes before us is presented in the same way, it is for this group.

I don't believe in groups. The entire country was founded on the concept of individual rights, not group rights, and in fact, groups don't have rights. Only individuals do. And when you start to say this Bill is for employees or workers, so we're going to put our weight on the scale against employers. That's not what we're supposed to do. We're supposed to make laws that apply to everyone equally, and we're supposed to be working together to ensure their freedom to enter into whatever agreement they choose in pursuit of their own happiness.

That is the point of America, and in fact, Madam President, it is why it's the greatest country on earth. And every time we write another policy that impedes on that freedom, we are telling people that they cannot engage in their own pursuits. And what we do that what we're doing is we're telling the economy to slow down, we're telling the economy don't engage in that business opportunity, do not do that.

I don't mean to get so much off on a sidetrack but I want to just point out one other thing about these policies and why they're misguided. Some people are under the assumption that there is only so much wealth in the world, and that our job here is to write policy to move that wealth around using whatever political term is popular on that day. Whether it's equity or whatever. Well first of, that's not even true.

The thing about America is that our country was maybe the first real example in all of history of creating new wealth. Prior to the United States of America, European nations like Spain, England, and France, they fought over the same pile of wealth all the time. They were constantly at war with one another and taking the same wealth back and forth. America was different because we made our own wealth based on the resources that we had and the ingenuity of the people that came here. And that wealth creation means that there's new wealth constantly being created.

So the idea that you have to take from one person to give to another is wrong. What we should be doing is constantly be working towards having a thriving economy that makes more and more wealth, and therefore more opportunity for more people to have their share of it. That's why I'm here, Madam President, and that's why don't like this Bill because this Bill is just another thing telling an employer if you are not careful, we are going to put the government right on you to stop you, to prevent

you from going ahead and entering into an arrangement that might produce wealth for you and your employees. Something we have no need for and no reason to do.

Aside from which this Bill suffers from the typical problem of Bills that come before this Chamber lately, which is that it doesn't really say much. It's completely vague and it requires that some third-party Member of the bureaucracy to determine what's really going on.

I have one question, Madam President, one question for the proponent of the Bill. This Bill says that an employer shall disclose a pay range to an applicant for employment, and then it goes on to say what a wage range means. Wage range means the range of wages an employer anticipates relying on when setting wages for a position and may include reference to any applicable pay scale previously determined range of wages for the position, actual range of wages for those employees currently holding comparable positions, or the employer's budgeted amount for the position.

My question, Madam President, is there anything wrong with an employer using a very broad number like for whatever the minimum wage might be up to a million dollars because they honestly don't know how much they would pay a prospective employee because they have never met such a prospective employee and they're not sure what their qualifications might be or how much value they might add to their business. Would they be wrong from saying minimum wage all the way up to \$5000 dollars an hour? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. This Bill, I believe, spells out very clearly the request -- the requisite guidelines for what a wage range would be. It does not say that it has to be any particular range. It is very clear that it says it can be any applicable pay range, that it can be previously determined range. You read the language my good friend and Senator, Ranking Member from the Labor Committee, so I think you understand it does not include a specific number that is attached to it in any way.

SENATOR SAMPSON (16TH):

Thank you, Madam President. Yes, I do understand completely what the language says.

THE CHAIR:

Senator Sampson.

SENATOR SAMPSON (16TH):

I'm sorry. I didn't mean to cut you off, Madam President.

THE CHAIR:

No, no worries.

SENATOR SAMPSON (16TH):

Yes, and thank you very much for that answer. And it's quite clear there's nothing wrong with that. And that's a good thing because as an employer, you don't necessarily know what you're gonna pay someone, you might in fact have an idea about some of these things, you might've had a previous employee doing a similar job, but let me explain one thing that people who are not running businesses might not understand. Every time you change an employee, they're doing a different job than the last person. They just are.

Even if it's the same exact job description. Even if you hired them for the same thing. They are not doing the same job, and you know why, Madam President, it's because people are different, they are not cogs. There is not we are just gonna replace this person and put this person in, they are exactly identical. No. Some people are more proficient at different things. Some people show up on time. Some people don't. Some people can make 100 widgets an hour, some people can only make 50.

All of these things are subjective in every way shape and form. And if I hire someone to work for my company and I think I'm only gonna pay the minimum wage 'cause they're gonna do the minimal expectation of the job, and then on the second day they impress me that they are so much more capable, and I want to actually bring them into a different role and actually expand their responsibilities, then that range is obviously going to be different. Which is why it is impossible, and in fact foolish and improper to require an employer to disclose a pay range in advance for something they cannot properly determine.

It's also very one-sided because this Bill nowhere says the employee has to disclose anything to the employer. And as I pointed out before it is not the duty of this body to be the collective bargaining agent for employees. It is our job to protect employees to make sure they are treated fairly and that we have sound policy that doesn't allow them to be exploited, but it is not our business or our duty to go ahead and take sides in a free negotiation between that employer and employee to work out the terms of what their agreement is.

I can speak at nauseam about why our system works, why it has been beneficial, why we are fortunate to live in the greatest society in the greatest period of time in all human history, is all based on the freedom that we are interfering with every day we come into this circle and pass Bills like this. And

yeah, this is a minor example, but it is still another example of something that doesn't benefit anyone. It's not going to improve situations. We already proved that an employer can put down any range they want, and they should be able to, and they should be able to talk to their employee and their employee should be of the talk to them because no one's forcing either party. No one is saying you have to hire this person. No one is saying you have to take this job. No one is saying you have to stay at this job. Dangerously, though, we are passing more policies that are telling the employer what they can and cannot do about who they keep and who they bring back to the job and what they have to tell people.

The best solution is always freedom. Groucho Marx who I would never think of as being a political genius is quoted as saying, "Politics is the art of looking for trouble. Finding it everywhere, diagnosing it incorrectly, and applying the wrong remedies." This is the wrong remedy, Madam President, and I will not be supporting the Bill. Thank you.

THE CHAIR:

Thank you, Senator Sampson. Will you remark further? Good evening, Senator Formica.

SENATOR FORMICA (20TH):+

Thank you, Madam President. Good evening to you. And it's a pleasure to be following Groucho Marx around the circle and my good friend Senator Sampson.

Good afternoon, Senator Kushner, how are you? You know, once again, I rise in opposition of the litany of Bills that are coming forward in an effort to try to hamstring business operations in the state, and really, in the good words of Groucho Marx, not really provide any positive solutions moving forward and from what I see.

Madam President, I do have two questions for the proponent of the Bill.

THE CHAIR:

Thank you. Please proceed. And Senator Kushner do prepare yourself.

SENATOR FORMICA (20TH):

Thank you, Madam President. As I said good evening, again, Senator Kushner. In line 24, it says, "Prohibit an employee from inquiring about the wages of another employee of such employer." The line above that says, "No employer shall."

My question is, Madam President, through you, is can an employee go up to the office and ask the bookkeeper or the office manager what another employee makes as a result of the Section? Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. Through you, that is underlying existing law and not part of the Bill that's being proposed here. This is -- and so I am not prepared to comment on the existing law but certainly am prepared to speak about any or answer any questions you might have about the changes we're making in existing law.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. With all due respect, Senator Kushner, this is line 24 of the law you are proposing before the Chamber today. So Madam President, I am confused by the answer of the good Senator, just because it's not part of the change, it's part of the law, and it's more codified, I would guess if that's the proper term in this legislation.

And so what my concern is, Madam President, is that I have a litany of people walking up and down the stairs to the office trying to find out what everybody is making up or down, whether it's male-female or whatever else. And so, Madam President, I'll ask the proponent of the Bill, through you, if she could comment on the existing law and what her impression of that existing law will be. Through you, Madam President.

THE CHAIR:

Senator Kushner.

SENATOR KUSHNER (24TH):

Thank you, Madam President. Through you. I think existing law says that you can't prohibit someone from inquiring about wages of another employee. I don't believe this law requires an employer to release that information. That is my impression. I am not -- I am not trying to create new and legislative intent here, but that is my impression but you cannot be prohibited from asking for it. I think you can't be discriminated for asking about it or retaliated against.

THE CHAIR:

Senator Formica.

SENATOR FORMICA (20TH):

Thank you, Madam President. I was waiting until the attorney maybe clarified or verified. So it looks like you verified the good Senator's answer, for which I thank her for her response.

Again, in line 30, Madam President. It talks about requiring an employee -- this is again the employer shall not require an employee to sign a waiver or other document that denies the employee his or his rights to inquire about the wages of another employee or such employer -- of such employer.

And again, you know, having provided jobs all my adult life and having a number of wonderful people that work for me -- which -- work with me I should say. Which by the way, six of the top eight paid skills in my company are held by women, so that begs another question, Madam President, is the gentleman -- the two gentlemen that are in that top eight, I wonder if we're gonna pass legislation providing the opportunity for them to do things in a way that wouldn't be discriminatory against them because they are not the top ratepayer but we'll do that another time.

So Madam President, not really having a clear answer but I'm hoping that the intent of the legislation is interpreted by the good Chair of the Labor Committee is that the employer would not, if I heard you right, be required to provide that information. I just wouldn't want to -- I wouldn't want the opportunity for this to happen.

And I have no further questions for the good Chair, and I thank her for answering my questions. Madam President, I again share the opinion of others that this is not the time to continually peck away at the rights of employers as they try very hard to create opportunities here for the State of Connecticut, to provide jobs in a very challenging time.

Most employers do the right thing, 99.9% of employers do the right thing. Legislation that's

come before us over the last week with regard to employer modification of rule -- of workplace rules and culture are an effort to fix perhaps the misdeeds of a very few, and I think a lot of this goes too far. We are, speaking for myself, an equal opportunity employer. I have a woman-run business. It's been that way for nearly 38 years. And I think many people that I know that I do business with have the opportunity to find wonderful employees no matter whether they're men or women, no matter what race or gender, and they come forward and they do the best they can to provide the service that we're here to provide. So Madam President, I oppose this legislation for those very reasons and urge my colleagues to do the same thing. Thank you.

THE CHAIR:

Thank you, Senator Formica. Will you remark further on the legislation. Good evening, Senator Slap.

SENATOR SLAP (5TH):

Good evening, Madam President. And first I ask for the indulgence of Senator Formica and hope that it's okay that I'm speaking after you. Sometimes it's tough to get order right here but I rushed over as fast as I could, so thank you for your indulgence.

I do speak in favor of this Bill. I want to thank Senator Kushner for her leadership and Representative Porter as well. This is not the first time that they have shown incredible leadership when it has come to tackling the gender wage gap in the State of Connecticut. And Senator Kushner mentioned in 2018 what was accomplished. This was one of the first Bills that I was able to introduce and this was prohibiting the pay history question. And very pleased that we were able to get that done in a bipartisan fashion. I believe it passed Chamber 35 to one at the time, and one 42 to four in the House. I still remember.

So, and that was an incredible achievement. Everybody coming together and first acknowledging the impacts of the gender wage gap in the State of Connecticut. On average, women earned or I should say on -- and on average, the cost of the gender wage gap cost women and their families about \$10,000 dollars a year. That is in some cases a mortgage payment. It is significant. It's a lot of money. And we are actually one of the worst states in the country when you look at actually the cost when it comes to women and their families. The fact that women on average earn around \$.80 cents per dollar for the same work. This Bill will address that.

I believe if we acknowledge that there is the gender wage gap and that's not an opinion, that is a fact, then we have to -- we're -- it's incumbent on all of us to look for solutions. So what are some of the ways to address that? And this Bill gets at that. And as I said, it builds on what we accomplished in 2018 because it's about transparency this Bill. It's about fairness. It's not an overreach. It's not telling any employer that they have to hire somebody. It's not telling any employer this is what you have to pay them or you have to say exactly this is our offer, but what it's saying is that be transparency and say this is the range, this is what's budgeted.

And, you know, not only is this Bill, I believe gonna be good for women, of course, but it's which gonna be good for everybody. It's gonna be good for families and people who are married, to women -- when people who have daughters, right, people. This is gonna be good for the economy.

You know, in 2018 when we were working with other states to learn how they got this Bill passed, in this case, it was the pay history question Bill. We work very closely with the Boston Chamber of Commerce and they were a leader actually in getting that Bill passed in the state of Massachusetts. They were actually -- Mass. was one of the first states

in the country to get the Bill passed, banning the pay history question. Connecticut very soon after and since that, dozens of other states have followed suit, and I think eventually it's going to be the law of the land.

And I remember that we were speaking. We had a bipartisan working group all summer. Representative Porter was a Member of it, Representative Floren as well, and others. And they talked about why it was so important. This is again the Boston Chamber of Commerce. Why they took a leading role in this. And they said, "We want Boston to be the premier place for working women in a country, that's our goal to say there's no better place in the country for women to be in the workforce than the city of Austin." And I thought, "Wow, that is incredible, what vision. How would that transform Boston and the State of Massachusetts?" Sure enough, economy is doing really well and they have -- you know, they're not all the way there, but they made incredible progress and to me, that was inspiring. And that's something that Connecticut can do, why not say that Connecticut can be the best state in the nation for women and their families?

And we have a lot of work to go. A lot of -- a lot of work still to do. As I said, about \$10,000 dollars per year. That's what the gender wage gap cost women and their families. I should say it is -- the gap and the impact is nearly double for women of color. So that is an issue that we, I think, are all obligated to address.

You know, when I started working on this issue, my daughters came and actually testified on Bill and they were in middle school at the time. And I was really hoping that we would be able to close the gender wage gap, not only for them but of course, especially for them before they entered the workplace. And I remember thinking at the time that we tell our daughters they can be anything in the world, that they can accomplish anything but that if

we were being honest with them, we would also say, unfortunately, sadly, chances are you're gonna be paid unfairly. That is heartbreaking for any parent to have to tell their kids that.

And it's incumbent upon us to make our economy fair. And this is about, I believe, in part what we tell our daughters and the reality that they face and our obligation to change that, and this Bill gets at that, and it's not an overreach. It just makes our economy a little fair, and so I urge my colleagues to support this Bill and to support making this economy a better place for everyone. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Slap. Will you remark further?
Good evening, Senator Miller.

SENATOR MILLER (27TH):

Good evening, Madam President. Madam President, I rise in support of this Bill. I appreciate those employers in the state who do the right thing but unfortunately, there are some who do not do the right thing. I support this Bill because it addresses pay inequities that women have been subjected to for generations. Women in our state still earn significantly less than their male counterparts. A disparity that is significantly worse for women of color. The gender gap now more than ever, has real life consequences for women and the families that depend on their earnings.

Lost wages to the wage gap means less money to spend on groceries, to pay bills or put back into the economy. Women have shouldered the most severe and disproportionate burdens of the COVID-19 crisis. COVID-19 has exposed what many of us have already known to be true, women, especially women of color are the backbone of our economy, but are underpaid and undervalued.

Due to high unemployment and income losses, the gender wage gap is expected to widen. This Bill steps is a step towards recovery, a step towards equity and a step towards closing the gender and racial gap wages prevalent in our state. Study show that women often ask for less when they negotiate their salaries compared to their male counterparts even when they are equally qualified for the role. Research also indicates that women who negotiate their salaries are at a disadvantage due to biased perceptions of them as demanding and less desirable candidates.

When women negotiate a salary for a new position and are unaware of the potential -- of the potential job is worth, what it's worth, these factors can lead to severe pay disparities that affect so many other aspects of their livelihood and well-being. This Bill helps level -- helps to level the playing field for women and people of color who are already at a disadvantage in the negotiation room by providing low -- sorry, providing salary ranges before they commit to a new job.

Transparency is very important when you're trying to negotiate a salary. How can I negotiate a salary or even know -- I should say sell myself for what I'm worth if I don't know what the salary range is. And for so many years, so many generations, as I stated in the beginning, women have been at a disadvantage because we were never told what the salary range was.

And I just want to talk about an experience that I had. In my early 20s and naïve, I had taken a position, I guess, I shouldn't say I took the position. My boss had retired and I was asked to take the position as an interim basis. Being the woman I wanted to prove myself, so I didn't ask for an increase. I expected my job, I should say my work, to speak for me. I worked on that job for 18 months and not once was I offered an increase, not

even a 10% increase that most contracts, unions I should say, union contract specified that they have to give employees when they work outside of their job description.

But as a woman, I was taught, as a woman, as I said, as a girl, to let my work speak for me. And when I approached the boss I was negotiating, mediating a situation between a landlord and a tenant and it dawned on me. "You been working for 18 months in a position, a supervisory position and have not been compensated." And when I went to talk to my boss the first thing he said is, "Do you want an increase." And I said to him at that point, "No, wait. I want to explain to you what you've done to me." And so we decided at that point that we were going to be a unionized shop, and when we negotiated the salary, the salary was negotiated \$12,000 dollars less than my male boss.

Now I had a choice. I had a choice that I could've walked away from the job, but I refuse to let them defeat me because I really felt that women are discriminated against when it comes to negotiating salaries. That's why this Bill is so important to me, not because of what happened to me years ago, but because it's still happening today. It's happening today and we need to close that gap.

Without a doubt, we are in the process of recovery and rebuilding here in Connecticut. Nearing the end of the worst pandemic of our lifetime. It's time we ask ourselves, what are we doing to reverse the economic damage COVID-19 has reeked on women? How are we supporting women who are returning to work? This is the moment we need to think about the women who have shouldered the heaviest weight of the pandemic while still managing to take care of themselves and the families while working from home and taking care of us and medical centers throughout the state when we were sick.

I urge my colleagues, Madam President, to vote in the affirmative, to take care, to take our state one step towards, closer I should say, towards the long overdue, and I want to repeat that, overdue gender equity we strive to achieve in this state. Thank you, Madam President.

THE CHAIR:

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

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I rise in support of this legislation. And I just want to say first and foremost, boy, does it matter who sits in this circle. On so many issues that we get to debate here in the general assembly, and this one is no different, boy, does it matter who sits here and who gets to serve. I want to associate myself strongly with the remarks of Senator Miller, tough act to follow as always. And I want to thank Senator Kushner and Representative Porter for their leadership on this issue.

We have been trying, and Senator Miller knows this all too well. We have been trying to make progress on this issue for a very long time, and we have had incremental steps on improving our law in Connecticut to take the key policy initiatives that will end the gender pay gap, and we've had to do it one piece at a time.

And the reason we're able to stand here today and debate this strong legislation. This legislation that will be a model for the rest of the country to follow is because it has changed who serves here in this general assembly. The women in the House of Representatives spoke strongly in favor of this legislation and they told their personal stories the way that Senator Miller just so effectively did. It

matters who serves here, and this legislation is key evidence of that.

Madam President, women, and particularly women of color earn far less than their white, male counterparts. Every day in Connecticut a woman earns \$.84 cents for every dollar paid to a man. Black women earn \$.57 cents and Latina women earn \$.48 cents for every dollar paid to a man. This legislation is going to be one of the more effective tools we can do as policymakers in the State of Connecticut to try to mitigate that, to make it clear that you should know what the salary range is when you're applying for a position.

In our society, for some reason, we've structured ourselves in a way that the most important jobs, in my opinion, and the ones who have been at the frontlines over the course of the last 15 months during this pandemic are often jobs that women do, and are all too often low earning jobs. The jobs that are traditionally male are often paid a heck of a lot more. Now those are important roles as well, but for some reason work like healthcare and childcare in our society is paid markedly less, and you cannot tell me that that is not because it has been traditionally viewed as women's work.

The more we can highlight those differences. The more we could make it clear what the salaries are for those jobs, and the more we can empower women to walk in their each -- in each of their individual circumstances and their individual experiences applying for jobs to know exactly what the qualified applicant for that position would be paid, the more we're gonna be able to mitigate this gender pay gap.

As I was privileged to talk about yesterday, in 2019 women for the first time in our country's history made up the majority of the workforce. And the progress we've been making for decades on women in the workforce and ender -- and issues like pay equity. Some of that progress was in many ways wiped

away by the pandemic. Women have had to make incredible sacrifices over the course of the last year, and the economic progress women had been making for so many women and their families was destroyed by this COVID-19 pandemic.

It's more important than ever that we have the strongest laws that we possibly can to make sure that here in Connecticut, women's position in the workforce is not in doubt. And that women can know that their work is valued and equal to their male counterparts.

Madam President, this Bill is a critical step to ensure that women will finally find the equity that we deserve in our workplaces. And I'm hopeful that this legislation will receive broad support in this state Senate this evening. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Flexer. Will you remark further? Will you remark further? If not, I will open the voting machine, and Mr. Clerk, please call the roll.

CLERK

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. This is House Bill 6380. Immediate roll call vote has been ordered in the Senate on House Bill 6380. Immediate roll call vote in the Senate on House Bill 6380. Immediate roll call vote in the Senate. Immediate roll call vote has been ordered in the Senate. This is House Bill 6380. 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 6380:

Total number voting	34
Those voting Yea	20
Those voting Nay	14
Absent and not voting	2

THE CHAIR:

(Gavel) And the legislation passes.

Mr. Clerk.

CLERK:

Page 41, Calendar No. 281, Substitute for Senate Bill No. 1030, AN ACT CONCERNING LONG-TERM CARE FACILITIES. There are amendments.

THE CHAIR:

Good evening Senator.

SENATOR DAUGHERTY ABRAMS (13TH):

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 DAUGHERTY ABRAMS (13TH):

Thank you, Madam President, the Clerk is in possession of LCO No. 9433. I ask that the Clerk please call it. I move the Amendment and ask leave to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 9433 Senate Schedule "A"

THE CHAIR:

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

SENATOR DAUGHERTY ABRAMS (13TH):

Thank you very much, Madam President. I cannot begin to talk about this Bill or this Amendment without remembering first the thousands of people, grandparents, mothers, fathers, sisters, brothers, residents of nursing home in assisted care living facilities who lost their lives due to COVID. Also, the staff members who put themselves and their family members at risk to take care of our most vulnerable citizens. These are the sacrifices that we must never forget.

For me, this legislation is an acknowledgment of that sacrifice. It is the most sincere hope that this Bill honors them by acting on our commitment to do better. This amended Bill is a culmination of the work of stakeholders, the Department of Public Health, the Chairs and Ranking Members of Public Health, Human Services and Appropriations Committees who held workgroups through the fall and into the winter to consider the recommendations of the Mathematica report and to evaluate current practices in nursing homes and assisted living facilities.

The Bill, as amended from the -- was amended from the original Bill because some parts of the original Bill have been taken up in other Committees. In Human Services and in the Aging Committee. In

addition, changes have been made to address the fiscal note and feedback from various stakeholders.

This Bill, as amended, codifies the role of the infection preventionist. It's previously been in statute but not clearly defined. This legislation would ask that that person be full-time. They can be assigned to other duties, however. And would be asked to have a rotating schedule monthly so that they can see what is happening in the facility during all times of the day. They'd be responsible for training all administrators and staff on infection prevention and control using multiple training methods, including in-person training. They be responsible for written materials and resident documents and -- written materials that would be posted in the building that would show best practices in infection prevention. They would participate as a member of the Infection Prevention Control Committee to report on their activities.

The Infection Prevention and Control Committee would also ask to meet monthly, daily during an outbreak. They would be responsible for establishing infection prevention and control protocols, evaluate those protocols at least annually, and always after an outbreak.

We also address in this Bill PPE. Nursing homes would be asked to have a two month supply in various sizes that reflect the needs of their staff. There would be no sharing or reuse, only to -- only if it would be recommended by the CDC. It also asks that every nursing home have at least one staff member or contract professional to start an IV line available during every shift. It addresses the testing of staff and residents. It ask that nursing homes and assisted living facilities help to create family councils. It ask that the resident care plan address the social emotional needs of residents, training for staff on all components of the person centered care plan, and the social-emotional needs of the residents as well.

Staffing would be increased. Currently it's 1.9 hours per resident per day. This would increase that to 3.0. It would also increase the ratio of social workers from one to 120, to one to 60, and increase -- and increase recreational staff as determined by the public health department.

Social workers are responsible for the intake and discharge of patients for working with families and for really creating those residential care plans that address the social emotional needs of residents. We also ask in this legislation that DPH be charged to seek state and federal funds to support improvements to the infrastructure of our nursing homes.

When this pandemic began I was on weekly, sometimes daily calls regarding long-term care facilities and how we could mitigate the impact of COVID on those residents. I remember hearing that these facilities knew how to respond to infectious outbreaks. The pandemic certainly tested their ability to do that, and what we found is that we must do better.

In passing this Bill we will be doing better, so I encourage all members of the Chamber to support this Bill. Thank you.

THE CHAIR:

Thank you very much. Will you remark further? Will you remark further? Senator Somers.

SENATOR SOMERS (18TH):

Yes, good evening, Madam President. And I rise in full support of this Bill. In fact, I think it's one of the most important pieces of legislation that we will pass in this session. I should say I hope we pass this session.

One thing that the COVID pandemic has clearly shown us here in the State of Connecticut is the voids in the system that we have for caring for our elderly and long-term care in assisted living facilities. There is not one of us, I believe, in this circle that was not contacted by a family member of a loved one who was in a long-term care facility, or an assisted living facility during the COVID pandemic and during the unfortunately large loss of life that we saw here in the State of Connecticut.

I have to say that the people that work in these facilities really do God's work. It is not an easy job, and they do it with care and love and a true dedication for those who are a little more advanced in age than most of us here in the circle.

One of the things that is very clear is that this industry has -- needs some attention from our state. I think they did the best job they could under the circumstances. We all know that PPE was short in supply. We didn't realize how the virus could be transmitted at first, and unfortunately, we even had at times the National Guard going into our facility to help, but without actually being tested for COVID themselves because at that time we didn't understand the transmission.

I too received calls, sometimes on an hourly basis from some of our facilities asking for help, from family members of loved ones that felt that they were locked inside and couldn't have contact with the outside world, but most of our facilities did a great job in trying in the best of their ability to keep that contact going, whether it was through tablets that they could have, waving out the window. I know I myself, I personally visited many of these facilities obviously on the outside waving to the individuals inside where just seeing somebody new could really brighten their day.

We saw a lot of mental health issues coming out of being isolated during the pandemic where the elderly

in particular, especially those that have dementia or Alzheimer's were severely affected by this pandemic because they were moved out of their original routines. And not being able to see or have the contact with the person they were used to took its toll on so many individuals. I do believe that this industry and the long-term care that we'll see in the State of Connecticut is going through a significant change and we will see long-term care being delivered in a different way than we're seeing it now in the future.

But what this Bill does is it starts the beginning of the process, I believe, a process to improve the long-term care that we can provide to our citizens in the State of Connecticut. It looks at infection prevention, infection control, it looks at staffing levels that are reasonable and are affordable. It looks at emergency plan. It deals with visitation of loved ones. It deals with patients' rights. It deals -- also talks about testing and the necessity to make sure that our patients social and emotional needs are met the best they can.

I want to thank all of those who were engaged, including Madam President in this process of reviewing the Mathematica report of breaking out into individual workgroups, of working with the stakeholders and those who are actually working in this -- in these facilities because those truly are the people that can give us the best information so that we can adequately and strategically implement policies that can benefit the residents that live in these facilities here in the State of Connecticut.

So I ask that my colleagues in the Senate join myself and the Chair of public health, Senator Abrams, and support this very important and critical legislation that I do believe is one of the most important Bills that we could look at passing in this session. Thank you, Madam President.

THE CHAIR:

Thank you very much, Senator Somers. Will you remark further? Will you remark further? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. I rise in support of the strike-all Amendment. And I want to commend the Chair in the Senate along with the Chair of the House, Representative Steinberg, as well as the House Ranking Member Dr. Petit, and has mentioned before, I want to echo those terms because the uniqueness of the COVID challenge that we went through has raised significant awareness and sensitivity. And I hope this is a valuable lesson that we garnered from this in looking at this Bill and addressing staffing levels and reporting. It is an important and critical element that I hope we will continue as we head into the new normal, post-COVID dynamic that we're experiencing.

But that being said, I also want to commend the fact that our nursing facilities came to the table and collaborated and worked and understood the need to up their game so to speak in meeting the requirements of proper care, proper ratios, and proper reporting. So I think this is a Bill that is a great template for moving forward, as we look at public-private dynamics and us as a state looking to ensure the highest and best care for our loved ones that are at these facilities but also ensuring that we are working with our business partners to provide the highest and best care and sustainability and being in this state and doing business.

So I thank the good Chair for her efforts and collaboration and I urge supporter as well, ma'am.

THE CHAIR:

Thank you very much. Will you remark further? Will you remark further? Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. Speaking in support of the Bill, rather the Amendment, want to commend the Public Health Committee for all of its works, Senator Daugherty Abrams on this Bill as so many others.

We all know that one of the problems that was most apparent, most acute, and most painful during the early stages of the pandemic was the condition of patients in nursing home. The fear, the isolation, the lack of adequate capacity to deal with what was happening, and a rapidly accelerating basis of illnesses occurring and targeting there, affecting patients, affecting staff, affecting confidence in the whole industry, and that of course is something that persists.

We all know that many nursing homes are significantly below the level of occupancy that they had at the start of the pandemic, which may in many cases affect their long-term profitability because their model is based upon a certain level of occupancy to be profitable. When they fall below that for a significant period of time, as they have, it endangers the whole model.

So we know that families are looking for alternate placements, other kinds of settings, group homes, adult daycare, things of that nature. So this Bill I think will help us to comprehensively review where we stand -- or this Amendment that will, as it becomes the Bill because one of things also, is there was concern, as Senator Somers said about parting families, about alienation, about lack of ability to visit.

We all know that -- at least in my experience in the visiting people in nursing homes, it always seem to me that the ones who had the most visitors got the best care because they had eyes and ears of people coming in to monitor their condition, could be

advocates for them with the staff or with the state if need be. To the extent of that's interrupted more people have been put at risk. We know that for a time even the ombudsman was not able to visit homes and there was a significant gap in oversight.

And so all that needs to be looked at, all of that needs to be comprehensively assessed and put into the light of what should be best practices in this field. So I commend the Committee for its good work on this issue as well and so many others. Thank you, Madam President.

THE CHAIR:

Thank you very much, Senator Looney. Will you remark further? Will you remark father? I would try your minds on accepting the Amendment. All those in favor indicate by saying aye.

(MEMBERS):

Aye.

THE CHAIR:

Any opposed? Any abstentions? The Amendment is adopted. (Gavel)

Senator Abrams.

SENATOR DAUGHERTY ABRAMS (13TH):

Thank you very much, Madam President. I move passage of the Bill as amended, and I would like to take this opportunity to thank our leadership in the Senate. I know that, as you well know, we spent many, many hours discussing how we could do better. We knew what a tragedy this pandemic was in our long-term care facilities, and I hope that this Bill, recognizes that, honors that, and tries to move things forward. As my colleague said, this is just the beginning, and we will continue to look at

the care that we are providing our most vulnerable citizens and do the very best we can to make that better.

So I'd like to thank my Co-Chair Representative Steinberg, the Ranking Members Senator Somers, and Senator Hwang, and Representative Pettit for all the work that they've done in this area, and all they'd done to keep their colleagues informed as to what was going on in these facilities as we move through the pandemic, and we will continue to work on this together. Thank you, Madam President.

THE CHAIR:

Thank you very much, Senator Abrams. Will you remark further? Will you remark further? Senator Abrams, do you have a recommendation for this to go to the consent calendar maybe?

SENATOR DAUGHERTY ABRAMS (13TH):

I think we should do a roll call vote. Thank you very much, Madam President.

THE CHAIR:

Thank you very much, Senator. Mr. Clerk.

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 1030 as amended. Immediate Roll Call Vote has been ordered in the Senate on Senate Bill 1030 as amended. Immediate Roll Call Vote has been ordered in the Senate on Senate Bill 1030 as amended. Immediate Roll Call Vote in the Senate. Immediate Roll Call Vote has been ordered in the Senate. Immediate Roll Call Vote has been ordered in the Senate on Senate Bill 1030 as amended. Immediate Roll Call Vote in the Senate.

Senate Bill 1030 as amended. Immediate Roll Call
Vote in the Senate.

THE CHAIR:

Have all the Members voted? Have all the Members
voted? Mr. Clerk.

CLERK:

Senate Bill 1030 as amended.

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

THE CHAIR:

(Gavel) The Bill passes.

Mr. Majority Leader.

SENATOR DUFF (25TH):

Thank you, Mr. President. Mr. President, for so
markings, please.

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Mr. President. Our next Bill will be
Calendar page 39, Calendar 201, Senate Bill 1011.
And the Bill following that -- the Bill following
that Calendar page 13, Calendar 322, Senate Bill
1037, I'd like to mark that item PT for now. PT.

THE CHAIR:

Thank you, Majority Leader.

SENATOR DUFF (25TH):

Thank you, Mr. President.

THE CHAIR:

Mr. Clerk if you would please call the next Bill.

CLERK:

Page 39, Calendar 201, Senate Bill No. 1011, AN ACT CONCERNING THE USE OF OPIOID ANTAGONISTS AND EPINEPHRINE CARTRIDGE INJECTORS BY POLICE OFFICERS. There is an Amendment.

THE CHAIR:

Good afternoon -- good evening Senator Osten.

SENATOR OSTEN (19TH):

Good evening, Mr. President. It's a pleasure seeing you tonight.

THE CHAIR:

Thank you.

SENATOR OSTEN (19TH):

Mr. President, I move acceptance of the Joint Committee's favorable report and passage of the Bill.

THE CHAIR:

Thank you, Senator. The Bill has been moved. Will you remark further? Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Mr. President. The Clerk is in possession of LCO Amendment No. 8380. I move the Amendment and seek leave to summarize.

THE CHAIR:

Mr. Clerk.

CLERK:

LCO No. 8380. Senate Schedule A.

THE CHAIR

Thank you, Mr. Clerk. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much. Mr. President. Mr. President, this Amendment requires all law enforcement units to carry and receive training on Narcan, otherwise known as an opioid antagonists.

There is cost to municipalities that do not currently do this, which would vary, based on the number of police officers that need training and the amount of Narcan Police Department's would choose to keep on hand.

It is not known how many municipal police departments already meet the Amendments requirements.

As an illustration, the city of Waterbury currently trains and supplies its officers with Narcan at a cost of about \$50 per vial. The training use of the vial is \$125 per class. This Amendment has no fiscal impact on the state.

As the Department of Emergency Services and Public Protection, other state law enforcement units already carry and are trained in the use of Narcan.

The Amendment also establishes a working group to study the feasibility of requiring police officers to carry epinephrine cartridges. There is no fiscal impact through you, Mr. President.

THE CHAIR:

Thank you, Senator Osten. Will you remark further on Senate "A" LCO 8380? Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. I rise in support of this Bill. Narcan has been very effective in the field and has saved many lives. And I think it's important that we get this into as many hands as possible.

Sitting here, I think I just realized that there may be an issue with this. So I have a question for the proponent of this Amendment.

THE CHAIR:

Please proceed, sir.

SENATOR CHAMPAGNE (35TH):

Thank you. And Through you, Mr. President. This is effective upon passage; are we going to give leeway for those departments to get all of these officers in training? I know the cities have quite a few officers to get through the training.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Mr. President. The answer to that would be for legislative intent. Yes.

THE CHAIR:

Thank you, Senator Osten. Senator Champagne. You have the floor.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. And I was going to actually say that, but you just jumped right in front of me on that one. Good, because that's the only problem I have with this. And I have no more further questions.

I think this is this is a good Amendment. You know, I get daily numbers from at least one department on -- monthly, from one department on how many saves they have. And this is an important Bill. And I think we're going to see another Bill coming up. Hopefully, it's going to hit the floor. That would go nicely along with this one. So I urge everybody around a circle to vote for this. In fact, if there's no objections, I'd like to put it on consent.

THE CHAIR:

We're on the Amendments Sir.

SENATOR CHAMPAGNE (35TH):

I'm sorry. I'll - wait, I'll hold that one for a second.

THE CHAIR:

Thank you. Will you remark further on the Amendment? Would you Remark further on the Amendment? LCO "A" 380. Senate Amendment Schedule "A" will you remark?

If not, all in favor, please indicate by saying Aye.

MEMBERS:

Aye.

THE CHAIR:

Opposed? The Ayes have it. The Amendment is adopted.

Would you remark further on the Bill as amended by Senate "A"?

SENATOR OSTEN (19TH):

Thank you very much. Mr. President, and I join my colleague, Senator Champagne in requesting that this be moved without objection to the Consent Calendar.

THE CHAIR:

There has been a motion to place the item on the consent calendar. Is there objection? Is there objection? Hearing none, it will be placed on the Consent Calendar. Thank you Senator Osten.

Senate will stand at ease.

Senate will return to order. Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. Madam President, will the Clerk, please call the next item on our Calendar list please.

THE CHAIR:

Thank you. Mr. Clerk.

CLERK:

Page 33. Calendar No 477, Substitute for House Bill No. 6107. AN ACT CONCERNING THE ZONING ENABLING ACT, ACCESSORY APARTMENTS, TRAINING FOR CERTAIN LAND USE OFFICIALS, MUNICIPAL AFFORDABLE HOUSING PLANS, AND A COMMISSION ON CONNECTICUT'S DEVELOPMENT AND FUTURE

as amended by House Amendment schedule "A" LCO No. 8977. There are Amendments.

THE CHAIR:

Thank you very much, Senator Cassano.

SENATOR CASSANO (4TH):

Good evening Madam President. I move acceptance of the Joint Committee 's favorable report and passage of the Bill.

THE CHAIR:

The motion is passage please continue, sir.

SENATOR CASSANO (4TH):

Yes, Mr. President, this is a Bill that has been worked on, I would say literally for years. It's something that goes through an improvement on an almost an annual basis. It is a zoning Bill.

And before I begin, I want to talk a little about zoning, because as people ask me questions, they unbearably they ask, why is it that zoning is so important? What is it about a zoning Bill?

It's funny because they own a home, they live in a town. They're all kinds of ways that they have advantages from zoning, and they don't realize it.

But zoning Bills are really a safety net for Connecticut residents. And that's what this Bill is all about.

Let's just make a hypothetical. Somebody spends 100,000, let's say \$200,000, to build a home. That's the biggest investment they're ever going to make in their entire life. They find a beautiful area, wooded area, beautiful lot. And they want to build a

house and they build the house. Their dream comes true.

But what happens next door? What happens to the other side of that house and down the street in that neighborhood? And that's what zoning does. Zoning impacts our lives and far more ways than we could ever imagine.

Is it a restaurant that's coming next door? A church? Strip club? A cabin? Youth Center? Massage parlor? Supermarket? What is it?

And knowing those consequences, we've established over decades now, multiple rules that involves zoning. And we leave those zoning rules to local municipalities in most cases, to determine the zoning for their particular municipality. And in effect, zoning rules say this can go here, and this can go there. If there's no rules, this chaos.

When I think about the impacts, none of us are experts on zoning, particularly those of us who live in our cities and towns and who are impacted by zoning on a regular basis.

And what do I mean by that land use, construction, economic development neighborhood make up environmental energy concerns, transportation needs, into tow, out of town, within town, within the bike paths for our children, at schools and so on. Our roads, our bridges, all of those are impacted by zoning.

And that's why there is so much attention in this particular building with zoning rules because they have such a significant impact on our community.

House Bill 6107 is one of those Bills, I call it a quality of life Bill. It is a zoning Bill. It's over 800 lines.

I know there is opposition to the Bill. And I know of those 800 lines, probably 700 plus will be dealt with individually. And so I'm going to approach this a little differently. Instead of me talking about 800 lines, and somebody else talking about 800 lines, I'll respond to those issues. But I want to point out some of the importance of this particular Bill.

For the first time, training of zoning officials, Zoning Board Members and so on, will be required. It's only four hours a year, but it helps that elected official or appointed official, fill those positions, and do the job he's capable.

It allows local communities to collect fees if there's independent reviews, some of our projects get very expensive. And so builders want independent reviews and they municipalities pay those costs, they shouldn't. And so this allows them to collect fees for doing those kinds of things, because they are costly.

This Bill ties in environmental issues with zoning regulations. You really can't have rules or regulations governing how you govern and how you live without taking in the impact of the environment around you.

It creates a new ongoing Standing Committee that will have Members from this body and from others that'll be overlooking and evaluating on a regular basis, zoning issues, zoning changes and so on to help make recommendations for a better Connecticut, because everybody benefits from that situation.

Growth, environment, economic development, affordability, service delivery. All of these are impacted by the state zoning laws.

So what is this Bill all about? The title of the Bill is very simple, AN ACT CONCERNING THE ZONING ENABLING ACT, ACCESSORY APARTMENTS, TRAINING FOR

CERTAIN LAND USE OFFICIALS, MUNICIPAL AFFORDABLE HOUSING PLANS, AND A COMMISSION ON CONNECTICUT'S DEVELOPMENT OF FUTURE.

This Bill details how we will address each of those particular issues. I will not go into tremendous detail, line by line or page by page because I know we will be before the evening is over. But let me talk about some of the general highlights as we go through this Bill.

Number one fees. Municipality can in fact adopt a schedule of fees under the subsection for developmental projects, they haven't done that and they've had to pay the costs in the past. And so I would -- this is a positive change.

Accessory apartment is an addition. It means a separate dwelling that is located on the same lot as a principal dwelling unit or greatest square footage has cooking facilities, which was difficult to define and complies with otherwise, rules and regulations.

This is a big part of the Bill, Accessory Dwelling Units. These are small units. And in these times of change. They're extremely crucial to some families. It's a small apartment that attaches to your home. It's an apartment that could be your children's that could be your mother or your father. It's geared towards family but not limited towards family. And it's allowable, for the first time as a part of this particular Bill.

We first saw this with what we call Granny Pods A while ago. Granny Pods were if we defined them today, the accessible apartments and again a private -- provided that opportunity for, particularly for our parents and so on to still live comfortably by themselves but with the comfort of being in your home, or at least attached to your home.

Section for Section 2. Reorganizes Section 8-2. No change in advertising signs. There's no legal effect. It directs the - let get my notes here -- directs the right to the section 329 to 334, no legal effect.

Moving on. There were word changes and cleanup on some of the language itself so that it was clearer. There are many times and zoning Bills that we use adjectives and so on that just aren't -- they don't seem to apply in lines 120 to 128.

They design less a congestion in the streets secure safety for fire public and so on. These are general terms and removes consideration. We added other legislation for historic districts, historic proposals.

The end of Section B. The law requires the Department of Housing to comply with federal planning requirements which includes a housing needs assessment. This expressively allows for the development of housing which will meet the needs identified and can consolidate a plan for housing and community development. And this is a guideline that is necessary for us to follow.

This zone change also looks at environmental concerns and in line 167 we see that. In any municipality is contiguous tour of a navigable waterway draining like to know on and sound, your zoning regulations have to be consistent with that. It has navigable not always to make language stronger for environmental purposes and enforcement. And that's a plus that has never been part of the zoning regs in the past.

Following that, shortly, at 177. To the extent consistent with soil types, terrain and water, sewer, and traffic infrastructure, provide for a cluster development is defined in 818.

Again, these are steps forward. And Section 4 that is good for the environment, it expands the conservation tools that towns can use, and developers can use. And that means preservation of land, water, and so on. And that was one of the differences in this Bill is that it's not just rules and regulations regarding livability.

It expands livability, as I said earlier, to things such as environmental issues and safety issues. And again, as I said earlier, when you look at the zoning requirements, that is your road system, your water system, your sewer system, all of these things are part of that particular Bill.

Section 9 is different, require estimates of vehicle miles traveled and vehicle trips grant in lieu of, or in addition to a level of service traffic calculations.

This codifies already allowed in court cases. This is important for towns which focus on the amount of traffic created by development. And so this gives us another tool for municipalities to deal with.

Lines 244 Here we have homes lots parks cannot have different conditions imposed upon them. Compared with single family multifamily homes. Such single a multifamily cluster, lumps everything together, including mobile manufacturing, home parks.

It prohibits the operation and residences-owned cottage food operations. It helps to regulate that. These are places where you provide food at home and you sell it to people to neighbors to others. It's a kitchen in the house. It's a store and a house and they add-ons to the zoning rules.

Parking was a tremendous issue in this discussion. And in the Bill on line to 293, towns cannot require more than one parking space for each studio bedroom dwelling, on more than two parking spaces for each dwelling with two or more bedrooms.

We've seen cases where for each person in the house, they have to have a parking spot and those persons could be four or six or 10 years old. This gets rid of that issue.

Initially where a trap rock ridge is defined as a sibilate ridge there are restrictions, regulation may provide for the development restrictions and Ridge weight setback areas. This makes a difference in reorganization in building and contracting.

Section 5 is a whole new section. How to opt-out of parking. It allows towns to opt out of parking caps in Section 4. It's a two-step process like the Granny Pods from 2017. Planning and zoning legislative body must hold hearings affirmatively and vote to opt out. That takes care of the minimum parking caps.

Rights a permit. Right of permit application review process shall require the decision on such application be rendered no later than 65 days. This is a big step because you can take forever trying to get approvals to move forward. It's not good for the builder is not good for the homeowner, or the person who's getting the place built. It also gets rid of conditional improvements, there shall be no more conditional improvements. And that's a significant change.

The opt-out provision is modeled after the Granny Pods as I indicated before, but it allows for local control with the opt-out option. Then also changes and definition of accessory apartment as part of that.

Training of Zoning Commission Officers on page -- line -- excuse me, 495 require the Zoning Enforcement Officers to have to maintain certification, I believe it's four hours of training a year, as well. The officials plus zoning and zoning appeals officials will also be required to

have training. This is the first time that training has been part of these rules and regulations.

A significant impact for the future. Not later than January 1, 2022, OPM shall establish guidelines for training collaboration with land and tray providers and it's limited to a variety of different groups, all have agreed to be collaborative, in trying to provide the training at low to no cost. And there's a whole section from 523 to 537 of people that are deeply involved in planning and zoning on a routine basis and would be part of that process. That was a real question. That's been a reason for no training in the past, we have not done a good job of identifying those to provide the education.

Section 725. This involves sewage, and again shows the broad scope of what zoning issues deal with. It is a dwelling septic system without being considered a community system themselves. So if you have a Granny Pod or a small addition, and you build on to your parents' home or something like that. You are not a separate system, you tie into the same sewer system. That was a thing of concern and has been addressed.

Sub-section 11 substitution for the optional plan WPCA's may put together, they may also say where there is capacity to serve areas to develop residential mixed use buildings with the units.

That means they need to work with the builders work within municipality. Remember this deals also with water pollution issues and so on. We have to be able to have the ability, as we said with zoning. It includes storage and includes water for drinking and so on.

The plan goes on to OPM, allows the development of affordable housing. To avoid duplication of efforts. They would continue the existing language and 628 to 634. And at least once every five years each

municipality should prepare or amend and adopt affordable housing plan for the municipality.

And then finally, there's a study Commission. Line 666 establishes the Commission to commence development of future within the legislative department. The Commission's will consist of the following Members, two appointed by the Speaker to appointed by the traditional way here with the Senate leadership in the House leadership and the Governor's office, and then a variety of others, that would be officials. It's a large Committee. My concern is that we've had some of these that have been pointed in the past. Everybody goes to the first meeting. This is something that's going to require in demand participation, and it's going to require that and demand that from us for that to be effective.

And that gets us through the proposal. And Madam Chair, I'd be glad to entertain any questions.

THE CHAIR:

Thank you very much. Senator Cassano. Will you remark? Will you remark further? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President, and good evening to you. Before I begin, I want to acknowledge my respect and admiration for Senator Cassano, a friend, a colleague, and a statesman. And I also want to extend my appreciation to the Planning and Development Committee colleagues in the House, Chair Vahey, as well as the ranking Member Zullo.

It is important to recognize that as we have battled hard and competed and challenged each other during this debate on a very important issue, as the good Chair articulated, as relates to personal property rights, Zoning, and how it has touched, in essence,

the very essence of what it means to be involved in your community.

He articulated it so effectively. And we did we had, we had deliberations that was passionate engaged. And in fact, if there was any qualm I had with the process in our Committee, was the unfortunate limitation of public input.

The fact that we had a public hearing has related to this specific Bill, and many others related to zoning, land use affordable housing.

But unfortunately, I just wanted to be able to share my frustration with the process, that it was only limited to a 24 hour debate. In this very challenging dynamic of COVID restrictions, we did a zoom. And unfortunately, because of the limit of a 24 hour debate, we had pretty much left, nearly 70% of Connecticut residents that wanted to voice their thoughts and concerns.

So the apt description by the good Chair in regards to the emotionality, the passion, and obviously, the very strong interest in this issue was reflected in our Committee. And as I said, again, I want to be sure that as much as we battled and worked, and we had our differences, we have always maintained the principle and the values of collegial respect, and exchanging of ideas and hopefully, working to find solutions together.

Unfortunately, I find a lot of the questions under consideration here is not complete, and that we have heard from many people that there are myths and concerns, and that this Bill, House Bill 6107, under consideration, and if passed, would really end our local decision-making on zoning and land use.

I know people have said that that's a possible myth. That's a real concern that's overblown. And the reality is, perhaps, and that this legislation will empower communities to plan for the future. And that

nothing in this proposed Bill of 6107 would make changes and take away local control and Home Rule.

Unfortunately, as we will find out, I hope, and I hope through the good Chair's clarity in the interpretation of this and defining this, that we will find that to indeed be reality, and that we are not passing legislation that would encroach on Home Rule that would encroach on the near 100-year law of Section 8-2, which is established a unique dynamic where the state of Connecticut collaborated and worked, but also respected the concept of local control and Home Rule.

But nonetheless, we will have that exchange of ideas. But before I go into the question of the Bill, through you, Madam President, I would actually like to call an Amendment and I have an Amendment and it's LCO 9501. Would the good Senate Clerk, please call the Amendment.

THE CHAIR:

Thank you very much, Senator. Mr. Clerk.

CLERK:

LCO No. 9501. Senate Schedule "A"

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. I move the adoption of the Amendment and move to weigh the reading. And I'll seek leave of the Senate circle to summarize.

THE CHAIR:

We would certainly appreciate the summarization. The Motion is on a passage and adoption.

SENATOR HWANG (28TH):

Thank you very much. And I will indeed summarize. And this Amendment is an easy Amendment, from the concept that it codifies and reaffirms the concept that we talked about that has been promises that it will not infringe on local control. That it will not infringe on the Home Rule concept that has co-existed in the state of Connecticut, under the current statute of 8-2. This Amendment simply says that Home Rule, non-withstanding languages in this Bill will stand.

And that local control existing right now under section 8-2 will be unaffected by this proposal and legislation. It reaffirms what has been the concept and proposal that's been promulgated by the House debate, but also by the affirmation that this is an enhancement. This is an opportunity to give greater local control.

What we're seeking to do in this Amendment is simply affirm that in this statute, non-withstanding the other very possible good concepts that we're going to deliberate, this is an idea that would begin right off the bat to dispel any of the concerns and the myth and the debate back and forth, that we heard so much in the House and reaffirm to the public, that this Bill under 6107 House Bill would indeed collaborate and not infringe on local control and planning and zoning and respect the concept of Home Rule that existed for nearly 100 years in the state of Connecticut.

I urge passage. Thank you, ma'am.

THE CHAIR:

Thank you very much. Senator. Are you asking for a roll call vote?

SENATOR CASSANO (4TH):

I'm going to ask for a roll call?

SENATOR HWANG (28TH):

Thank you. See? We work great together. Thank you. Through you, Madam President. I want to thank the good Chair for calling the roll call.

THE CHAIR:

Thank you, Mr. Clark.

CLERK:

Immediate roll call vote has been ordered.

THE CHAIR:

I'm sorry. Senator Champagne. Would you like to remark on the Amendment sir?

SENATOR CHAMPAGNE (35TH):

Thank you. I stand in support of this Amendment. I want to be able to protect Home Rule. You know, the towns have been running zoning for many years, the towns know what's right for the individual towns. And I want to make sure that, you know, we protect the different areas that the town sees is important that we protect our open spaces, that we protect our -- just word town who we are in our towns. So I'm going to support this Amendment. Thank you, Madam President.

THE CHAIR:

Thank you very much. Senator Champagne. Will you remark further? Will remark further? Seeing no further remarks. Mr. Clerk would you call the roll please?

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 6107. Senate Amendment "A"

Immediate roll call vote has been ordered in the Senate on House Bill 6107. This is Senate Amendment "A"

Immediate roll call vote has been ordered in the Senate on House Bill 6107. Senate Amendment "A"

Immediate roll call vote in the Senate.

THE CHAIR:

Have all Senators voted? Have all Senators voted? Please check your vote. If not -- if you have all voted the machine will be locked.

Mr. Clerk.

CLERK:

House Bill 6107 Senate Amendment "A"

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

THE CHAIR:

The Amendment fails. Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. I appreciate the opportunity to have that conversation. And I'd hope that it passed because it allows us to truly engage in a further discussion to discuss the very good merits and some parts of this Bill.

But that being said, I will move on to the underlying Bill, if I may. And it's important to note that Senate House Bill 6107, passed in the House as a result of it being a strike all Amendment.

It incorporated nearly six or seven zoning-related Bills that did not get called. And as a result, we talked a lot about the legislative process where many components of the Bill were meshed into the underlying Bill as a strike call Amendment.

And that's been one of my frustrations about the process sometimes beyond the fact that nearly 70% of the people who wanted to testify late into the hour, were not given an opportunity because of the limit of the 24 hour public hearing process.

We now have a strike call Amendment that incorporate many of the Bills that were not approved and had significant concerns from advocates and residents in the state.

That being said, Let us go through and evaluate some of the changes. And with the indulgence of Madam President. And with the patience of the good Chair of Planning and Development, I just wanted to clarify for legislative intent, and for a better understanding of this strike all Amendment, some of the new definitions and concepts of the underlying Bill of House Bill 6107.

So through you, Madam President, if I could, to the proponent and the good Chair of the Planning and Development Committee, on some questions.

THE CHAIR:

Senator Cassano, prepare yourself. Please continue, sir.

SENATOR HWANG (28TH):

Thank you, Madam President. In regards to section one, which is definitional. There are many aspects of the definition, and has a planning and development ranking. Many of them are familiar with us, so I will not repeat through them. But there are a couple that even surprised me and to get a better understanding.

I think one of them is the definition of Municipality. We all understood the standard definition of Municipality, but unfortunate -- but through you, Madam President, there is a new definitional context to this, which includes districts. What does that mean through you, Madam President?

THE CHAIR:

Thank you very much. Senator. Senator Cassano.

SENATOR CASSANO (4TH):

I'm sorry. Senator, that's line six. That is existing law.

THE CHAIR:

Thank you, Senator Cassano. Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. Indeed, it is existing language on the proposed joint favorably approved out of the Committee Bill. But it is a new addition. And I do not believe it is in statute. And so through you, Madam President, please correct me if I'm indeed wrong, that it is the inclusion of district is not part of our statute. And it is added as a result of the original underlying language in the House Bill 6107.

And I'm simply asking if indeed, that is, as the good Chair cited earlier that it is in statute, not I do not believe so. And I could be wrong, but through you, for clarification.

THE CHAIR:

Thank you very much, Senator. Senator Cassano.

SENATOR CASSANO (4TH):

Yes, and I believe it is existing law. And so it is in the statute.

THE CHAIR:

Thank you very much, Senator Cassano. Senator Hwang.

SENATOR HWANG (28TH):

Thank you and I will simply move on.

Another component under Section 1 is talking about Accessory Apartments, we have an understanding of Accessory Apartments, and it will have more conversations on accessory dwelling units that we're now calling you know, ADU's.

But through you, there was one kind of definition that kind of threw me off a little bit and I was asking through the good Chair and the capable support staff present what constitutes cooking facilities? You know, can cooking facilities be that it is constituted under this Section's definition? Does it constitute just a hot plate or a microwave? Or does it comply with the otherwise exempt from other building code concepts?

So again, an Accessory Apartment? Is it simply as a cooking unit a hot plate, or does it have a higher standard requirement under this definition? Through you, Madam President.

THE CHAIR:

Thank you very much, Senator. Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President, and to my good Senator. The term cooking facility is not specifically defined, you're correct. The intention is to include a dwelling with appliances like a stove, oven, microwave oven or a hot plate. The definition by being open like this gives them a little flexibility as opposed to be, for instance, an electric stove or a gas stove, whatever it might be. But these are the traditional ways of cooking and that's what it refers to.

THE CHAIR:

Thank you. Senator Cassano. Senator Hwang.

SENATOR HWANG (28TH):

Thank you and, the good Chair raises the reason why I'm asking that specific question, that if a building code prescribes a minimum or maximum square footage for an ADU, and Accessory Dwelling Unit. Would such a unit have to comply with the square footage requirements, because there is really no definition of it? And I wanted that through for legislative intent. Was there any minimum or maximum square footage requirement or it is not prescribed and still undefined for legislative intent? Through you, Madam President?

SENATOR CASSANO (4TH):

Yes, Madam President—

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Madam President through you?

THE CHAIR:

Please proceed, sir.

SENATOR CASSANO (4TH):

Line 366 set a maximum net floor area for an Accessory Apartment of not less than 30% of the net floor area of the principal dwelling. Well, 1,000 square feet, whichever is less, except that this regulations may allow a larger net floor area for such apartments?

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. And I want to thank the good Chair for that numerical definition. But the reason I asked about that, and it sounds just minor, but the fact is, we could have a cooking facility that is defined in this statute has a potential of qualifying as an Accessory Apartment Unit, but at the same time, may not meet the distance or the square footage requirement that was cited by the good Chair.

And I'm just curious for those defined cooking facilities that do not meet the prescribed requirement just cited by the good Chair. Is there any consideration or accommodation for that definition? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

I'm sorry, would you clarify that, Senator, please?

SENATOR HWANG (28TH):

Absolutely, sir. Anytime all the time. Through you, Madam President. I think what the good Chair cited earlier, were specific, I believe line 366 was mentioned, specific parameters of guidelines, which I understand to be, but nevertheless, the unique circumstance of a cooking facility, which could constitute a hot plate or a smaller area circumference that we're now defining as a potential Accessory Apartment or a kitchen unit. But nevertheless, it counts under this definition. Through you, just for the point of legislative intent clarification, if it does not meet the minimum requirement, how do we qualify it? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President, through you to the good Senator. This is where the municipality has a significant role, and that they will have to approve that that new dwelling, that new addition, and if the cooking facility is too large, it takes up too much room. That's the municipality has to work that out with the owner of the property.

But it's something that it's workable, and it shouldn't be our role to do that. We just provide the opportunity for them to build it, insisting that they have the ability to cook because we don't want it to be just a place to sleep.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President, I appreciate and I value that question because to the good Senator, as the former Mayor of Manchester he understands the important, where local input, local officials and local control are an integral process to understanding unique situations that may not prescribe from a one-size-fits-all top-down type of prescription.

What the good Chair just cited earlier, from his experience as a Mayor, that indeed, local discretion, local decision-making is paramount and essential when these kind of uncertain definitions come up. Uncertain qualifications appear. So I appreciate the good Chair's clarification that indeed, in questions of uncertainty in questions of unusual circumstances, that local input is paramount.

So thank you. I'll move on. In regards to another example, we are now defining affordable Accessory Apartments. Now the definition change in this as I understand it, it becomes deed-restricted.

Now through you, Madam President, whose job would it be to define the deed restriction and who would then police the fact that someone is indeed renting that to someone who qualifies under that deed restriction, and not to a relative or an internal extended visitor? Through you, Madam President, what are some of the criteria and guidelines? Or we again, depending on local officials, local community to offer ultimate perspective and input? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President, and through you to the good Senator. This, again is a local decision. And you can't have the same rules for 169 cities and towns because of the way that -- one of my small towns as an example, Andover does business, and their planning department and so on be dramatically different from what Manchester does a city of 70,000 people. So that Home Rule, flexibility is important and all of that regulation.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, and again, I want to reiterate my appreciation for the good former Mayor of Manchester, when he votes, that Home Rule does take precedent, when he talks about local input being a paramount priority. I love hearing it, I appreciate hearing it. And in this circle, it offers the weight of legislative intent as we go through this Bill.

So I greatly appreciate that, as we move on in regards to another area of real interest now has the new former -- as a new Ranking Member of Planning and Zoning and not an attorney when I read the definition "as of right." That has appeared in so many of our zoning proposals this past year.

Is "as of right" intended to mean the same as administrative approval without local determination and public hearing, or does the good Chair offer another definition? Because we've seen that appear, and what has been offered and many exchanges is, when there is the definitional term in any statute of as of right. It is defined that by "as a right" there will be no public hearing. There will be no input and that is granted at present under statute to be effective. Through you Madam President unless the Chair can offer another alternative meaning it

is important for us to define the inconsistency of language of "as of right" in any of our zoning Bills when we're focused on retaining and protecting Home Rule and local control.

Again, I'll repeat again the question after my long winded statement. The "as a right" definition. Through you Madam President would the good Chair of planning and Development articulate and give us a proper definition that we can work forward from? Thank you.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President and through you to Senator Hwang, lines 20 to 25. "As of right" it needs to be within the town's regulations. It can't take power away from the towns. Total regulation is by the town itself, by the municipality.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

If I may, through you Madam President. I know in rare cases we are allowed to read but could the good Chair repeat his interpretation and definition of line 20? Again, through you Madam President, I apologize to the good Chair.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Again, Madam Chair through you, that that is line 20 to 25 "as of right" through line 25.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. And if I may, with the indulgence of the President, I'll read line 20 to 25.

"As of right" means able to be approved in accordance with the terms of zoning regulation or regulations. And without requiring that a public hearing be held of variance a special permit or special exemption be granted. Or some other discretionary zoning actions be taken. Other than a determination that a site plan is in conformance with the applicable zoning regulations."

I don't read anywhere in line 20 through 25 on the as of right definition where there is any local input in determination in this. Correct me if I'm wrong. Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

That's the -- it's up to you to admit I'm sorry, Madam President through you. It would be the municipalities responsibility if they want to, in fact, follow that.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Through you, I want to thank the good Chair of planning and Development. And again, as I asked the question for legislative intent, I'm understanding that the good Chair of Planning and Development, and a proponent of this Bill is giving us the context that even though there is an "as of right" statement in this language and statute, I believe that I heard, there is local discretion and input. And through you just for point of redundancy and confirmation, I believe that is what I heard. Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Again, to clearly be definitive here it is lines 20 to 25. As of right means to be able to be approved in accordance with the terms of zoning regulations.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. I will move on and we will go to Section 2. And for those that may be wondering how many darn sections are there, there are actually 13 sections to this Bill.

And we are on to Section 2 if I may. Through you, Madam President. Section two is also interesting in the context that allows municipalities to pass on review fees to developers and applicants, and establishing that a town cannot have a higher fee schedule for fordable housing applications than for other applications.

The reason why this Section is a bit of concern for me because I know of many towns in my district and

other areas in the surrounding towns that had been proactive, innovative, and ahead of its time in developing higher assessment fees for building permits, with the intention of specific set-aside for that higher fee to be put into an affordable housing purchase or bond trust.

And the intent of that was to be able to buy property, to be able to manage the high cost of construction with a vision and mission, and in some cases, successful accomplishment of developing affordable, diverse, and accessible housing.

What this Section does in my reading and interpretation is we are now has a state by this statute, taking away that innovation, that creativity, that desire for our local municipalities, to establish creative ways to meet the economic challenges of housing, construction land cost.

What this statement, as I understand, it takes away the local municipalities from towns like New Canaan, Fairfield, that have done the innovation to take that money, set it aside to fulfill the mission of crafting and designing and building diverse, affordable, and accessible housing.

This statute unfortunately, is saying the state knows better. It's going to say that you can't keep that money for a greater noble purpose. You got to return it back to the developer. Through you, Madam President, if the good Chair could explain my misunderstanding of that intention, or indeed, this Bill's language under Section 2 removes the ability for towns that aspire to build diverse, affordable, and accessible housing, will no longer be able to use that current methodology through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President, and through you to the good Senator. What this simply does is it allows the municipalities to treat all of the projects in the same way.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Through you, and indeed, that is how I read it as well. But there is no exception. There is no allowance to allow towns that I am very proud of that have made a tremendous effort on their own, on their own creativity, initiative, and an inner mission and a goal to aspire to create diverse, affordable, accessible housing.

What this does is, in essence, say, Nope, everything's going to apply the same fee, you can't use that additional funds. So you can set up a trust fund to be able to fulfill a greater mission. This section says everything's assessed the same fee. And anything of a surplus will now be returned to the developer, taking away an established methodology of towns to be able to fulfill the important mission of affordable accessible and diverse housing. Would that be correct through you, Madam President, because the form fee in essence, creates a violation of trust funds that have been established by two particular towns that I know such as New Canaan and Fairfield. Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Madam President, and through you to Senator Hwang, again, this is a fairness issue. They're all paying the same base. The municipality is trying -- will be trying to do its job fairly and treating everybody equally.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. Thank you, Madam President. I appreciate the process and fairness issue. I appreciate that. And, unfortunately, we are looking through this passage for an aspiration to be able to create opportunities.

As we have heard so many of the well-intentioned and very passionate engaged advocates of the numerous Bills related to zoning, affordable housing and land use in our legislative session and public hearings, we have heard them. We have told -- we have heard about the incredible important mission, which I agree and share with that we need to do more, that the status quo cannot stand.

But then now we're looking at a situation for communities that have taken on that initiative on their own many years before, and have demonstrated success in accommodating and accomplishing those type of noble intention and goals, despite tremendous land costs, economic and building cost.

This was a tool that was available to them. But another example, in this Bill, however, well-intentioned is an idea of one-size-fits-all. One size as fairness, that now we are going to take away a tool from those towns, by the state decision in this statue of saying you can no longer engage, innovate, and create an alternative funding source to create housing.

The good Chair talked about fairness, and I respect that I love to be able to treat it fairly. But what we're looking to do in these zoning Bills and land use innovations is indeed, to create a wrong, to create a disparity, to create an opportunity for individuals, families, and people to aspire.

But through this Section, we're saying we're going to treat everybody fairly across the board. We're going to take away what has been a demonstrated success by communities that have been sometimes and I believe, strongly improperly maligned, and unfairly characterized, and not recognized for their great efforts and innovation with the constraints that they have. This Section, because of fairness from our state statute, and the intent of this well-intentioned Bill will take away one of the tools that they have used to be able to create more diverse and affordable housing stopped.

Again, it's another example well intentioned idea of fairness, but an application where the state thinks it knows better than the local municipalities. Again, that's just a statement. And the good Chair had shared the concept I appreciate and I greatly respect that. But look, this Bill is trying to address issues of systemic or long standing inequities.

I recognize that. I am absolutely believer that we need to do something. But it needs to be done collaborating with the efforts of local communities that I just cited. That crafted and innovated an alternative use of builder permits to set away funds.

This Section 2 buy the great wisdom of the state says in the application of fairness, you can no longer do that. And that money needs to return back to the developer. Again, we may have disagreements, but perhaps my interpretation of this is in the greater effort of the state in this application toward fairness. We have undermined some of the

very, very good efforts of our local communities.
Thank you, Madam President.

I will move on to Section 3 if I may. Now, one of the interesting parts of Section 3 is the good Chair talked about Granny Pods. Now, I had not heard of that term, but it's an interpretation and a definition. And I'd rather use the proper term of a temporary healthcare structure.

So it allows towns to opt-out of temporary healthcare structures under the section 8-1bb. Does this change in the opt-out procedures that we have later on this statute for towns? Does that apply for temporary healthcare structures in any way? Through you Madam President,

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President, and through you to Senator one. Granny Pods is a Bill -- just to go back on your earlier comment that we passed here a couple of years ago and was kind of a predecessor.

As to your question. There were no changes, just references, changes due to reorg of language, but no changes.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

And the reason I asked that was, I'm reading the term Granny Pod. And I just want to be sure if there was another use or interpretation that can bring it more up to date and a temporary healthcare structure is another one and perhaps we can convey and create

another name. Because I don't I'm not sure that my mother-in-law as a grandmother would appreciate the idea of a Granny Pod.

That being said, I will simply move on. And you know, that that I wanted to ask that right, because it goes to one of the options we had has the opt-out. So it may be I didn't hear it. Does this apply to the opt-out requirement stipulated under this statute? I don't remember what section? Or is this exempt from the opt-out and will be governed by the temporary healthcare status structure? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Madam President through you to Senator Hwang, is the opt-out -- what section is that line?

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, if I may, that there's a lot of lines and I was just looking at the concept when I was doing the homework but we have clarified what Granny Pods or temporary healthcare structure is my question would be there is an opt-out provision that is stipulated in this section. I believe that may be leading up to Section -- forgive me, and if we could just be on--

THE CHAIR:

Could the Senate stand at ease please?

SENATOR HWANG (28TH):

I was able to find it with my able help and staff. Section 6 lines 427 to 445. It is an important component of this Bill.

THE CHAIR:

Thank you for that. Senator, I think we're still at ease. I appreciate your finding the Section and - let's just give it a moment please.

Senator Cassano.

SENATOR CASSANO (4TH):

I'm sorry. Madam President. I did not hear your question. I'm sorry.

THE CHAIR:

Okay. So we'll go back to Senator Hwang and then please proceed, sir.

SENATOR HWANG (28TH):

We're back to go. Thank you, Madam President for the -- for the permission, and I understand it is under Section 6 line 420.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

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

THE CHAIR:

Senate will stand at ease.

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I think Senator Hwang had the floor and I'd like to yield back to him, please.

THE CHAIR:

Senator Hwang, do you accept the yield, sir?

SENATOR HWANG (28TH):

I would, thank you, to the good Majority Leader. And I want to thank the efforts and the patience of the good Chair of Planning and Development.

I will continue on to Section 4. Now, Section 4 of the underlying Bill is an extensive description of, of Connecticut general statutes Section A-2two, in essence, kind of reorganizes some of that. But there's some particular language that through you, either to the good Chair or the equally articulate and effective Vice- Chair, Senate Vice- Chair of the Planning and Development Committee, through either May I pose some questions related to Section 4 of the underlying substitute Bill of 6107. Through you Madam.

THE CHAIR:

Please proceed, sir.

SENATOR HWANG (28TH):

Thank you, under Section 4 in lines 114 to 115. The new language says that the zoning regulations adopted under this section pursuant to the subsection of this Section, more legalese, shall.

Now it specifies that it shall. So through you, Madam President for the sake of clarity, shall is intended to mean that the provisions of this Section

are not discretionary. It is not may, would that be correct? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Yes, Madam President through you? Yes, shall is -- it must be done. All this is a reorganization of the language. It shall be reorganized so that it reads better, is what it really is saying.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you very much, Madam Chair. And indeed, line 114, 115 and through the good Chair's clarification, that the language shall is not discretionary. It is a requirement.

So through this statute, if it was simply a reorganization without any new additional language that may have been more comforting. But again, as I repeated earlier on, the concern that this Bill, however well-intentioned, however watered down, does indeed impose a state mandate, a one-size formulary.

In regards to Section four there many examples. So if you look at line 127, to 128. It stipulates and it offers that we can look at congestion on streets. There are significant criteria and guidelines that are being offered that now is no longer an option or "may," but it is a "shall." And so through you, Madam President, how does the good Chair or vice-Chair articulate the change in the language from the argument that we talked about earlier, about this Bill's original value presentation of enhancing local control? Protecting Home Rule, when we have

language in here that says this statute requires our municipalities that you shall do it without any sense of discretion, or flexibility.

What we've talked about for the first 45 minutes perhaps is talking about local input, local planning, and control home rural concepts. But as we go to the meat of this statute and propose a proposed Bill, we're now seeing words of mandates and shall so through you, Madam President, if the good Vice Chair could articulate some of the rationale and the inconsistency that I'm seeing in this definition as was shared earlier. Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President, and I accept the yield from Senator Cassano. Thank you to my good colleague. This is not a change shall has always been there. But this does clean up some of the language and it allows municipalities.

I just want to get to the concept of Home Rule. Our towns connect to each other and meet many cases. They're adjacent to each other. This language cleans up the ability for these towns to consider neighboring towns and the impact that this is going to have on them. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Hwang.

SENATOR HWANG (28TH):

Thank you. I appreciate the good Vice- Chair accepting the yield. And the reason I say that in reading the statute on the proffered Amendment on

File Number 716. It is underlined as a new section. So I do not know if previous Section, even though it's a reorganization of 8-2, this, as I understood in reading 8-2 prior is there was no shall mandate.

This language under 6107 adds a shall that does not allow for discretion. This is new language unless it appeared under 8-2 right now that has not changed for 100 years. I might have missed it. And I'm happy to be corrected to me through you, Madam President. It seems to be new language and a definitive removal of the discretion as it relates to 8-2? Through you Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President in line 119, the bracketed area such regulation shall be has been omitted, and it's now placed in the second in the section below it.

THE CHAIR:

Senator Hwang.

Thank you. And I appreciate that clarification. And so it has moved around and applied and thank you to the good Vice- Chair for the clarification.

Another part of it is in regards to Section 4 and it's actually one that I gratefully and fully support. The new concept of designating goals that zoning regulations must further and promote and the addition of new categories to protect the state's historic, tribal, cultural, and environmental resources. Could the good Vice Chair articulate some of the new additions? I think one of them being tribal. I think the other aspect may be the cultural and environmental resources.

Could the good Vice Chair articulate the rationale for that? Because I absolutely appreciate and grateful for the acknowledgement of the unique historical interaction with our tribes and various other entities and environment. But through you, Madam President under Section 4, the new addition of those subcategories and the rationale behind them. Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President, yes, thank you. To my honorable colleagues, this actually does update language to take into account indigenous people and other people that were left out. A prior language similar to the way many, many references in our statutes were to "he" and "him." We now have broader language, this broadens that language. And I appreciate my good colleagues understanding that there's a need to actually promote these concepts now, because we want to move this forward. Thank you.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. And it's important, in my immigrant status, and we moved up to upstate New York, and we had the opportunity of being able to live right next to the Onondaga Nation.

And there were interest in regards to property claims, historical property claims. When I think about that inclusion, when I think about zoning and land use, and I think about the natural as well as

long standing historical right. When I see the inclusion of the tribal impact, and I see that we shall consider it. I remember back to land claims that went into communities and in home district that I grew up outside of Syracuse.

Is there any consideration, through the good vice Chair that stipulating that language opening it up from a standpoint of zoning to include our tribal historical interaction? Do we possibly open -- and it's one of curiosity for me from personal experience. Do we possibly open up our state to historical tribal claims of land outside of the natural territory? Because we do and indeed, right outside of Bridgeport, and up the valley, there are some considerations of that? Does this statute with the discretion removed of a shell language and inclusion of these points of consideration? Do we open ourselves up for many of the other important Indian tribes in our state to open up the land claim basis? Through you Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President. I appreciate the clarification of legislative intent. One would hope it does. Thank you.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you the good Vice- Chair' clarification of legislative intent. I appreciate that answer. But what was the legislative intent through you? Does it preclude? Or was it even a point of consideration, and perhaps for a clarity of legislative intent, it

does not preclude into the area of property rights, and personal property rights and municipal property rights.

Again, we go back to the basis. The fundamental first point on the beginning of this debate, and the Amendment that was offered is non- withstanding the current language. And I had hoped we adopted the Amendment because it would, right off the bat, non- withstanding the language in this Bill, offer the protection and the enforcement of Home Rule and local control and input. So through you, Madam President, a long winded way, I didn't get the legislative intent of what potential of this was there any consideration? And if not, could the very good Vice- Chair articulate the legislative intent that it has no bearing on the possibility of the question that I just raised? Through you, Madam President,

THE CHAIR:

Senator Needleman?

SENATOR NEEDLEMAN (33RD):

Through you, Madam President, thank you for that. Senator Hwang, I do not believe it allows for claims outside of the normal process of claims, but it does suggest that we should consider the interests of those tribal lands and those tribal nations.

The process for encouraging for actually creating opportunity, there is a process that goes on in a different venue, not here. Thank you.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. I appreciate the clarity and a better description of the legislative intent. I appreciate that it's important. As we deliberate this Bill in the circle, if it should pass and become effective, I want to be sure that we are addressing the concerns that may have popped up.

Because I've seen too many incidents of it in my upbringing and exchanges with regard to tribal land claims.

Let me move on - I don't recollect the line on this Bill. But it was an important consideration, and one that I appreciate the good Chair and our collaborative effort in the Committee. And I mean that genuinely because we did that exchange thoughts and ideas.

This Bill 6107, originally, in the underlying Bill before the amended Bill, remove the word character. And the definition has created a lot of emotion, a lot of subjectivity. And in our conversations, I proposed that we should look and insert architectural context and physical site characteristics. Through you, Madam President to either the Chair or the Vice Chair. I wanted to acknowledge my gratitude for making that change.

But through you, Madam President, could the good Chair the Vice- Chair articulate? What does that mean, from a standpoint of architectural? Is it for size? You know, capacity, density? What does it mean? And why is this an appropriate replacement for the word character? Through you, Madam President?

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President, through you, Senator Hwang, this is a character itself is extremely

difficult to define, particularly, when you look at the broad definitions of the word, they go far beyond zoning, they go to personalities, and so on. And so they left much unsaid and much unclear.

By using the term physical site characteristics, we can look to characteristics that are named in the statute, height, density, setback, and so on specifics that mean something that we can work with, as opposed to a nebulous word.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, and I appreciate that. And, and I want to compliment the Chair and the Vice Chair for the consideration of using that language, I believe is one that that I wholly agreed and supported.

Now, as a strong environmental advocate, there were some considerations under Section four has it relates to the effects in the proposal on the navigable waterways related to the Long Island Sound?

What considerations and specifics did they Bill offer under Section 4 that I might have missed or you can pre-offer as it relates to legislative intent? For me, it says very strong interest in the sense that my district encompasses communities that has navigable waterways into Long Island Sound. And obviously land use environmental concerns and zoning through this Bill as it's required in regards to the shall language, could the very good Chair or the Vice- Chair, which is a dynamic duo across the hall there, offer some context of examples of where these navigable protections of Long Island Sound applies? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President. Through you, what this does is reorganizes, line 310 to 317. It adds a term navigable waterways, it makes the language stronger for environmental purposes. And earlier, as you've noticed, we did include environmental concerns as part of the process here.

So this makes it stronger and gives the navigable waterways a place which it didn't have in zoning regulations before.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. And I'm appreciative of the good Chair's leadership and as we have worked as a working Committee in the state's planning and conservation plan, it is an important point of consideration, and I want to thank both the Chair and the Vice- Chair for their environmental commitment and support, it is important.

That being said, am I correct to read that under Section 4, that we are giving towns further discretion to require or promote different types of renewable, free standing and geothermal energy under this current Bill and regulation?

And through you, Madam President, point of clarification, and particularly some aspects of examples that may be applicable. And I see that the good Chair of the Energy and Technology Committee, and his dual role as a Vice- Chair has risen. And I'm very eager to hear his thoughts and concerns or

leadership in that arena. Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President, certainly the Energy and Technology Committee has worked very hard to encourage all forms of renewables in the state of Connecticut. And the answer to your question is, yes.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. Am I not correct to read that in this section -- and I'm not sure the exact line through Madam President, that this is also allowing towns the discretion to provide incentives to developers who incorporate not just passive solar, but renewable energies, geothermal, water and energy conservations into their proposal? Through you Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President. Yes, that's the case.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. And indeed, again, I don't -- I do intend to offer these kinds of contrast. Again, it is another example, with a very well intention. And a noble goal that we are looking at environmental considerations, renewable, and energy conservation, that we are now through this Bill, as a state saying to our local developers, and local municipalities, we are going to give you incentives, we're going to dangle an incentive and a carrot to incentivize you to do this.

But I'm also reminded undersection to this state also made a determination in a level of fairness, that we are removing the additional fees to be set aside for affordable housing development.

It's another example again, a very, very well intention. But again, the idea that the state knows what's better than the local municipalities, and through you, and I may be getting ahead of myself, perhaps the drafter of this may allow a point of discretion. I do believe as I was reading through this, and my eyes were getting a little blurry, that it was a discretionary language.

I believe I even might have seen a "may" there. But for legislative intent, if I may, through you, Madam President to the Chair or vice Chair. Indeed, if I could get a point of clarification for our municipalities, and or non-solar or geothermal developers. This is discretionary. And there is a "may" in that section. Through you Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President, it is a "may" and I do want to go back to one of the things that was discussed earlier about the fee.

The municipalities are now allowed to charge a fee for complex subdivisions or complex development projects that can go on. It's the -- as a First Selectman in town, I know that the Zoning Commission frequently spends a lot of time effort and money approving reviewing applications with limited ability to reclaim that money.

I believe that the legislative intent here is to allow the municipalities to get that money to not have them charge more for affordable housing projects, which has been the case in prior years. I don't know if it's done at this point. But that is an important point to make here.

And the other side of this is if a municipality estimates that, for example, the review process hiring consultants hiring engineers, is going to cost \$20,000. And indeed, they get that work done for \$15,000. As a First Selectman, of course, it would be my first instinct to say, bank that money. However, as somebody who owns real estate, and who cares about real estate development, also, I would tell you that it's the right thing to do that we should not keep that money, we should return the money back to the developer.

The main point here is towns can charge they don't have to charge they should never charge more for affordable housing as a way to make that more complex and dis-incentivize. That kind of development. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Needleman. Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. And I appreciate the good Chair, Vice-Chair of Planning and Development and the Chair, but also the First Selectmen of the

town of Essex, the beautiful town of Essex, and offering that context.

But that being said, I want to ask through you the leadership and for legislative intent. The example that was given is understandable. And I appreciate that because there are costs that goes into the town's requirements of hiring engineers and assessors or appraisers or valuations. And these fees were collected to that. So through you, Madam President for legislative intent. For those communities like New Canaan and Fairfield that assesses an additional fee, for funds to be set aside to develop affordable housing, diverse housing, accessible housing in the communities that would not be affected by the language and the intent of the statute. Would that be correct for legislative intent? Through you, Madam President.

THE CHAIR:

Senator Needleman?

SENATOR NEEDLEMAN (33RD):

Through you, Madam President, it is intended that this be not a revenue source for municipalities -- in other words, to overcharge for the actual work that the town has to do in order to approve a project.

I don't know of any towns that do that. I know. We don't. Maybe some towns do. But this clarifies that they're not supposed to do that. Through your President.

THE CHAIR:

Thank you, Senator. Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President, through the good Chair, that legislative clarification doesn't give me comfort, because there are communities that will make that decision, that as part of the building application and permit process, feel and add an additional fee for the noble mission and the visionary mission of being able to use set-aside money.

And from what I understand through this clarification and legislative intent, unless otherwise noted, by the good Chair and Vice-Chair, we are in essence undermining these communities, innovative, visionary, and effective additional funding for a noble mission.

And if that is indeed the case, that is another troubling aspect of this Bill that has unintended consequences. So through you, I know the good the good Vice-Chair had articulated that. But nevertheless, maybe that would be left to the attorneys to interpret, but what the good Vice-Chair's answer that was just given to me for legislative intent kind of says there is no distinction and that we could not assess an additional fee for whatever the purpose on the basis of fairness and the state is making that determination. Unless otherwise different, I would always defer to the good -- through you, Madam President to the Vice-Chair for a point of clarification.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Sure. Through you, Madam President, Section A-2i has the statutes already, allows for an Affordable Housing Trust Fund.

I think that this just clarifies that you can't overcharge somebody on an application, keep their money. But municipalities can create that fund already. It just should not be from applicants' money, it should be from other sources. At least that's how I would want to do it in my town. I wouldn't want to charge everybody that comes in with an application and extra fee over the cost of what the municipality spends to spend their money on something else. But municipalities can and should create that Trust Fund. Thank you.

THE CHAIR:

Thank you, Senator. Senator Hwang.

SENATOR HWANG (28TH):

Thank you. We may just leave it as perhaps a wait-and-see. And hopefully it does not have an unintended negative consequences for our communities as they undertake the necessary effort to craft innovative and necessary plans for affordable housing.

Indeed, as I heard the explanation in the citation of that statute, I'm encouraged, but nevertheless, they do, in essence, add an additional surcharge to the developer's permit. And it may be interpreted as unfair, but it serves a greater mission. And in this Bill as I read it. There is that determination that that is no longer allowed under the term of fairness.

It's different interpretation. Again, it is the danger that we have. And the good Chair articulated earlier, that our local community should know our local needs best. And that when the state in its well-intentioned efforts, craft language and mandates and requirements, it does not anticipate the various unique nuances of those communities. And that's why we get confusion. And that's where we get conflict and misinterpretation.

Again, as I offered in the original Amendment, the idea of non-withstanding language and affirming that we are supporting the concept of Home Rule that we are supporting the idea of local control and input. I wish that it passed, it would give them much more comfort and clarity that despite whatever we say in Hartford, as we pass legislation that we have passed an Amendment that codifies and recognizes the important role, the important power that is empowered in our state's 169 pounds of Home Rule and local control.

I will move on, and Section 4 is full of interesting conversation pieces, but there are a couple of terms through you that I just am trying to get a better understanding for legislative intent.

For example, through you, Madam President, what is a floating zone? Through you Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Floating zones are already codified. We are looking to clarify language. I have to -- I believe that it's a district that moves over certain parts of the town but I need to double-check excuse me one second. May we stand at ease, Madam President?

THE CHAIR:

We can stand at ease Sir.

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Thank you Madam President, through you, Madam President, it is a zone that can be located

anywhere, but hasn't landed yet. In other words, as I thought it is not fully defined by boundaries, not like downtown, or this part of town. It's a floating zone that can be placed -- because we've done this now we're thinking of doing more of them in Essex, that it goes over a certain section, but not a very defined by a village or something like that. So it's a floating zone. It just floats.

THE CHAIR:

Senator Hwang.

SENATOR NEEDLEMAN (33RD):

Technical planning term.

SENATOR HWANG (28TH):

Thank you, Madam President. And I genuinely wanted to understand and I want to thank the good Vice - Chair, for full articulation, visioning floating. But as he described it, and under this Section, there is also a reference point, and I'm not sure if there was a connection to it. In regards to mobile home units, there is specific language related that. Was it, through you, Madam, Madam President, was there a connection in regards to the possible mobility of these mobile home units that we're looking at a floating zone district?

And number two, when we talked about a floating zone and what piqued my interest? And the good Chair, Vice-Chair's articulation of it piqued it even more in the sense that -- so what governs that? If it goes into prescribed areas in the statute, or by state statute, into areas that should not be? Is there a protocol or an application for such a floating zone?

And the good Chair Vice-Chair articulated that in his town of Essex, that there were efforts and examples of that. Could he, for legislative intent,

educate me on that concept as it applies to a town of Essex, for example?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Thank you, Madam President, through you. My understanding is that right now, it's only specifically down in New Haven, we want to allow it in all areas. All cities can do it.

Incentive housing zones are the only overlay -- it's an overlay zone on the zoning maps, enabled through local control, planning -- Planning and Zoning Commissions for approval by zoning.

So, again, we're thinking of doing it in parts of the town. I don't believe we've actually done it officially yet, but it's been floating out there for quite a while in Essex. Thank you, Madam President.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President, and the good Vice-Chair brings up a point of questioning concern that I have.

We've only had one example of it in effect in the city of New Haven, we have not fully understand -- understood the concept and its application, but from what I understand in the interpretation that it is floating, and it is a constant moving border, in applicability.

But for many of our towns, there are very defined zoning allocations and, and boundaries. Are we

looking at implementing this as a statewide applications as I understood, but with no real definitive guidelines and requirements in language, that any such floating zone could go into districts and kind of take a piece of it?

As I listened to that, I'm hearing it. I'm just saying, it may be just another example, with the state's one-size-fits all approval, that we're now proving a concept of floating zone where there are no specific definitional guideline, but we're going to approve it. And we're going to allow it to be used in the communities without any prescribed requirement or definition, or examples of its application.

As a six-times, six-year Member of the Housing Committee, and one of the Co-Chairs and my year on Planning and Development, it's very important to have definitional guidelines. And here we are passing through a concept.

I remember one of the fiercest battles that we have is the idea of expanding the parameter of various housing districts beyond an originally offered by Governor Malloy, a 30-mile radius now it's 50, now may be prescribed to a smaller area, but the expansion beyond the borders of local municipalities.

It is just another example. As much as we talked about supporting and empowering local control, Home Rule. We're expanding beyond borders, and beyond towns' governance, these kind of concepts.

So I want to thank the good Chair. I won't belabor the point from a standpoint of floating but it does raise another point of question, as I understand the definition or the lack of a definition, it is clearly open to interpretation. And it seems the only people that lose on this is a defined understanding and manage expectations, what could be

done to their borders and their towns and their personal properties?

I'll move on through you. Thank you to the Vice-Chair for his indulgence. I think I know what a cottage food operation is, because I have a 22-year old whose primary diet is food trucks. Is this a food truck? Or through you, Madam President, a more of a homegrown homemade type of a food distribution that is not intended for commercial use? If the good Chair or vice Chair could explain to me for legislative intent, that a cottage food operation is or is not a food truck or commercial use. Through you Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President. In a prior life, my ex-wife baked cookies, molded chocolates and we sell them to different businesses. Let me rephrase that she sold them to different businesses. We allowed cottage food industries they're defined, they need to be approved by Department of Consumer Protection like anybody else for the public good to make sure that they're safe.

But this would allow these as a right within different towns because certain towns do not -- they have been more difficult about approving them. But it's home-based businesses. I don't think that the intent here is that you could put a food truck outside your house and start having people drive up. Beekeeping. You know, making soap out of your house that you sell at flea markets. These are cottage industries. Maple syrup, these are the basic ones that I can think of.

THE CHAIR:

Thank you, Senator. Senator Hwang.

SENATOR HWANG (28TH):

Thank you. I'm anxious for some chocolate cookies myself right now.

So for a point of legislative intended clarification through you, Madam President, a cottage food operation is not a commercial food truck. But could it be a commercial endeavor? When I hear the word cottage and more home-spawn, baked cookies, bees. For a point of clarification, two questions. Is there a definitive distinction or legislative distinction? And number two, the good Vice-Chair articulated that it is governed by the Department of Consumer Protection. But if you're serving food and for me, I have a son who has peanut allergies. Is there any jurisdiction or oversight by the local health authorities or the state for our cottage industry -- food industry? Through you Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President, nothing in this would prohibit the Public Health officials in the community from stopping -- from not inspecting these things.

I do not believe that a food truck would be allowed under this statute. It is defined in 2018 in the statute we passed at that point. Thank you, Madam President.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, the good Vice-Chair's answer, I want to thank him for that. But it also raises additional questions, because in his initial discussion and explanation, he talks about "as of right" approval in this legislation. And as we talked about earlier, the definition of "as of right" overrides local health, local planning, local input, and discretion.

I'm hopeful through you, and the legislative intent and the discussion in the circle, that there is not an "as of right" allowance to develop and conduct business as a cottage food operation without our local health authorities. Without local zoning input. And that, indeed, the "as of right" was actually a misunderstanding. Because if indeed, the legislative intent, if it is an "as of right" I have some significant concerns, that well-intentioned food operations, without local health considerations. Well-intentioned food and cottage food operations that are out on our roads could be a point of concern, if local zoning and police authorities do not have that local control and input for public safety and wellbeing, as we allow an "as of right" that was mentioned earlier. It raises significant concern to me.

Through you, Madam President, could the good Vice-Chair or the Chair clarify the coverage of cottage food industries? And I'm hopeful that it is not an "as of right" approval. Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President. To be clear on this, nothing in this Bill. Nothing in this section of this Bill obviates the need for public health -- the

Health Director in a community or Regional Health director to weigh in on these type of issues or any issues when we get to the septic issues, public health is certainly a matter of critical importance to all of our towns.

In this case, again, my understanding after being a First Selectman for 10 years, is that zoning permits begin a process in municipalities that touch on, in many cases building, that touch on public health that touch on fire marshal. And doesn't mean that those nothing in this means that these entities within a town are not part of it. As of right doesn't imply that there is no need for a permit. The permit starts the request for a permit starts a process. Here, it's saying that these businesses cannot be prohibited.

So they are allowed to be in a home based business as a right. But nothing obviate health and safety issues in any town in the town has a clear obligation to make sure that those are the case.

THE CHAIR:

Thank you, Senator. Senator Hwang.

SENATOR HWANG (28TH):

Thank you. And I appreciate the good Vice-Chair's point of clarification. But as he's explaining it to me, I'm thinking to myself, that the state of Connecticut in this circle just approved a regulation of our ice cream trucks.

And they could be driving around selling their goods that we saw it fit to regulate and require --for the greater safety. And I supported that Bill. But nevertheless, what we're looking at -- indeed, I appreciate the commentary on the permitting process. But as a good Vice Chair articulated earlier, the only approval need to come from the Department of Consumer Protection. It does not stipulate that

local health authorities and entities have oversight.

And I'm extremely concerned that when I see the term as of right, has is defined in section one as very effectively articulated by the good Chair, that when I see the word has a right. It gives great power for individuals and entities to test the waters. But again, we're drafting laws that may be undercutting the concept of local input when we pass a Bill like this.

I'll move on. Section 5. Another interesting part of this Bill has the opt-out for parking requirements. Now, I live in a community where it's not very easy to get from point A to point B without a car.

But I also have communities where roadside parking and inadequate parking spaces create impossibly -- put our residents and pedestrians in a dangerous sometimes, but also create circumstances where they are at risk. I'm very proud to be supportive of the Bill that we just passed out in regards to pedestrian safety. So the idea of having ample parking, and not having our roads and density of living units, not having the requirement is a public safety concern to me.

But what I read in Section 5 is, we're allowing an opt-out for parking requirements. But I also understand one of the major selling points of this Bill, to reassure our community that the opt-out for our communities by two thirds vote. So it's challenging to me, because to me, when I hear the idea that the state in its graciousness, and its prerogative is granting the incredible privilege and enabling power to our local towns, and communities. 169 towns, we are granting you an opt-out clause, that if you don't like the laws that we make for you, you can o-out. But before you opt out by two thirds, it's the law from the state to you.

To me, that seems to be inconsistent with respecting the concept of local control. It seems to me to be inconsistent with the concept of respecting Home Rule. This Bill does that. This Bill says that the state has the right and prerogative. But we're going to be nice, and we understand. And we're going to work with you. And as some of the statements made by people that have supported this, that said, we are enhancing and increasing local control.

There are many communities that feel as though they're doing just fine in regards to local control. The idea that we're going to say to you two thirds, and you don't have to follow it. How about the fact? Let them do and make decisions that best fit their community?

So through you, Madam President, what was the rationale for the parking requirement in this section, and the concept of the opt-out provision? Because for me, as I evaluated the consideration of an Amendment, we were told by the legislative attorneys in the Connecticut General Assembly, that we as legislators cannot tie the hands of future legislature by requiring a two thirds vote.

But at the same time, we are now passing a statutory mandate to say to our local governments, we can now bind your decision making into the future. Today, it's parking tomorrow, it's septic capacity. The next day, it could be budgetary taxes. This is potentially the camel's nose under the tent.

And to me, I would love to be able to hear from the Chair or the vice Chair, the rationale of the opt-out process, and how does that fit from a standpoint of local input, Home Rule. Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President. I know that my good colleague keeps coming back to the idea of local control. And I do know that there are Members of this Chamber -- Members of the General Assembly and colleagues of mine who are First Selectman, who believe that we are 169 autonomous countries. But the reality is we are one state.

We are one state out of 50. In the United States. There are many mandates there are many requirements. There are many restrictions and regulations on what we all do every day as municipal leaders that we have to follow.

For example, I would like to know if any town in this state has their own Building Code. It's a rhetorical question, not necessary for an answer. The answer is no. Municipalities don't have their own Building Codes. Does any town have their own Public Health Code? No. No town has that Public Health code. Does any town have their own Fire Code? No, no town has their own Fire Code.

The state and the federal government prescribed guidelines that we all operate under. It is not a shock that the state has their hand in what municipalities do.

As a First Selectman, frequently, I and my colleagues lament some of them, I will tell you that honestly, some of them are more onerous. Some of them cost us a lot of money. Some of them have a great impact.

There are many times in this room in this circle in this body, in this building, where I question, the wisdom of adding more of those. Parking restrictions seemed to me non-invasive, the out that is given in this statute that allows municipalities in their best judgment to opt out of some of this, if there

are specific circumstances that make these restrictions difficult, is a great opt-out.

I wish quite frankly, I would have an opt-out on much of the building code requirements. But my building official continually reminds me that there are no opt-outs, or at least, no easy opt-outs.

Also, I would say having grown up in New York, parking is always an issue. And yet we have density and people find ways to park, there's transportation, we need more transportation, there's ways that municipalities deal with this all the time. I looked at my good colleague, and I know that time after time, we are having a conversation about Home Rule. But Home Rule is not the only factor that we deal with in this body.

I personally as a First Selectman and as a longtime municipal official, fight the battle between Home Rule and what the state should have attended what the federal government should have attended this Bill, these Sections as much as we want to pick them apart line by line. And I respect my good colleagues, right and ability to do that. To get legislative intent, which I think is critical in much of this, I want to be clear about the fact that this Bill is not onerous. This Bill is not taking away Home Rule. This Bill is less onerous than many other things that we live with every single day as municipal officials.

So I want to say very clearly, that parking with an opt-out is a good compromise place to be to allow for more densely developed areas to have more housing that's appropriate for those areas. So with that, Madam President, I yield to my colleague.

THE CHAIR:

Thank you, Senator Hwang.

SENATOR HWANG (28TH):

Thank you. I want to thank the good Chairman. And I appreciate as I've done in the past with Senator Cassano and Senator Champagne. The municipal experience the municipal insight to help offer context.

And I greatly appreciate, as we said in the beginning of this debate, my great appreciation, and the collegial aspect that we approached this, we may agree to disagree. But ultimately, we're indeed all very privileged to serve in this circle.

And this is another example where we may disagree. For me, I believe in the principle that our towns, our local elected leaders and volunteers, our neighbors know better than the bureaucracy of Hartford.

I do believe that they need to collaborate with our neighbors, local, state, and federal officials to do what is best in the long term sustainable way. But I trust my local leaders to know what is in the best interest with perhaps a little nudging a little guardrail. But not a mandate of a one-size fits-all. Perhaps we are in a contrast, perhaps we're in a clear disagreement. But again, this is where civilized societies have the opportunity to deliberate, and we will cast our vote. So we may agree to disagree, but I think it's important for us to know that as we do this -- and I greatly appreciate the patience of the good Chair and Vice Chair as I go through the legislative intent, because I must admit to you, I learned a little bit about floating zones that I did not know earlier.

But let me move on, and we're going to move on to Section 7. We talked quite a bit about Accessory Apartments, ADUs and accessory, affordable, and just for edification, I'll just call it a -- many towns that I represent, have independently, unilaterally made the decision to establish ADAs, and inclusionary zones without the state mandate.

And I would encourage, where applicable for the community, when the community makes that determination, to establish affordable apartments as part of their diversity and affordability, design.

But one of the things that kind of disconnected from me on this is, as we look to advocate and expand the utilization and building of these affordable apartments, we don't count them toward the other infamous state mandated law of section 8-30j, in which the noble intention of over 30 years ago, a blue ribbon panel from the state of Connecticut made the decision that 8-30j with the noble intention to increase access and development of diverse, affordable, and accessible housing.

It's a word and a term that people throughout this entire state have many emotional reactions to. And we've said it before numerous debates and housing and planning and development. How has it done? It hasn't fulfilled its goal. It's created tremendous conflict, tremendous frustration, on all sides. Tremendous anger.

And it was the best of intentions of the state in crafting a policy toward a noble goal. So it shows that the best of intentions from the state that overrides local input, and I know I've drowned on about that, but you know what? That's important to me. How has 8-30j done for all sides?

Should we do better? Absolutely. Can we do better? Absolutely. And dare I even say we have to do better. But now as we explore the idea of expansion and advocacy, and a state mandate of ADUs, or AAs. We don't count them toward the 8-30j calculations. why? Perhaps the wisdom of the Chair and the Vice-Chair can offer that rationale as we are looking with a mission of increasing affordability, accessibility, and diversity. And with the adoption of many of the communities of ADUs or Accessory Apartments. Why was that not included in the 8-30j

moratorium or calculation? Through you Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President. We are in general agreement. My good colleague and I are in general agreement on the issue that 8-30j has not solved all of these problems, although I think that 8-30j has brought a significant amount of affordable housing to the state.

It is a vehicle for other types of housing besides independent and private developers to work around local zoning regulations and work within the framework of a municipal government to bring forward housing. Has it solved everything? Absolutely not. Has it made some progress? Absolutely.

So why are we here today? Why are we debating this Bill? Why have we spent hundreds of collective hours if not thousands of collective hours of legislators, advocates, residents' time to move this forward?

What is the purpose of that? My good colleague, and I may disagree about whether or not this will solve the problem. There may be areas that we agree that it might not. But the reality is, we are trying to solve this problem. We are trying to bring affordability to housing across the state. We're trying to create more opportunity for equitable housing in the state of Connecticut.

We know we have major problems of inequity in the state of Connecticut. I'm the last person here that wants to blow up zoning, believe me, I am truly the last person here that wants to blow up zoning most of the time. However, if the voluntary system that

we all aspired to worked so well, we would not be standing here today, this would not be an issue.

There was an attempt at collaboration, there's been input. My opinion is this Bill finds compromises. It does things that other Bills have not done, because we keep trying. I hope, as my good colleague has said in the past, we know we have a problem. We know we have a problem. Apart from the issue of concentration of poverty in our cities, we have a problem with where can our kids live? Where can our teachers live? Where can workers in our communities live?

Those of us that are fortunate enough to live in better well-off, more well-off communities, we need to provide housing for those people. This is an attempt to solve that problem. Is it perfect? No. But it's an attempt.

I want to go to the specifics of the question about non deed-restricted ad use, because you know, that this was something we had many conversations about Representative Zullo, Representative McCarthy, Senator Cassano, yourself, myself, we engaged with Representative groups engaged in these conversations.

The problem is non deed-restricted ADUs may be affordable today. And they may be working towards a solution. But tomorrow the market changes. That solution doesn't exist anymore. rents go up, people get priced out, we want to make sure that there's a housing stock in the state of Connecticut, throughout the state of Connecticut, that is affordable for people to live, commute, work, be in to help solve the inequity problem that we've all faced -- the lack of available housing, we want to have more, that's deed-restricted, even though I personally would love to find another way to do that.

I'm not sure that I figured it out. I'm not I'm not a professional land use attorney. But I've thought a lot about this. There are many parts of this state that have large amounts of affordable housing, but they are not in the areas that we lack affordable housing. This is an attempt to figure out ways to get affordable housing where it's needed, where it's lacking.

So with that, to my good colleague, that's the best answer I can give you. Through you, Madam President.

THE CHAIR:

Thank you, Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. I do appreciate and I'm grateful to the Vice-Chair and the Chair. They are a delight to work with. And I really do appreciate the thought and the process. And I'm encouraged that the continual dialogue with colleagues like that are ways in which we can find better solution.

That being said, I will move quickly and for the indulgence and I grateful for the patience of the circle and the staff. I'm going to go quickly to Section 13. Section 13 is brand new. It was added as part of the amended language, and it creates the Commission on Connecticut's development and future, with a goal to evaluate policies related to land use, conservation, housing affordability, and infrastructure.

It seems like we created a special team to come up with these commission names. That being said, what is this Commission's true legislative mission from the standpoint of what was articulated to evaluate? And what power does this Commission have? Is it purely as a data collection, information collection? And a suggestion? Or are we granting, through the Chair and the vice Chair, more powers of compliance

as has been mentioned in other similar Commission's offered in various other Bills?

Because indeed, as I said earlier, I want to ask for legislative intent, because one prior Bill gave the Office of Policy and Management, a working Commission that gave it the power of compliance, required compliance of its suggestions. Just for legislative intent through you, Madam President, I would like to ask the Chair and the vice Chair and the able staff attorney helping that. What is the powers granted that this is purely a conversation, blue panel interaction of suggestions to the legislative Committee of cognizance. Through you, Madam President.

THE CHAIR:

Senator Needleman.

Senator Cassano.

SENATOR CASSANO (4TH):

Yes, through you, Madam President, to the good Senator. Senator Hwang, this is obviously a new concept. The goal of this is to try to keep these organizations together and working together as one. We've got a variety of organizations that are directly listed here. Because of they have an actual role. You have the Governor's office, the legislative office, the agencies, it's an attempt to bring everybody together and have a communication network that doesn't exist now.

Everybody does their own thing, whether it's a state level, local level, legislative, whatever it might be, we all go in certain directions. If you look at the volume here, it can be significantly powerful if in fact, the people that are supposed to be sitting in those seats are appointed, and meeting. If it's a paper document, it's not going to work.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you. I want to thank the good Chair. It's great to hear him again. And I do appreciate what he's saying.

But through you for legislative intent, are there any compliance powers granted to this Committee? Are there efforts from - and their goal and mission and process? I just didn't get that from the new section. I just simply saw most of it as the composition. But through you for legislative intent, I want to have a better understanding of what powers we are granting, or is it purely a well-intentioned blue ribbon panel of experts to offer suggestions to the Committee of cognizance? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President, through you. It's noted in its Section -- line 79, development of model design guidelines, and so on.

What this group is supposed to do is become -- it's an advisory Committee. It's what it comes down to. It's an Advisory Committee, however, that brings everybody together. They don't have any authority or power, but they have the ability to initiate things to get things done.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, and thanks to the good Chair for that clarification. And indeed, it is important to note that this is more of an advisory role, with the experts being able to offer suggestions and ideas and collaboration solutions.

But as I look at the composition of this Committee, I see it as extremely top-heavy, Hartford-centric. Appointees from my incredibly capable colleagues in both Chambers, from the Governor's office. And even a few from the minority party leaders in the House and the Senate.

But I'm also grateful the fact that it also included the Ranking Members of the area of Committee of Cognizance in Planning and Development, Housing, Transportation, and Environment.

So I'm grateful as a Ranking Member in two of those Committees, that that is a Committee that I would be honored and thrilled to collaborate and work on. But it also, as I repeat, again, seem incredibly top-heavy. There are 36 Members of that commission. But I don't see any designated appointees from our local municipalities.

I don't see representatives appointed specifically, from our municipal governments, from our small towns, from our environmental advocacy groups, from communities of potentially up to 25,000 small towns, potentially are mid-size villages and towns up to 70,000. And our cities in our Connecticut from 70,000 and up.

There may be appointees granted to the legislative leadership in those respective areas. But they're appointed by political leaders. We have not given the local shareholders input in those particular areas.

Are we looking to get perspective, insight, and ideas from all engaged shareholders? Or have we not learned our lessons that Hartford-centric ideas well intentioned, does not always work when applied to various local communities and their unique needs?

Well-intentioned. But nevertheless, as I see the construction of this, and the composition of this Committee, I feel as though we're making the same mistakes, of forgetting to recognize the policies and the laws that we make in the state of Connecticut that will impact the significant shareholders who will be living with these laws don't really have a voice in this.

So through you, Madam President, I have an Amendment LCO 9501. And will the good Clerk, please call the Amendment?

THE CHAIR:

Mr. Clerk.

SENATOR HWANG (28TH):

I apologize through you, Madam President.

THE CHAIR:

Oh, thank you I didn't hear you.

SENATOR HWANG (28TH):

Point of clarification. It is Amendment LCO 9496.

CLERK:

LCO No. 9496. Senate Schedule "B"

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

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

THE CHAIR:

Please proceed, sir.

SENATOR HWANG (28TH):

Thank you. As I talked about the importance of that Committee, as I talked about the composition that seems to be very Hartford-centric and bureaucratic, top-heavy. I support the idea of that working Commission. I support us working together to try to find solutions and a collaborative effort for every aspect of our community. And to incorporate real solutions from contrasting viewpoints.

So this Amendment would re-calculate the various appointees of this Commission, it would retain the original 36 Members, but it would change the various composition, and instead of two appointments for the speaker, we would allow one instead of two appointments for the President pro-term of the Senate, we would create two and then -- I'm sorry, one appointed by the President pro-term. One appointed by the Majority leader of the House of Representatives, one appointed by the Majority leader of the Senate, one appointed by the Minority Leader of the House, and one appointed by the Minority Leader of the Senate.

And we will also have the Chairpersons and the Ranking Members of joint Committee Cognizance in the areas of Planning and Development, the Environment, Housing, and Transportation.

We will also include the Secretary of the Office of Policy and Management.

We would have the Commissioner of Administrative Service.

We would have the Commissioner of Economic Community Development.

We would have the Commissioner of Energy and Environmental protection; and we would have the Commissioner of Housing, the Commissioner of Transportation.

An appointment by the Governor that will represent the Connecticut Council of Small towns.

Another appointment by the Governor who shall represent the Connecticut Council municipalities.

Another appointment by the Governor who should represent a municipality with a population of 25,000 or less.

Another appointment by the Governor who should represent the Municipality with a population greater than 25,000, but less than 65,000; and then one appointed by the Governor who shall represent a municipality with a population greater than 65,000.

We would also have one appointed by the Governor, which will represent the realtors of Connecticut; and another one that should represent the Home Builders Association of Connecticut.

And finally, the last appointee by the Governor shall represent the Connecticut League of Conservation Voters.

Again, we keep the same number. We keep the same structure. We keep the same mission. But what we have done in this Amendment and I urge support and adoption is crafting a Committee of contrasting and engaged viewpoints that will work together, offering somewhat contrasting viewpoints that are relevant to a sustainable policy as we move forward.

So again, I urge support of this Amendment, and I hope that the Chamber will see it fit to support it as well. Through you Madam President.

THE CHAIR:

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

SENATOR NEEDLEMAN (33RD):

Madam President through you. I rise to oppose the Amendment and ask for a roll call vote.

THE CHAIR:

Thank you, sir. A roll call vote has been requested on the Amendment and that will be granted. Will you remark further on the Amendment before the chamber? Will you remark further on the Amendment? If not, we will open the voting machines and Mr. Clerk, would you please call vote on the Amendment.

CLERK:

Immediate roll call vote has been ordered in the Senate. This is House Bill 6107. Senate "B"

Immediate roll call vote has been ordered in the Senate on House Bill 6107 Senate Amendment B.

Immediate roll call vote in the Senate House Bill 6107 Senate Amendment "B"

Immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

House Bill 6107 this Senate Amendment "B"

Total number voting	35
Total number voting Yay	11
Total voted Nay	24
Absent not voting	1

(Gavel)

THE CHAIR:

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

SENATOR HWANG (28TH):

Thank you Madam President. I, I wish we were able to convene a more diverse group that's represented to the various shareholders.

But I hope that as we said many times in our Committee work that I appreciate the statesmanship and the collegial ness, of my colleague in the Planning and Development Committee that we will continue to work toward this as a work in progress.

That being said, I think we have a fundamental difference in regards to the idea of home rule and local control. I believe we are best as a state when we listen to the people that we were elected to represent.

That we engage in policies and decisions and respect for personal property rights, and respecting individuals ability to make determinations.

That indeed for me, that when a state believes it has all the answers, then indeed, the people will have all the problems.

So with that said, I'm eager to hear the other people's perspective. I want to thank the Chair and the Vice Chair for their patience and perspective.

I hope that we all be able to engage in more productive, collaborative discussions. As I said, Before, I believe we have an important and critical need for affordable, accessible, and diverse housing.

But not only just in our suburbs, but in our cities and in our rural communities. And I truly believe as I have offered up in this working group, that the best way we could do this is when we collaborate together with neighbors with Local, State, and Federal Officials to craft a sustainable, viable, and collaborative solution.

The idea of the State mandated one size fits all. As we have gone through this exercise and reading through the devil in the details of interpretation.

We offer up potential scenarios. But the reality of local government says my good counterparts, as first Selectman and former Mayors understand all the nuances and incidences we can ever conjure up.

Reality poses additional surprises we would have never expected. And the fact that we're thinking in the state of Connecticut, in this incredible building in which we are privileged to serve in has the solution is an overestimation of our ability to represent the people of Connecticut.

So I hope that we will consider as we move forward, to listen to the people more than we listen to our own voices. Thank you, Mr. President. Madam President.

THE CHAIR:

Thank you, Senator Hwang. Will you remark further?
Good evening, Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President is pleasure to see you tonight. And through you, Madam President for the purpose of legislative intent I have a few questions for the proponent of the Bill.

THE CHAIR:

Please proceed and prepare yourself Senator Cassano.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. I noticed that we are changing the Commission on Connecticut's development and future in Section 12 with a number of tasks in line 759 through 762 we appear to be asking the commission to develop recommendations for guidelines incentives for a number of areas of existing sections of our A-2 statute. Would that be correct? Through you Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Yes, Madam President. Through you yes, that is correct.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President through you simply because this Commission

is studying parts of A-2, is a town still required to comply with the law? Through you Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Yes, Madam President through you. Yes, they must still comply.

SENATOR OSTEN (19TH):

Thank you very much --

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President and through you. So to be specific towns will need to follow subdivisions four to six of Subsection B of the A-2, even if the commission never issues a report. Would that be correct? Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Through you, Madam President. Yes.

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President in that, oh, that's all my questions. So the proponent of the

Bill can relax for just one quick second, I just have a couple of things to add.

First of all, zoning is such a personal issue. And I've been watching throughout this session, as people have expressed their opinions of concern, and their opinions of a need for change.

And there are two very diverse groups who have dealt with this issue throughout the last few months. And I appreciate the comments that have happened around the circle here today.

I would say that there was a piece of legislation done a number of years ago referencing temporary health care facilities and that often referred to as granny pods, and my mother was alive back then.

And she -- and that was a piece of legislation that I put forward when I was on the Planning and Development Committee. And she said that we should change the name because no one ever wanted to be referred to as a granny.

I don't mind being referred to as a granny so I don't really get that. But she said that if we really wanted to make some change, we had to pay attention to the words and I think that that's also true.

In many of the comments that have been made about this zoning changes. Most of this zoning changes that are in this piece of legislation, provide an opt-out for municipal Recognizing that we need to bring people along in a fashion that allows them to participate.

And that's what this piece of legislation does. It allows for people to participate in discussion through hard issues on a local level. And I look forward to seeing the vote at the end of it, I wouldn't even mind seeing this piece of

legislation run on consent. Thank you very much,
Madam President.

THE CHAIR:

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

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. I just have a couple
questions in regards to this. My glass -

THE CHAIR:

Please proceed Sir.

SENATOR CHAMPAGNE (35TH):

Thank you. So as I put my glasses back on, I'm going
to have to borrow yours. I have a question to the
proponent of the Bill through you, Madam President.

THE CHAIR:

Please proceed, Sir.

SENATOR CHAMPAGNE (35TH):

It's a question of the definition "as of right". I
just want to make sure that "as of right" does not
interfere with the local zoning regulations,
especially setbacks and lot size, anything like
that.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Thank you Madam President, it does not.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you. Now, the unit's the ADUs if they're put on and family lives and then moves out, can these ADUs be rented out? Through you Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President, they certainly can.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. And does that exclude Airbnb and those companies? Through you Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President, this requirement or this change to the statute does not preclude a municipality from banning AD - from banning Airbnb.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. Now that is a concern of mine that we start putting these up and renting them out basically, as hotel rooms.

The sewer hookups, the costs when you construct a building, you have to pay what's called a hookup fee.

And I noticed within the legislation that exempts some of these the ADUs and some of the other units that we're talking about, is there any time that we can charge somebody for the sewer hookup, because usually the initial hookup fees, it's based on the size of the house and, and bathrooms and how many tenants you can have and a lot of different factors.

And if we're adding on, I noticed it in one part you can't charge but is there a time that we can charge them? Through you Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President. I don't come from a town that has sewers, per se, but we have septic. One of the things that this Bill attempts to address is that accessory buildings dwellings that have bathrooms, on -- in septic towns are technically required to have separate systems.

This Bill allows for them as a right to not have to have a separate septic system. Right now the way to get approval would be the Department of Public Health.

They don't reasonably not allow them as far as sewer hookups. Not an expert in sewer municipalities but I don't believe that there would be an extra charge

unless your sewer authority would apply an extra charge for them.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Madam President. When somebody comes in and they put apartment buildings up, they charge basically per unit.

And this is why I'm asking this if we're putting these extra units on a property. Normally, if they were put at the same time, they would both have to be have to pay the hookup fee.

So I am a little concerned that we're going to bypass that part of the law. And you know, these hookup fees, they have a reason and they help pay for the upkeep of the sewer system and the pipes.

And, you know, I have a little bit of a concern of that. Now I want to talk about the opt-out, in line 67 to 82. I didn't see a date in there who's going to determine that opt out date? Through you Madam President?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President, can you repeat that question? Sorry about that.

SENATOR CHAMPAGNE (35TH):

I certainly can through you through you, Mr. President.

THE CHAIR:

Senator Champagne, please repeat your question if you would, thank you.

SENATOR CHAMPAGNE (35TH):

Sorry, I'm getting ahead of myself. In line 67, through 82, and in the other spots contained within this language, who determines the opt-out date? So it says it has to be done by a certain date. Who determines that?

THE CHAIR:

Senator Needleman?

SENATOR NEEDLEMAN (33RD):

Thank you, Mr. President. Very nice to see you up there.

THE CHAIR:

Very good to be here. Thank you.

SENATOR NEEDLEMAN (33RD):

My understanding is that it depends on which opt out which lines you're talking about. Through you, madam -- Mr. President, not madam I'm so used to that.

THE CHAIR:

Thank you, Senator Needleman, Senator Champagne, you have the floor.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. It is lines 67 through 82. That's the first one I'm talking about.

THE CHAIR:

Senator Needleman.

Through you Mr. President that's at the discretion of the municipality.

THE CHAIR:

Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. So if it's through the municipality, because it says if we don't opt out by a certain date, then we can't opt out and we're mandated.

So if I can determine what date it is to opt out, can I just say whenever I feel like it? Through you, Madam -- Mr. President.

THE CHAIR:

Thanks, Senator Champagne. Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Mr. President. Thank you for your question. Senator Champagne, there's no opt out date for parking. So I'm not sure if you're asking about the granny pods. With all due respect to Senator Osten. They are have been historically called granny pods. Being a grandpa, I'm not sure I like that.

THE CHAIR:

Thank you, Senator Needleman, Senator Champagne, you have the floor.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. It's under Section three. Starting it -- so that's line 67 like I've been saying. "A municipality by vote of its legislative body or it's in its municipality, where the legislative bodies town meeting by vote of the board of Selectmen made up out of the provisions of this section, and the provisions of section five this subsection and as Amended" and so on.

And but it does go down and it talks about that I have to that I have to opt out by a certain date in different areas.

So I'm just trying to realize if I have to do this by a certain date, and it may not be this one, but further on, if I have to opt out by a certain date, it doesn't list the date. So I'm just trying to figure out what that date is. Through Mr. President.

THE CHAIR:

Thank you, Senator Champagne. Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Mr. President in my understanding if there's not a specific date for opt out, then there is no specific date for opt out.

THE CHAIR:

Thank you, Senator Needleman. Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. And if there is a date, who determines what that date is going to be? Through you, Mr. President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Mr. President, in the section of the Bill that you're referring to, there is no specific date. So I would imagine the municipality has discretion in that matter.

THE CHAIR:

Thank you, Senator Needleman Senator Champagne.

SENATOR CHAMPAGNE (35TH):

Yeah, I'm trying to catch up to where I was. I wrote that one down on that. And it is probably contained within another part and obviously, I'm not going to get that answer.

So I will -- I'll continue on. The section where existing low income housing is, it says, the low market value houses that already exist are not considered for that 10% under 8-30j affordable houses. Why is that? Through you Mr. President?

THE CHAIR:

Senator Needleman, would you care to respond?

SENATOR NEEDLEMAN (33RD):

Through you Mr. President, again, as I had said before, I think that we spend a lot of hours trying to figure out why currently priced lower income housing is not included.

And that is because it is not deed restricted, and it being not deed restricted makes it subject to the market which means that it could be affordable today and not affordable tomorrow.

THE CHAIR:

Thank you Senator Needleman. Senator Champagne, you have the floor.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. I guess my next question is if the town doesn't get to this new definition of 10%, does this -- the town face liability of lawsuit from anybody because of this? Through you, Mr. President.

THE CHAIR:

Thank you, Senator Champagne Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Mr. President, and this Bill does not deal with that, the 10% is existing statute and I do not believe that there are any penalties in the existing statute because most municipalities in the state of Connecticut do not meet the 10% threshold.

THE CHAIR:

Thank you, Senator Needleman, Senator Champagne you have the floor.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. So you're correct under 1030 G is the definition for -- when the definition was changed to D, was the definition changed under this new legislation to the deeded properties, because at least one of my towns is exempt from the 10% because they're above it.

But does anywhere in this legislation change this 10% and because under the new numbers I'm seeing, it would no longer count a lot of those? Through you Mr. President.

THE CHAIR:

Senator Needleman care to respond.

SENATOR NEEDLEMAN (33RD):

Through you Mr. President, I do not believe this affects the 8-30j statutes at all. There are, by the way, opt out provisions in an 8-30j based on progress towards the 10% that municipalities that add a certain percentage of affordable housing in a period of time could have a temporary moratorium on building any new affordable housing to allow the existing housing stock to be absorbed into the community.

In my town, for example, we've made great progress. We have not applied for a moratorium, but we're we are absorbing the housing that we have. But I do believe technically we would qualify if we did apply.

THE CHAIR:

Thank you Senator Needleman, Senator Champagne, you have the floor.

SENATOR CHAMPAGNE (35TH):

Thank you, Mr. President. Thankfully, Senator Tony Hwang did quite an extensive work up on this answered many of my questions.

So I am still a little concerned because there's been a lot of talk about the deeded and the unneeded low income housing, and the fact that you know, if your town has 20%, low income housing, and many of those are not deeded, dropping 10% is quite a quite a number to go.

And for those houses not to be counted towards low income housing is concerning to me. You know, we worked very hard to get to where we are, many of those are older homes.

But I fear that, you know, towns across Connecticut are going to are going to find themselves in some sort of financial mess if they cannot meet certain standards through this. And I'm hoping that some of the smaller towns, you know, continue to be exempt from this. Because, you know, it makes it more difficult out there.

But I'm going to end here. And hopefully you don't have to come back because I remembered where I was thinking about. But I do want to thank the proponents of the Bill for this.

I wish we could have met a little closer that I think the House did a good job bringing this a little more under control. It's still missing the mark for me, but I'm going to continue to listen to what everybody else has to say.

THE CHAIR:

Thank you, Senator Champagne. Will you remark further. On the Bill? Senator Martin.

SENATOR MARTIN (31ST):

Good evening, Mr. President.

THE CHAIR:

Good evening, Senator.

SENATOR MARTIN (31ST):

Thank you for allowing me to say a few words. You know, these ADUs are not new. I think everybody's really realizing that. And it's basically a small, you know, small unit, small house on the same property.

I've seen them above garages, I've seen them in basements. And then on the side of, of a house. In essence, it's part of the main piece of property.

I think you all know that I you know, I grew up in a construction family and we've learned develop and you know, we're always looking for different ways of coming up with new creative housing and I've never done one of these, but this is interesting to me.

But I just want to make a quick comment before I ask some questions, but regarding, I heard, you know, we need to provide affordability, affordable housing here in Connecticut.

And he's absolutely the good guy, a Senator is absolutely right, you know, 48% of renters pay over 30% of their income towards rentals.

So it is an issue and we do need to address it. The --I think, you know, this is one way of addressing it. But also, I think we need to look at ourselves a little bit. And what I mean by that is the Department of Housing.

You know, we have these projects, so we finance various projects throughout the whole state. When you look at the details, and the submittals for various projects, they could be 12 units, they could be 100 units, and they are throughout the whole state.

But the costs or those of those projects are extreme. I'll give you an example. And then I'll move on. When I arrived here, five, six years ago, a project that we had in Bristol was being proposed for a veterans, for housing for veterans, it was an existing housing project that I had bid on, was the second low bidder, and I didn't get the job.

I remember it, it was built, and it housed the homeless for years, perhaps a couple decades. And then the nonprofit could not afford to build or

continue servicing the homeless because of financial reasons. So it ended up in the city of Bristol's hands.

Long story short, the idea of a veteran's homes or providing home homes for the veterans was great. I was on city council and that that pitch was made.

I'm here now and now I got to see the cost of what was being proposed. It floored me. It floored me \$2.7 million for nine units \$300,000 a unit being financed by the State of Connecticut by a nonprofit that took over the that submitted the proposal.

If we want or if we want to be serious about developing affordable housing, then we need to look at ourselves and what we are doing and the requirements or the regulations that we've attached to financing some of these projects.

So with that said, I have lost myself here a little bit, but let me get to it. I do have some questions. Through you, Madam President.

THE CHAIR:

Yes, please proceed, Sir. And team prepare yourselves.

SENATOR MARTIN (31ST):

So does this Bill apply to the cities as well as towns? Through you, Madam President.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President. Yes.

SENATOR MARTIN (31ST):

Thank you.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

I'll be patient. Sorry. So would you be able to walk me through once this Bill is adopted and become statute. Can you walk me through what will be required of the towns or the cities in order to implement this statute? Through you Madam Chair.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President, I believe that the towns will undertake Amending many of their Zoning Regulations to allow for accessory dwelling units or decide to take the opt out position.

But I think that's pretty much the requirement here along with the commission that's going to be formed. A lot of this has to do not only with affordable housing, there are other Amendments to the Zoning Regulations that are not specifically related to that.

But the municipalities will have to work to have their Zoning Regulations conformed to the new statute.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you. Thank you. That's what my understanding would take place having gone through the master plan of development in the city of Bristol, along with observing the rewriting of Zoning Regulations and Planning Commission's plans as well.

So the Zoning Regulations would need to be rewritten, and they would also determine the setbacks, requirements and building requirements for those ADUs correct? Through you, Madam Chair.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President. I do not believe that any of these requirements would in any way shape or form impact setbacks or any of the other aspects of law coverage, all those things that are already in their Zoning Regulations, their local control Zoning Regulations. The only thing is that there is an allowance for ADUs as accessory dwelling units as a right.

THE CHAIR:

And Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. So I thought I read in here. Will the ADUs be allowed throughout the entire city or the towns? Through you Madam Chair.

THE CHAIR:

Senator Needleman.

Through you Madam President and I apologize to the good Senator. I did not hear that question.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you Madam Chair. I'd like to know if the ADUs will be allowed throughout the whole city or a town. Through you Madam Chair.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Madam President ADUs are allowed as a right. Going forward with the opt-out provision that municipalities can take.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

I made maybe I asked that the wrong way. What I'm looking for if the City of Bristol wants to, or is planning on adopting this, is it -- are ADUs going to be allowed throughout the whole town?

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President, yes.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Okay, because I thought I read it, maybe that's why I'm asking the question was I thought that a municipality would be able to select a certain area of a town. And that's not the case? Through you, Madam Chair.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President. It's not my understanding that it is there was discussion about transit oriented districts earlier, but that's not necessarily in here at this point.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. I thought I read that in the -- these amended Bill here that's in front of us. So we're going to be able to put ADUs in single family homes throughout the whole city. What about duplexes or multi families? Through you Madam Chair.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

I think it's where single family homes are located through you, Madam President, and I apologize -

THE CHAIR:

No worries.

SENATOR NEEDLEMAN (33RD):

-- Procedural mistake on my part. I believe it's regarding single family home neighborhoods.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So if a city has a smaller lots, they will also be allowed such as 5000 square foot lots, or 10,000 square foot, you know, our 10s are 15 as long as they are fit, I would assume inside the building setback lines? Through you Madam Chair.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President, this would apply to both attached and unattached. So for example, if you had a two car garage and it met all the setback requirements, and you wanted to build an apartment over it, you could do that.

But I do not believe that it would allow you to go around the current setbacks and other Zoning Regulations in the town without, for example, going to a zoning Board of Appeals which may allow it in any case. But that is not a right.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. So just to mention, you mentioned the variances. Are there any instances

that if a current property has a variance approval, and they want to put on a dwelling by ADU, would that be allowed? And I'm asking these questions, because I'm trying to think like a builder here or a property owner who is may have to come through some of this. That's why I'm asking this, through you Madam Chair.

THE CHAIR:

Thank you. Senator Needleman

SENATOR NEEDLEMAN (33RD):

Through you Madam President, that's a very nuanced question my good colleague. I sat on the zoning Board of Appeals in my town for eight years. And we did allow for example, garages that went into setbacks slightly because of the size and shape of a lot and expansion vertically I think is allowed and I think there's case law on that but again, I'm not a Zoning Attorney.

So for example, if you built a garage and then you want to later, and it's in a setback and you want it to build something above it. I believe you can. But I don't know that for 100% Sure, that's a nuanced Zoning question. Through you Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

And I think you're fully aware that that is what's going to happen here. So if the town has gone through zoning approvals, I'm assuming that they're going to need to go through a public hearing.

And once that is, well, let me ask well, once they've come up with the regulations, and will they need to go out to the public and have a public

hearing for them to adopt this? Through you, Madam Chair.

THE CHAIR:

Senator Needleman.

Through you, Madam President. My understanding again, having a little experience with this is any Amendment to the Zoning Regulation, including text Amendment changes of any kind, require a public hearing and a vote of the Zoning and Planning Commission.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. So zoning is adopted. They're in play, I'm a I'm a homeowner, I want this ADU to build for my, my parents? And will I need to go to the zoning to get an approval, or would it be done administratively and I simply would need just to go to the building department. They'll do their sign offs and go to administratively down to get the Zoning, Yes, it's okay, etc. Through you Madam President.

THE CHAIR:

Senator Sir Needleman.

SENATOR NEEDLEMAN (33RD):

Through you, Madam President, I can't speak to the application process in 169 towns, but I can -- I'm only the first Selectman of one of them. But I can speak to our process, the approval by zoning would be administrative.

And the application process for something like this would start with Zoning and Zoning would determine if it's an infringement in setbacks or other issues of zoning that are currently restrictions on zoning regulations.

And the Zoning Enforcement Officer is the one who would reroute it to the Department of Health to the building department, to the Fire Marshal or anybody else that needs to have approval within that application.

But because ADUs we'll be a right, they will not be required to go to the Zoning Commission, there will be no requirement for a public hearing on a standard application. But all the other requirements would be in place.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. I only have a few more questions here. Regarding the utilities? Are we looking at separate utilities for electrical, sewer specifically? Through you Madam Chair.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President. I believe that this with regard to sewer and septic allows for multiple buildings or two buildings, if they're detached on one on one septic system, which right now requires a public health, state public health code exemption, people the best example I can give you when it comes to sewers, people build pool houses all the time.

Not all the time. Some people build pool houses periodically, let me rephrase that. And if they have a pool house that has a bathroom in it or any kind of lavatory, they are required to have a septic system but they would get an exemption through the local health department to the state to allow them not to have to put in a separate septic system.

With regard to electric utilities. I would think that that would depend on whether it is attached or detached, separate building might require a separate meter or a sub meter off the primary building.

I believe that there is something in there that addresses that. But it's not meant to be a barrier to building one

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Why I'm envisioning You know, this a detach ADU small and you know, 700 square feet and now we've got to bring in a sewer line. Where does that sewer line coming from? We it's a lateral that's coming out from the street or is it septic? And you know there are those types of issues as well and what type of utility lines you know will the CLAMP will or CLAMP will no longer run, but ever sourcing or what are their requirements going to be

So you said that the -- let me just ask. I think I have two more questions here. So can we put more than one ADU on a property? Because the language the way it was written that by right -- by right, the property owner would be able to have one it almost implied. Gee, you could have more than one through you Madam Chair.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through Madam President. No.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Okay. Thank you. And regarding the renters, typically what I've -- what I know about this, maybe it's not much. But these are usually for family members. We're doing it for mom and dads. But you mentioned that we're going to be able to rent these.

So in from what I'm seeing here, now we've made these into an apartment. That's what we've done. And it no longer classifies it as single family home.

I know that that's not the intent here, but it sure we are now making this into a two dwelling piece of property. So I don't think that's the intent. But when you start saying that we're going to be renting these, then that opens that all up as now it's a multi-family, rather than a single family.

THE CHAIR:

Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Through you Madam President, I actually think that that may be the intent that it can't require that it be only for a relative. Frequently they are in many cases. And as we know, in many cases, it's for elderly parents, and I'm looking forward to moving in with my son at some point, and annoying him to the point where he wants me to move out. But I do believe that these are rentable units at that point.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Yes, thank you, Madam President, I have no more questions. You know, I'm just going to close by just going back to what I began with, is, you know, this is a good, good -- this is good, that we are, you know, trying to achieve some type of affordability in the state.

However, I really believe that if you really want to make an impact on the affordability of housing here in the state of Connecticut, I think we need to look within ourselves here and what we are doing with the Department of Housing.

Look at the obstacles, or what let's look at what's driving the costs of the financing of those projects, if you really want to make an impact on affordability. Thank you, Madam Chair.

THE CHAIR:

Thank you, Senator Martin. Will you remark further? Good evening, Senator Haskell.

SENATOR HASKELL (26TH):

Good evening, Madam President. I rise very briefly not for questions, to the good Chair or Vice Chair who deserve a break I think after so many hours of thoughtful discussion, but instead just to offer a few comments.

First, I want to thank the proponents of the Bill for speaking so eloquently, both here and in the House. During that debate. Representative Christine McCarthy Vahey, Senator Cassano, Senator Needleman and so many others have worked so hard on this Bill.

And I also want to thank the Planning and Zoning commissioners in my district who have really taken the time to dig into the weeds on this legislation and make it better over the course of many revisions.

Madam President, not that long ago, I decided to come home to Connecticut, I graduated from college, packed up my car and came back to the state where I grew up. And like just about every other recent college graduate who I know, I couldn't afford it. I can't afford a single family home.

So it's so important that we have diverse housing opportunities in our community. I know that each and every one of my colleagues is concerned about workforce development. We visit businesses in our district, and they tell us the same thing time and time again, they can't find young, talented tech-savvy workers to fill these 21st Century jobs.

And then we come up to Hartford and we wring our hands about why that is. Well, one of the reasons, Madam President, is that it's too hard for young people to find a place to live in Connecticut to afford a place to live in Connecticut.

We know that in Massachusetts, about 42% of recent college graduates stick around after graduation. That number drops about 10 points in this state even though we do such a good job of educating young people from UConn to Conn. College to Yale to Norwalk Community Colleges -- Norwalk Community College.

Not enough of those students stick around after graduation. And we wonder why? But we build single family homes and not -- not enough of anything else. We don't build enough diverse housing opportunities in this state.

And what I'm trying to say Madam President, the reason I wanted to come to the floor and say a few words is that there are moral reasons for doing this Bill, we know that we live in one of the most racially and economically-segregated states in the country. But there are also economic reasons to do this Bill.

If we're going to continue coming to Hartford and talking about why young people are leaving this state, and for that matter, Madam President, if we're going to continue coming to Hartford, and talking about why seniors can't afford to downsize in Connecticut. If we're going to continue talking about why entrepreneurs and small business owners can't afford to come into Connecticut, Well, then let's actually decide to do something about it when it comes to housing, which is such a tremendous cost that so many folks face.

And what makes me so sad. Tonight, Madam President, is that rather than talking about the substance of the Bill, and what is written on the paper before us this debate -- not necessarily in this Chamber tonight, but I would say around the state and certainly in newspaper articles and on social media has become a debate about slogans.

So let's take a moment to talk about what is actually in the legislation. I hear a lot, that this legislation somehow undermines local control. That seems to be a talking point that's going around the state. Well, this Bill would legalize Accessory Dwelling Units. Things like pool cottages and garage apartments for in-laws.

In other words, homeowners could turn a portion of their property into a separate unit that they could rent out. And by the way, that's something that's already allowed in the vast majority of municipalities. We're giving property owners private property owners this right to do something that's already allowed.

And if a town decides that it doesn't work in their unique local situation, well, then they can opt out of that provision, they can opt out of the parking provision. This Bill doesn't infringe upon local rights. Madam President, and I'm just absolutely frustrated that the rhetoric around this legislation is so detached from what I see in front of me on the paper.

You know, for what it's worth a lot of what this Bill does, it actually expands the power of local planning and zoning Commissions. I know many of my colleagues on both sides of the aisle here are environmentalists. Well, this legislation is going to allow local planning and zoning Commission's to adopt more stringent, more aggressive regulations when it comes to sustainable water and energy systems to protect our planet. To protect our clean air and our clean water.

It replaces vague terms like town character, which might mean something different to every single one of us and throughout our history has been applied unevenly based on the color of people's skin or the community which they come from, or the income that they happen to receive, and instead, empowers local planning and zoning commissioners, to decide what exactly town character means. Tie it to physical characteristics, things like height and setback and density in architectural context, let's make sure that the rules apply equally to everybody. And by the way, those rules, they're not set by us in Hartford, they're not set by some bureaucratic agency. They're set by the local planning and zoning commissioners.

So please, stop saying that the Bill takes away local control. And finally, this Bill provides for a few hours of training for planning and zoning commissioners every year, a few hours of training for one of the most complicated jobs that anybody could have in government.

Surely, the men and women who step up to do this job want to make sure that they are up to date with the latest land use policies, with the latest sewage and Water Development and with key equity concerns so that they can make the best decision for their town. Is that really all that controversial?

I don't think so. Madam President. I think we're debating slogans and we're not debating the Bill. Let's --let me close by talking about what the Bill does not do.

It doesn't give Hartford or any state level agency, the power to over-rule local planning and zoning Commission's it doesn't give developers the right to build whatever they want, wherever they want. And it doesn't include any provisions that would meaningfully change the look of our downtowns, our main streets, or our train stations.

It's a small step to create just a little bit more housing opportunities. Because if we're going to continue coming to Hartford to talk about the brain drain, if we're going to continue coming to Hartford to talk about how seniors can't afford to downsize in this community.

Folks who built their lives here are forced to live in another state once they retire, because they want to downsize. They want to stay close to their family, but they can't find an apartment or a Condo, or an Accessory Dwelling Unit that's affordable in their neighborhood.

Well, we can't talk about those issues, Madam President without addressing housing. And this Bill isn't going to solve all of those problems. But it brings us just -- just one step closer. So I thank those who have worked so hard on this.

So I thank Senator Cassano and Senator Needleman and Representative McCarthy Vahey. And I'll close with

where I started. I thank the planning and zoning commissioners who roll up their sleeves and do this work every day who made this Bill better by providing feedback and I believe that all of us in this, this chamber, cared deeply about the substance of the Bills that we vote on, which is why we should be honest about the fact that this Bill doesn't infringe upon local zoning rights. It empowers our towns to make decisions that actually retain residents and hopefully, Madam President, attract the next generation of Connecticut residents. Thank you very much.

THE CHAIR:

Thank you, Senator Haskell. Will you remark further?
Senator Needleman.

SENATOR NEEDLEMAN (33RD):

Thank you, Madam President. And I do appreciate Senator Haskell's comments. We certainly want our young people to come back to this state and have a place to live that they can afford. Jobs that they can get ways to get around. It's all critical for the future of the state.

I also want to thank Senator Cassano for his leadership on this Bill, Representative McCarthy Vahey, Representative Goupil, and the Ranking Member Senator Hwang, and Representative Zullo for their hard work and dedicated time trying to get this to a more perfect place.

We don't live in a perfect world, we seek solutions. And this Bill is the result of countless hours and days-worth of work not only on the part of people in this building, but on the part of advocates throughout the state Planners Association and different groups that have put in time working on a Bill that probably left a lot to be desired for different people across the spectrum. And to me,

that is the mark of a good Bill, that no one is 100% happy.

There were compromises along the way. And we've ended up with something that is a good start. We acknowledge there are significant equity issues in our state and we also acknowledge that this does not solve all of the issues.

But the voices out there are demanding solutions. And we have responded. This Bill represents the best efforts of the Planning and Development Committee to begin to move the state in a new direction.

I want to thank everybody for their indulgence and I urge passage of this Bill. Thank you.

THE CHAIR:

Thank you, Senator Needleman. Will you remark further? Senator Cassano.

SENATOR CASSANO (4TH):

Madam President I rise to really to thank the Members of the Planning and Development Committee. First of all, starting with Norman, Norman and particularly my Co-Chair, Christine McCarty Vahey, who really was the genius of putting this together and making it happen. Teresa for her work with us with the Committee and so on. It was it that was unmeasurable, not a good time for my glasses to break on me today. And I had a difficult time and I apologize and thank you for putting up with that. And I urge people to support this.

It's a good step forward. It's a good step for the state of Connecticut. It takes a lot of things that are already in existence and strengthens them. And it also gives us an opportunity collectively to look at the future to make improvements. This is step one, and hopefully we'll move forward. It will all benefit from this. Thank you.

THE CHAIR:

Will you remark further? Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. Madam President, I rise to support the legislation passed by the House of Representatives and first I wanted to thank a few people as well for their work on this Bill.

First, I'd like to thank our Senate President, Senator Looney for his work and advocacy on this issue, knowing this is an important one for our state and that helping to bring this Bill forward into a vote tonight.

Senator Cassano, the Chair the planning Development Committee, Senator Needleman the Vice Chair for their work. Representative McCarthy Vahey, House Majority Leader Rojas who've all spent a lot of time on this.

Our staff Theresa Govert, Bill McKerrow and Joe Rudicalf and outside groups even like Ann in Darien who has worked to try and ensure that accurate information has gotten out about really what is a very critical issue here in our state.

So the question is why are we here this evening and why is his Bill before us tonight, in this year, in this session? Madam President, when the murder of George Floyd occurred a year ago, there were literally were marches in every single community in the state of Connecticut.

And it was something that had never occurred before, in our state. And people of all races and ages and ethnicities came together and said, "We must do better." And we can do better, and a promise to look inside ourselves and our state, to make our state an even better place to say and acknowledged something

that we've all known for far too long, about our state being segregated based on race, ethnicity, and income.

And the fact that we can make our state a better place we can be stronger when we are not isolated from each other, based on our race, and our income, our ethnicity, or any other factor that's out there. And so we when we marched in the communities, and I marched in Norwalk, and I marched in Darien, and people marched across the state, we said, "Black Lives Matter" And we said that we intend to do better in this state, so that people can live in various communities and not just be relegated to cities or places where there is a greater stock of housing. And where people aren't shut out because of the fact that housing has been set up or zoning has been set up for years, to basically exclude people from moving there.

And that was -- that was an important point. Because I think that there have been a number of people over the years who have tried to get us here now. But because of the fact that that we did, that moment wasn't with us, we weren't able to actually get there.

So I am - well, I'm a bit frustrated at this Bill, that it's not as strong as it could be, or probably -- or should be this tonight, this vote tonight. And with the Governor's signature is a very important step on our road to ensuring that Connecticut sheds itself from being one of the most segregated states in a nation.

We live in a great state if you ask anybody about our state. It is a great state. We have beautiful communities and a beautiful coastline and parks. And you know, so much going for us we have an excellent workforce.

But we are lacking in the ability for people to have the right, or the ability to live in various communities in our state.

Madam President, if you look at the census that that came out, it showed that Connecticut only grew its population by 1%. And I would attribute some of that to the fact that it's not from a lack of building in our cities, as we have cities like Stamford and Norwalk, Hartford, New Haven, Bridgeport, we're building. We're building apartments, building houses, people are moving in, they're moving into our urban areas. And that's great. But that doesn't solve the problem. They're not we're not building around our train stations and our suburban towns. We're not building in all the places where we can build. And that's not to say that we want to ruin a town's character or in some way, shape, or form. change what has made Connecticut so wonderful, we want to we want to have a state that people feel like they can come in and move to because Connecticut is so beautiful.

But let's give people a chance to live in our communities in all of our communities, not just some of our communities, every town. You know, I live in Norwalk and we have ordinances about affordable housing. Every community should be striving towards having a diverse housing stock. Not just a few communities, every community should be doing that.

And again, Madam President, I believe that this legislation is so important to take us on that step to where we need to be. And as was said by my colleague and friend, Senator Haskell, there's this misinformation that somehow that this Bill is taking away local control. That is the furthest thing from the truth.

We have in our state constitution, something called Home Rule, which we still honor, of course, because it's in our state constitution. But we also need to make sure that we are working towards setting the

guardrails, as was said earlier by one of my colleagues.

And to me, there's no there's no hard for bureaucrats who are deciding what's happening in Norwalk or Darien or New Canaan or Westport or any other communities across the state of Connecticut. We're setting those guardrails.

I have a lot of respect for local planning and zoning officials in all communities and as Senator Haskell said they do a hard job. But they are -- they also are not infallible Greek philosophers brought back from centuries ago who make perfect decisions on planning zoning. They are people just like us.

And so we have to -- we set the policy here in the state of Connecticut. And our policy should be that our communities are one in which we welcome, everyone. And if we want to make sure that we continue to grow jobs in this state, we have to have the people in this state to fill those jobs. It's not a chicken and egg scenario. The scenario is, when you have a diverse housing stock, and you have people coming into the state to live here, the businesses will come in because we have the ready workforce.

We talk about that all the time, even in eastern Connecticut, with electric boat, they're growing jobs, they need to find the people, we need to make sure we have the housing stock so they can they can find the people to work at those jobs. Same thing in Fairfield County, having a hard time finding people to fill those jobs. Because lots of times it's just not available housing for people to move into those people to move into the homes here in the state of Connecticut.

We all know right now, we have a housing boom that's going on. In my other job. We have sometimes in one house that's on the market, you'll have 4, 5, 6 10

12, 15 offers on one house, you'll have people who have bid on four or five or six houses and have lost them. Because there's not enough housing in our state right now. We have seniors who are moving because they can't there's no place for them to downsize. We have people who are graduating who don't stay here because there's not a place for them to move into when they graduate for them to start.

We can't just be a state where it's set for people who are of a of a certain age-group or certain age bracket, where they're just looking for that single family home with a white picket fence on a certain amount of property. We have to have a housing stock that is good for people who are graduating college, our teachers, our firefighters, our police officers, the people who service to Dunkin Donuts, and Walmart and CVS to people who might be in transition.

We have to think about all those things about how we're going to grow this state. I you know, people a lot of times talk about places down south that are growing. Yeah, they're growing. And you see the cranes in the air where they're building more and more housing. How many of us go into our communities and see cranes in the air? And I bet that answer is very few. Very few.

And that's why we have to change some of our some of the rules of the road, where we have to say that Connecticut can maintain the bucolic feel that we have. But that doesn't mean that we do that, at the end exclude people in our state or we exclude people from coming in. Or that we say I'm here, I'm sorry, you can't be here. That's not who we are.

And if we're going to grow over the long term, we're going to have growth that's better than 1% over 10 years. If we're going to make sure that People who retire can still stay here in the state of Connecticut. If we're going to make sure that people who graduate after we put tons of investment in our education funding in our colleges, we're going to

make -- we want them to stay here? We need to build that housing, we need to make sure we have that housing stock. If we want to make sure that we start tackling our traffic issues in the state of Connecticut, then how about we stop having people who have to drive 20 or 30 or 40 miles to get to work?

If we believe in family values in this state, then why are we telling people that they cannot find the place to live in the community in which they work, but yet, they've got a, they've got to leave 45 minutes to an hour or more just to get to work. And they can't spend that time with their kids.

So let's be consistent about what we're saying, here with our policies. And there's not a one size-fit-all policy. But again, we made a promise last year that we were going to do better, we made a promise that we were going to shed that exclusiveness in many of our communities. And we made a promise that we would look to make the communities that we have more diverse because that is our strength. That is the strength that we have is in our diversity, our racial diversity, our ethnic diversity, and our economic diversity. We learn when we work with people and interact with people who are different from us. That's how we have a better state. That's how we do it better.

So Madam President, I believe that we can -- we can come back in the future, and work on these issues, and strengthen what we have started tonight. But we have to start somewhere. We have to take that first step. And I know it's difficult for people because everybody wants to make sure that their local folks are happy with the various things that we do.

But this is a vote of courage to take this vote tonight because it is a first step not a last step in what we're doing. And making our state that welcoming place that we said and we promised we would do when we were all marching last year. So I

urge my colleagues to support this legislation tonight. And to know that this is a good vote a smart vote towards a better Connecticut. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Duff. Will you remark further?
Senator Kelly?

SENATOR KELLY (21ST):

Thank you, Madam President. I would like to start just by first thanking all the hard work and effort that went into many of the folks on our side of the aisle who brought this issue forward across the state of Connecticut, to every single one of our towns and cities and communities, and got the message out as to what is happening or not happening under the Capitol dome here in Hartford.

First and foremost, our Ranking Members, both Senator Tony Hwang and Representative Zullo in the House, who did a fantastic job of not only dealing with the issue, but highlighting why and where this issue departs from the reality that every single Connecticut town and city as well as every single Connecticut family faces.

And then the individuals who have supported them in those efforts. Tara Frilling, Sarah Clark, Jared Pico, Peggy Tibbles, and Nicole Raul, have all worked tirelessly to make sure that the truth about this issue gets out across the state of Connecticut.

Because that's what we need to do is talk about what's really at the heart of this issue. The Republicans have a better way to address the issues of unaffordability in Connecticut, the unaffordability of housing, the lack of good paying jobs, and income growth. We have those ideas, good ideas, sound ideas. The problem is that for the past 23 years, we haven't been in the majority.

So the reality of what Connecticut is unaffordable housing, unaffordable cost of living, lack of job growth, lack of personal income growth is all with the majority, who control every single lever of political power for the citizens of Connecticut. They have put their full faith and credit in the Democratic Party. And now not only here in Connecticut, but in Washington too. So from what we've heard tonight, the reality is that Connecticut in our government doesn't work for its citizens. And I'm here to tell you, it's because of the majority.

In June of 2020, CT mirror pro-Republican report aptly -- aptly stated, quote, and this is their words, third party. Despite its liberal reputation, and democrats controlling the legislature for the last 23 years, and the Governor's mansion for the last nine, Connecticut is one of the most segregated places in the country.

Referencing these findings, Connecticut democrats vowed to address this issue, not by talking about the affordability of our state, the burdens people face, the obstacles that block access to good paying jobs, the lack of opportunity in our cities, or the overall struggling economy that contributes to these issues, but rather by talking about putting Hartford, in charge of our local zoning rules for all our towns and cities, as if the towns and cities are the ones to blame.

The problem with this approach is that it fails to address the root cause of many equity issues Connecticut families face, including the multi-generational cycles of poverty, lack of access to good paying jobs, and educational opportunity.

It's an approach that lays all the blame on local zoning regs, and none of it on the poor economy that Hartford democrats create, which is making it harder and harder for people to find success and climb up and out of poverty.

Housing in Connecticut is unaffordable for far too many families. But that is not because of zoning regulations. It is because our economy has not kept pace with the cost of living in our state, a cost that rises each and every year, fueled by tax increases and rising prices on necessities, like electricity and health care. Remember that affordable health care, that promise all of which are the result of democrat policies.

It's not zoning rules that are exclusionary, it's the democrat economic policies that are exclusionary. Here are a few of the facts. Connecticut's dead last in job growth. That's worse in the country. Dead last in personal income growth, again, worst in the country.

We heard earlier today that the Connecticut strives to be the best. This is what matters to Connecticut families, and this is where we fail. Connecticut lost 122,000 jobs in 2020. 122,000. That's more than the Great Recession where we lost 119,000 that we never got out of. That was the worst economic recovery across the country. Once again, it's the economy. It's income. If people don't have money, they can't afford anything better.

Plus the cost of living in Connecticut have skyrocketed. We have the second highest the second highest tax burden of any state in the nation. And the highest electric rates in the continental US.

The housing barriers are clear. Lack of housing is tied to lack of access to jobs. Home ownership is becoming out of reach, and the pandemic housing boom has worsened that situation by making it even more difficult, more difficult to afford housing because the competitive housing market is all on the buyer, -- not the buyer, the seller. The prices as we've heard, are increasing.

According to a report from the Connecticut mirror, at least one out of every 14 residential mortgages in Connecticut was delinquent, or in foreclosure in February of this year. That's the 13th highest rate in the US and well above our pre-pandemic level. Access to housing is directly tied to access to jobs, a pandemic that resulted in the loss of 300,000 jobs of which we have only recovered 63% should make all lawmakers realize we cannot improve access to housing without first improving access to jobs. They are tied. We're not going to be number one in affordable housing when we're dead last in job growth, giving people the opportunity to succeed.

Income growth is not keeping up with cost of living. Three communities, three middle low income communities, Stratford, Bristol, and East Haven, also a medium household income grow by roughly 15% since 2010. And during the same period, the cost of rent in those towns grew by approximately 20%. So if we're worse in job growth, and worst in income growth, and income remain stagnant, and the cost of living increases, and the cost of rent increases, you're always going to have the gap until you figure out how to get more money to more families and give them more opportunity so that they can succeed for their families and their kids.

We can create all the government we want. But unless we cure that reality, and figure out a way to give the people the opportunity to earn more, especially when government continues to ask more of them by tax burdens, costs, fees, et cetera, et cetera, they'll never get ahead.

If we want to solve the problem, we have to have that honest conversation about the root cause. During the same period of time, families who are paying rent in excess of 30% of their incomes grew by 14%. It's not acceptable. That just means people are falling further behind. New Haven and Bridgeport income grew by 7%. Housing grew by 17%.

But now in the communities of Darien and Westport, their median income -- their median income grew by 32 and 37%. So their income growth is moving ahead of the cost of living. These are the problems. The reality is for the vast majority, our economy and jobs are not growing at a rate that will keep Connecticut where it needs to be. These Madam President are the cold hard facts of the reality facing Connecticut families. And what's the Democrats' solution? The Democrats' solution is to give Hartford, more government more control over our towns and cities as if Hartford has gotten it right. Housing is unaffordable when our state is unaffordable.

Until Connecticut Democrats create an economy that provides better opportunity and income to our families. Housing will only grow more unaffordable for more people no matter what the programs or what the government the democrats create. Thank you, Madam President.

THE CHAIR:

Will, you are you mark further? Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President speaking in support of the Bill, and it is a Bill that is modest, I believe, but significant nonetheless, in its accumulated impact in a variety of areas that have not been addressed in Connecticut for a very long time. And first I want to thank Senator Cassano and Senator Needleman for all of their work on this and the Committee process and here this evening, Representative McCarthy Vahey in the in the House debate. I want to thank Teresa Govert, our staff for all of her work on this Bill as well. I want to thank our majority leader who gave it such a great priority, and helped make it an item of great urgency in our caucus.

First of all, Madam President, zoning rules are of course exclusionary, and have been for years. That can't be denied. We have -- it is a proxy for race. And any kind of evasions and other kinds of statements are just trying to continue to obscure the facts that are hard to obscure in Connecticut because we are such a small state in area that the contrasts exist in very close geographic proximity to each other. And are therefore even more stark, as we have communities, low income communities, with the heavily minority, low income populations, right next to communities that are 95% or more of white, and are much more affluent, maybe the contrasts aren't quite as stark in other states and might be more easy to ignore.

But that's not the case here. The wealthy in Connecticut forever have always sought to insulate themselves from the rest of the state. It's even symbolic in the wealthiest communities having gated sections where the extremely wealthy wall themselves off even from the less wealthy within those communities. So that's -- let alone those from those outside.

Madam President, I wanted to paraphrase something that Senator Needleman said earlier this evening about the nature of Connecticut structure. And it's really -- it's not that that 169 municipalities happen to aggregate into the state of Connecticut. It's the state of Connecticut that happens to have 169 Municipal subdivisions.

The state of Connecticut is the primary governmental organization within the boundaries of this piece of geography between New York, Rhode Island, and Massachusetts. The municipalities have their role, but that is a role that is granted to them by the state. Through Home Rule, the primary policy maker has to be the state of Connecticut to create equity.

We'd have chaos if you have 169 separate standards in certain areas. And the fact that we have set has so many land use discredited decisions left exclusively to municipalities, acting to preserve the status quo and to keep change in equity outside their boundaries, creates the problems that we have seen.

This Bill is a very modest effort. Senator Kelly, in his in his comments, seem to constantly question the choice that the voters have made over the years. And the voters have chosen Democratic majority in the legislature to try to go forward.

Thank goodness, we now have a democratic President to help change the history of the devastating results of the last Republican President for the last four years.

But Madam President, this Bill is modest, but it is significant. It does some things that will plant some seeds that we hope can grow in other ways. It prohibits municipalities from charging higher fees for affordable developments, or multi-family developments.

It's important because it prevents penalizing multifamily developments and making them less affordable. And this is an important thing because in support of 8-30j. I was a member of the House and proudly supported and worked on the passage of 8-30j with my then colleague, Representative Bill Cebus, who was the primary architect and designer of that Bill, he was a scholar of Governmental policy, was a professor at Connecticut College, as well as being a legislator, obviously, he went on later to become OPM secretary in the Weicker administration. He was the architect in the House of that Bill, and made arguments that year on the floor that Connecticut would never succeed and thrive until it was able to achieve greater diversity in its housing mix and also to avoid the kind of balkanization of based on wealth and race that we had in 1989. And still have

today to a considerable degree, despite 8-30j and the modest impact that it has had.

So this Bill, I wish that there were certain other provisions that were in Senate Bill 24. I would love to have seen in this Bill as well to recognize that transit-oriented districts ought to have a role in which the state should have a greater role in deciding land use in areas where state facilities like transit hubs dominate.

Now, that's not in this Bill. But despite that, this is an important Bill. We have those other sections that recognize that the zoning enabling statutes can add or strengthen important requirements that adds important consideration of historic tribal, cultural, and environmental resources that are critical planning factors, and replaces the vague and often abused word of the of the character defending regulations that are restrictive and exclusionary as preserving the character of the town.

And that means -- that's shorthand for white and wealthy. And although people don't want to admit that, with replace it with physical sight characteristics as an allowable consideration.

There's a new section that also requires that single accessory apartments be allowed, as of right in any zoning district that allows single family residences. But again, it doesn't force anyone to build anything. It's strictly enabling, an enabling provision for property owners, and it grants home owners more rights and potential value for their property.

Also, another section, Madam President requires land use Commissioners to receive minimum mandatory training, essentially four hours every two years. This is very modest, but very necessary. The decisions that are made by land use Commissioners in every municipality are critically important.

Anyone who does any land use law and practicing that the statutes and policy in that area are growing more and more complex. Lay people appointed to that, just because they are good citizens don't necessarily have the expertise to deal with the complexity.

And we see the results of that in constant lawsuits following up on land use decisions that are made. So there's no there's currently no training requirement for planning zoning, and CBA commissioners. And that's resulted in countless time and effort spent in overturning their decisions. And land use law has become so critical, so complicated, and costly, that training is essential, and will be very cost effective, I think, in helping those land use Commissioners to avoid the pitfalls into which they currently often fall and find their decisions reversed and expensive lawsuits.

So, again, that the later section of the Bill, creating a commission on Connecticut's development in future, I think holds out a significant promise, it has the potential to be a significant expression of the importance of proactive planning. At a statewide level, in Connecticut in over a decade. We are held back in Connecticut in so many ways, because of our structure.

Because Connecticut history goes back to the 17th century. No one laying out Connecticut today would devise 169 separate municipalities without some sort of organized, organizing, or regional construct to help them engage in cooperation. We're one of the few states that have no county structures, no services provided at an intermediary level between the state and municipalities.

Therefore, there are so many areas where municipalities could combine together and provide services and get economies of scale, in more cost-effective ways that they choose not to do, because

of the absolute death grip fixation on Home Rule and local control, which people take pride in, but it's actually something that is holding back the development of the state in so many areas, especially in terms of economic development, where new businesses come in, look at an area not in terms of the municipal fiefdoms, but in terms of the economic health and potential of an entire region, not of a single community within that region.

And the new Commission can provide some guidance on models zoning and development guidance, affordable housing, plan development, planning for wastewater management, improvements for housing, in transportation systems, and it can be critically important for statewide planning.

But again, statewide planning is always handicapped in a state where the overriding concern is the concerns of 169 separate municipalities there have been models in other parts of the country for years for instance, the state of Minnesota have had the tax base sharing plan for many years where the seven county region around Minneapolis, St. Paul has had a system of sharing tax revenue and economic planning for an entire region, not just town by town. And it has a system in which there is a plan for the region that helps decide which kind of development is appropriate for each town in the region.

And whenever a new economic development entity comes in, whether it be a new factory or a store of some kind, a portion of the new taxes that are generated are apportioned to every town within that region, not just the one where the facility is located. So it's not just that you have one winner and everybody else loses, but everyone wins and it also allows for, for better planning to find appropriate uses for each community that again, that sort of development in Connecticut is retarded by our hype on localism.

All of these things are problems, Madam President. And this Bill is a modest step toward beginning to address them in terms of improved planning, improved preparation of land use planning commissioners, in ways of making sure that that planning and zoning Commissions are aware of some policy concerns that may go beyond the very narrowness of their local concern about trying to preserve their community exactly as it has been since the 17th century in some cases. So Madam President, this is -- it is an important Bill. It's not a revolutionary Bill, by any means. But it is an important Bill, an incremental Bill that does move us in a positive direction, indicates that Connecticut does recognize its problems and challenges, and is committed to move responsibly, although incrementally once again, in the right direction.

So Madam President, again, wanted to thank all those who have been involved in this the great deal of time that the Planning and Development Committee, both its House and Senate leadership put in and Madam President would urge a favorable vote on the Bill this evening. Thank you, Madam President.

THE CHAIR:

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

CLERK:

Immediate roll call vote has been ordered in the Senate on House Bill 6107.

Immediate roll call vote in the Senate on House Bill 6107.

Immediate roll call vote in the Senate.

THE CHAIR:

Ladies and gentlemen of the Senate just remember we do have a Consent Calendar with one item on it so please do not wander far from the Chamber after this vote.

Ladies and gentlemen, please do remember we have one more item on the Consent Calendar after this vote is completed so please stay close by.

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

CLERK:

House Bill 6107:

Total Number voting	36
Total voting Yay	23
Total voting Nay	13
Absent, not voting	0

THE CHAIR:

And the Bill passes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, will the Clerk please call the extensive Consent Calendar. And so we may have a vote on the Consent Calendar please.

THE CHAIR:

Mr. Clerk.

CLERK:

Extensive Consent Calendar No. 1. Page 39. Calendar 201. Senate Bill 1011.

THE CHAIR:

The Machine we'll be open. Ladies and gentlemen,
please vote on the Consent Calendar.

CLERK:

Immediate roll call vote in the Senate on the
Consent Calendar No. 1

Immediate roll call vote in the Senate Consent
Calendar No. 1.

Immediate roll call vote in the Senate Consent
Calendar No. 1.

Immediate roll call vote in the Senate. Consent
Calendar No. 1.

Immediate roll call vote in the Senate.

THE CHAIR:

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

CLERK:

Consent Calendar Number 1:

Total number voting	36
Total number voting Yay	36
Total not voting	0
Absent, not voting	0

THE CHAIR:

And we have consented to the Consent calendar.
Senator Duff.

SENATOR DUFF (25TH):

Thank you Madam President. Madam President, I don't know if anybody has any points of personal privilege or announcements? I don't think so.

I would just like to mention before we adjourn that two things. One is that I wish everybody a pleasant weekend, a safe weekend and that we remember those who have paid the ultimate sacrifice to our nation. And as we may celebrate in our own ways, that we keep those who have served and those who paid the ultimate sacrifice in our thoughts and prayers. And we thank them of course for their service.

And then Madam President, it is our intention to be in on Wednesday, Thursday, Friday and hold Saturday of next week. And with that I would move that we adjourn, subject to call the Chair.

THE CHAIR:

Thank you. We are adjourned, go forth and be safe this Memorial Day weekend.